

BUILDING BACK BIODIVERSITY

How EU Member States fail to spend
the recovery fund for nature

ROMANIA

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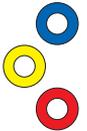


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1. Level of environmental ambition

The last version of the Romanian recovery plan was approved by the government on 7 April and did not include major changes to the previous one, published in March.⁵¹ **A total of EUR 15.3 billion will finance the plan's 'Green transition' pillar** – one out of three pillars, alongside 'Public services and urban development' and 'Economic competitiveness, digitalisation and resilience', which features measures addressing the transition in transportation and the energy sector as well as measures for biodiversity protection and conservation. Overall, the plan presents a few positive measures, but also some negative ones. On the one hand, the draft promises measures to fill Romania's gap in reaching the EU's biodiversity targets. On the other hand, however, the recovery plan still gives too little relevance to this issue and even promotes climate investments that would cause harm to nature.

The total EUR 30.4 billion that Romania will receive under the RRF could make it possible for the country to move towards a proper transition in line with the objectives of the European Green Deal and the EU Biodiversity Strategy for 2030, but Romania still needs to include all relevant stakeholders and make significant steps forward on nature protection.

2. Current state of biodiversity in the country

There is a total of 1,550 protected areas in Romania, 606 Natura 2000 sites⁵² and 944 sites designated under national law. **Natura 2000 sites in the country make up 77 per cent of the total protected area, with only 2.84 per cent of this network being protected by national laws.** The National Strategy and Action Plan for Biodiversity Conservation 2014-2020 was adopted in 2014 and focuses on stopping the decline of biological diversity, integrating biodiversity conservation policies in all sectoral policies, and promoting knowledge and technologies that support biodiversity.

⁵¹ This assessment was based on the 7 April 2021 version of Romania's recovery plan.

⁵² Including 171 Special Protection Areas (Birds Directive) and 87 Sites of Community Importance (Habitats Directive).

In this document, the government specified that a large number of biogeographical regions and a wide variety of natural habitats and wild species of community interest were in a favourable state of conservation. However, Romania's Biodiversity Conservation Indicator in 2008 (introduced by the Convention on Biological Diversity Secretariat) was lower than that of any other Member State, at about 4.2. The Strategy also set targets for the efficient and sustainable management of natural protected areas and forests. However, the authorities failed to implement both objectives correctly. Although Romania has the largest area of survival of primary and old growth forests in the European Union, due to administrative issues only a very small part of this area is strictly protected.

One of Romania's main nature management issues is illegal logging in forests, which is constantly being reported by national and international non-governmental organisations. In 2019, the Romanian government announced its intention to co-finance with the European Regional Development Fund a 36-month project called 'Completing the level of knowledge of biodiversity by implementing the monitoring system of the conservation status of species and habitats of community interest in Romania and reporting based on Article 17 of the Habitats Directive 92/43/EEC'. Nevertheless, in October 2020 the European Commission issued an infringement procedure with reference to the country's failure to correctly implement the Directive on the conservation of natural habitats of wild fauna and flora⁵³.

Related to this, the infringement procedure launched by the Commission also referred to illegal logging in forests, one of the main issues in the country's management of nature which is indeed reported by national and international non-governmental organisations. In 2021, an improved application was developed to monitor the status of logging, but this has come with many transparency problems. The issue of logging was also addressed by UNESCO in the Report of the Joint World Heritage Centre/IUCN Reactive Monitoring mission to the Albanian and Romanian components of a transnational world heritage property⁵⁴.

In the report, UNESCO clearly states that clear cuts are being carried out in the name of progressive, hygiene or conservation activities by ROMSILVA, the National Forest Administration.

3. Potential impact on biodiversity

Romania spends less money than is needed to preserve its environment, thus causing damage in several areas such as water, waste and forestry. All of these suffer from chronic underfunding and political problems. Following the same line, the Romanian recovery plan contains very few investments in biodiversity, some of which also reflect the poor management of forestry and water.

