

## SUMAL 2.0's Failure: Why It Cannot Stop Illegal Logging



The controversies and problems within the Romanian forestry system risk deepening unless we fundamentally change the way we fight against illegal logging, which implies introducing a new SUMAL 3.0.

Romania has now a new Forestry Code, which the Parliament voted unanimously. It has recently launched SUMAL 2.0, an electronic wood tracking system “sold” to the public as the miraculous solution to save the country from the [infringement issued by the European Commission](#). One could say the authorities have made clear steps towards fighting illegal logging and, therefore, talking about starting a real reform in this sector could seem anachronistic. However, we need to point out that **the so-called “new” legal framework is, in fact, the same old story and doesn’t bring the much needed changes**. On the contrary, its effects will be tougher and more expensive, and the bill will be paid by the forest and local communities.

One needs to understand that SUMAL is only a tool, an app which integrates the already existing rules and laws. It doesn’t represent the logic behind the illegal logging combat system. If the rules are poor, if the system architecture targets inefficiency, then we need to lower our expectations regarding the results this instrument can obtain. Long story short, **the new SUMAL**

**2.0 didn't change anything vital but introduced new, useless administrative tasks that will make life difficult for those who had already obeyed the law.**

### **Context**

WWF has initiated and supported SUMAL since 2008, and later contributed to making it more efficient by developing the Wood Tracking system in 2014 and the Inspectorul Padurii (Forest Inspector) platform in 2016.

SUMAL has started to show positive results in its fight against illegal logging only after information became available to the general public through Wood Tracking. However, if we want it to be really efficient, we need to radically change the fundamentals of the illegal logging fighting system. That is why we think a new SUMAL, which includes this reform, is necessary.

## **The system's loopholes**

**The main problem of the forestry sector begins with and is strongly influenced by the way in which we sell our wood.** Without a coherent and visionary forestry policy, our national strategy continue to be based on selling the wood “on foot” (the stumpage sales system). About 80% of the Romanian wood is currently sold this way.

For the last decades, Romania has sold its forests by roughly estimating the volume of the standing trees, before harvesting, and has not been interested in controlling the quantities of wood that get out the forests. The system is based on “marking” the trees, which simply means the footprint of an iron hammer on stumps in the forest. The resulting stamp is irrelevant because it doesn't represent a solid proof in court and cannot say anything about the volume of the cut trees. This way, **the law legalizes a gray zone that cannot be controlled.**



It is extremely harmful that both the wood selling contracts and SUMAL are based on these raw estimates, whose errors can exceed 20%.



### **How can this “extra” wood disappear from the forest without being reported and taxed?**

The classical methods imply transports with no documents or multiple transports, using the same permits. Today, the most frequent method is “overloading” the trucks by declaring less wood in papers than in reality.

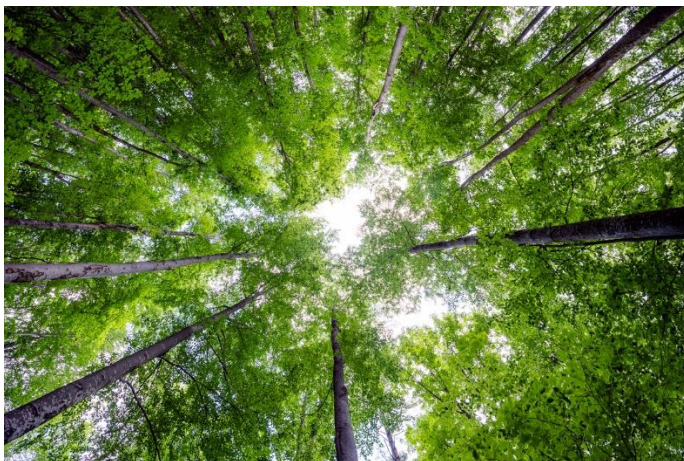
**How can the wood leave the forest without being noticed?** When deciding to break the law, one considers the risks it implies. In our case, the **operators’ risks are almost inexistent**. They are themselves responsible for measuring the transported wood and the ranger only has to make sure there are no unmarked stumps. **The law does not require verifying the transports that leave the forest and sets obligations only after the wood is placed on the market.**

**Less than 1% of the wood transports that leave the forests are currently verified.** Moreover, the new regulations set an abnormal minimum limit of 10 cubic meters before considering as criminal offence the wood transports with no valid documents. Therefore, **if an operator overloads “by mistake” the truck with less than 10 extra cubic meters, he risks only a moderate fine, of EUR 200 to EUR 1,000. And this happens for only one in 100 transports he makes.** One can wonder, therefore, who would buy bus tickets if the fines were smaller than the tickets themselves and controls were rare, random or even discretionary?

That is why the whole system aimed at stopping illegal logging is like a cardboard tiger. It’s a useless administrative burden for the correct players and an invitation to “theft with proper documents” for those willing to break the law.

## **Chasing phantoms**

If we look at the overall illegal logging combat system, we see that it requires the protection of billions of trees in the forest and the obsessive measuring and checking (more than five times) of the 18 million cubic meters of standing trees which would later be legally harvested. As a control measure, the rangers have to identify unmarked stumps located in 7 million hectares of forest. On top of it, the standard legal error to determine the wood volume can exceed 20%. Let alone the stamp’s “migrating” phenomenon from one tree to another.



We don't check on the wood that leaves the forest but, once it is placed on the market, we imagine we can control illegal logging by chasing the 18 million cubic meters of wood which roll "in cascade" in around 100,000 warehouses and wood processing units and in over 3 million households. In all these critical points, the untaxed wood can be "swallowed" or "washed" using administrative tricks (like declaring processing yields).

Why does Romania impose all these costly and inefficient procedures, when it is obvious the forest must be guarded by controlling the transports that leave the woods? We get drunk with cold water if we think we protect our forests efficiently by controlling the wood in its seventh processing cycle and looking for exact discrepancies between documents and stocks, which are in a continuous dynamic.

## **The solution: monitor and control the wood when initially placed on the market**

We need to **radically reform the illegal logging combat system** by making it simple, transparent and efficient. We can obtain simplicity and efficiency if the entire system is transparent and if we focus the controlling activities on the moment when the wood is initially placed on the market.

Most developed countries have already enforced this principle in order to make control more efficient, thus cutting out useless administrative tasks. If we are to apply this model to other areas: we pay for products when we exit the hypermarket, not at home. And the European Union checks on people and merchandise when they enter the EU zone. No way do we see armies of border guards looking for the impossible in public places or in people's houses.

Even more, the European Union has already enforced wood control at first placement on the market through Rule 995/2010. As this regulation has been poorly applied in Romania, we are now in an infringement procedure and on our way to the European Justice Court.

The necessary solutions are not only some amendments to SUMAL. **Romania needs an entire new legal package, which implies political will and a new vision for our national forestry policies.**

Photos: WWF Romania / Mihai Constantineanu