

April 22, 2020

## Media Briefing

### Illegal logging in natural forests of Romania - new complaint to the European Commission submitted by EuroNatur, Agent Green and ClientEarth

#### Background:

On 13. February 2020, the European Commission opened infringement proceedings against the Romanian government for illegally logging its primary and old-growth forests. The Commission urged Romanian authorities to properly implement the EU Timber Regulation (EUTR). It has also found that the logging is conducted without first evaluating the impacts it will have on protected habitats, as required under the Habitats Directive and Strategic Environmental Assessment Directive. Finally, it pointed out the shortcomings in the public's access to environmental information in the forest management plans and that large fragments of protected forest have been lost.

The opening of infringement proceedings by the Commission followed two complaints submitted by EuroNatur, Agent Green and ClientEarth in 2019. The Commission supported its decision with the same arguments that the NGOs outlined in their complaints.

Due to ongoing large-scale logging operations in various areas in Romania, for the past months, EuroNatur, Agent Green and ClientEarth have been collecting evidence on the deterioration of habitats and disturbance of species in Romania's Natura 2000 protected sites<sup>1</sup>. The data demonstrates that the logging has taken toll on nature in the three areas which were analysed: Făgăraş Mountains, Maramures Mountains and Domogled. These areas, located in different parts of Romania, were selected to demonstrate the scale of the logging which affects the whole country.

Based on scientific reports, the NGOs established that during the past 15 years, 13 of which Romania was an EU Member State, the country lost half of virgin forests previously identified as intact. Many of the virgin forests that were lost were located in Natura 2000 sites. These forests are home to a number of species protected under both the Habitats and Birds Directives, which together form the cornerstone of Europe's nature conservation policy.

#### Breaches of EU legislation identified in the complaint:

##### Habitats Directive

The Habitats Directive<sup>2</sup>, together with the Birds Directive (below), protect the most valuable types of ecosystems in the European Union. It ensures the survival of rare and endangered species of plants and animals.

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<sup>1</sup> Natura 2000 is a coordinated network of protected areas that stretches across the European Union in compliance with two directives (the so-called "Habitats Directive" and the "Birds Directive"). It spreads across more than 18% of the EU territory and over 530,000 square kilometers of sea waters.

<sup>2</sup> The full text of the Habitats Directive is available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0043>

Based on these directives, Member States are required to designate areas where they protect natural habitats and species for which a given area is established. These areas are known as Natura 2000 sites.

Unfortunately, the Habitat Directive is not correctly incorporated into the Romanian legislation and is largely disregarded by Romanian authorities. This results in large-scale logging operations destroying Natura 2000 sites. Logging, which often takes the form of clear cuts, puts many of the species to which even the slightest disturbance constitutes a factor impeding their breeding and resting in danger (including *Rosalia alpina*, *Carabus hampei*, *Carabus zawadzskii*, *Canis lupus*, *Lynx lynx*, *Tetrao urogallus*, *Tetrao tetrix*, *Circaetus gallicus*, *Bubo bubo*).

Finally, logging activities lead to habitat deterioration, which often leads to the total destruction of sites. For instance, out of 11 habitats that were analysed in the Făgăraş Mountains, the majority are no longer in a good conservation status. In Maramures, the organisations documented over 10,000 hectares of clear cuts, which is equivalent to approximately 2/3 of the area of Brussels. In Domogled, the NGOs found a number of habitats with high levels of deterioration.

### **Birds Directive**

The Birds Directive requires Member States to take steps to avoid pollution or deterioration of protected habitats or any disturbances affecting birds.<sup>3</sup> In Romania, forest management practices cause serious deterioration of protected bird populations and their habitats.

A good illustration of this problem is in the Făgăraş mountains, where the Natura 2000 site was created to protect 25 bird species, including capercaillie (*Tetrao urogallus*), which requires a certain degree of isolation and tranquillity. Research has shown that currently half of these species have critically low population levels.

### **Conclusions:**

If we exclude Scandinavia, two-thirds of Europe's primary and old-growth forest are located in Romania. There is no other country in the temperate climate zone of the EU with so many large patches of connected, uninterrupted forests with very low or even no forestry use. But the continuous logging may lead to the loss of the majority of these valuable areas.

Legal action in a similar case – the Bialowieza Forest Natura 2000 site in Poland – was brought before the CJEU. In its ruling of 17 April 2018, the Court found that the Government of Poland had breached EU nature laws by accepting increased logging in Bialowieza forest.

Meanwhile, Romanian law allows the systematic logging of natural forests on an area five times bigger than Bialowieza without carrying out any impact assessment. By continuing logging, Romania is not only violating EU legislation but also destroying some of Europe's last natural wonders.

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<sup>3</sup> The full text of the Birds Directive is available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32009L0147>