Although the 'do no significant harm' principle is mentioned in relation to measures that might have an important impact on biodiversity, the recovery plan includes measures that are developed in protected areas and therefore need environmental impact assessment (among these is the measure 'Renewal and electrification of the railway through reform measures and investments especially for selected sections. Example Arad – Timisoara – Caransebes (South West Romania)'). Experience thus far has shown that these kinds of projects implemented by different ministers (energy, transportation, agriculture, environment) have a negative impact on biodiversity, protected species and habitats. This is true even when the Environmental Impact Assessment concludes that the projects have no negative impact. **The application and the use of the 'do no significant harm' principle, therefore, raises more questions than it answers.**

» Water management

Romania's recovery plan clearly mentions the necessity of modernising complex dams and increasing their storage capacity, which is unacceptable for biodiversity. The plan calls these water system measures 'integrated projects' to emphasise both their green and gray measures, but these represent harmful investments which would lead to the destruction of nature.

» Forest management

Regarding forest management, the recovery plan promotes the construction of new forest roads as well as the modernisation of the existing ones, but both these proposals have the potential to damage protected areas. The lack of detail in the plan allows decision makers to leave out a full list of the uses of such roads. This becomes even more relevant when considering the aforementioned infringement procedures launched by the Commission on forestry issues.

⁵³ Council of the European Communities, [Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora](#), 21 May 1992.

⁵⁴ UNESCO, [Report On The Joint World Heritage Centre/Iucn Reactive Monitoring Mission To The Albanian And Romanian Components Of The Transnational World Heritage Property "Ancient And Primeval Beech Forests Of The Carpathians And Other Regions Of Europe"](#), November 2019.

Due to the lack of information and details regarding the measures included in the recovery plan, it is difficult to comprehensively assess this measure's compliance with the 'do no significant harm' principle.

Although biodiversity spending in the Romanian recovery plan is way behind the needed amount, the plan sets some promising targets, including the creation of a national network of urban natural areas, the reconstruction and restoration of grassland habitats in protected natural areas, and the definition of areas of strict protection for the implementation of the Biodiversity Strategy for 2030. **The plan also includes particularly positive measures for improving the current status of forestry in the country.**

The reorganisation of ROMSILVA (the National Forest Administration) is indeed envisaged to decouple the management of forests and their protection, thus allowing for a digital means of surveillance and control of illegal logging activities and for improving afforestation on suitable land (public and private nurseries for seedlings). Regarding the issue of afforestation, the Romanian recovery plan sets high targets by including provisions which aim to address the discrepancy between the current degree of coverage of forests in Romania (29 per cent) and the optimal percentage of afforestation (40 per cent). For the first time, the government has put the forest item on its agenda with the objective to achieve the optimal afforestation area by 2040 through new, innovative seedling methods of native species that decrease land use and increase the speed of seedling production. In addition, the government also plans to improve forest management by reorganising the authority responsible for logging and for forests' conservation, as non-governmental organisations requested when they provided input to the plan.

4. Positive measures and alternative solutions

Romania is lagging behind in terms of measures to adapt to climate change, and the correlation of economic development with environmental protection is another major challenge. **The country still needs to set more ambitious targets for maintaining biodiversity and restoring affected areas from an ecological point of view, and it needs to avoid harmful measures like illegal deforestation.** In general, management plans in Romania must be conceived according to conservation principles and International Union for Conservation of Nature (IUCN) standards.

5. Transparency and public consultation

The initial draft of the recovery plan was released in November 2020 and was discussed behind closed doors, without any involvement from civil society. However, the process opened up after Romania's December elections and the appointment of the new government chaired by Florin Cițu. Working groups were organised, and civil society organisations were able to provide input to each of the main pillars of the plan. Although public consultations were not organised in a structured way, this involvement still allowed local non-governmental organisations to provide relevant input which was eventually taken into consideration. Including ways to address Romania's open infringement procedures in the plan seems to have not been discussed at the negotiation table. This would have been a possibility to define Romania's targets and milestones.

Nevertheless, transparency remains a big issue in the preparation of the Romanian plan, especially the lack of clarity regarding the selection of measures included in the recovery plan. In April, the prime minister declared that the European Commission had rejected some of the plan's measures, and that they will instead be financed through other funds.





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