



There are many reasons why a forest could represent a high conservation value.
They might:

- Shelter significant concentration of biological diversity;
- Basic ecosystem services in critical situations;
- Provide resources fundamental for satisfying the basic necessities of local communities;
- Critical for the preservation of the cultural identity of a community or an area;
- Constitute a rare or endangered forest ecosystem as a type /association, etc.
- **OR because its naturalness** - and so we reach to Old Growth Forest

A high degree of naturalness, **form** mainly due to natural influences is not only **rare** nowadays but also **very important** from a scientific, biodiversity conservation, fighting against climate change, recreational, and not the least **cultural identity** point of view.

But the scope of the PPT is not to raise awareness of the importance of this European Heritage – something that most probably it is clear now for everybody here. It is rather a try to present our perspective about **The Process** of protecting Old Growth Forest in Romania, with its achievements & challenges and of course **the way forward** considering the need to complete the mission of preserving this value.



The Naturalness of the Forest ecosystem

- Naturally regenerated forests
- Structure and native tree species
- Natural processes - unique ecological features
- No significant human influence

*very old forests that emerged and developed under the influence of **natural factors** where the **structure, diversity and ecosystem processes** have remained untouched by **significant** direct or indirect human influence*

The Naturalness of the Forest ecosystem is captured by different concepts: primary, primeval, virgin, quasi-virgine, natural or old growth forest.

And in all these concepts there are some key **common features** in detailing the Naturalness:

- Naturally regenerated forests
- Structure and native tree species
- Natural processes - unique ecological features

IN Romania, particularly regarding OGF concept: NO SIGNIFICANT human influences is captured – and this to make a difference with the managed forest which were deliberately led to achieve similar structure by responsible forest management practices (e.g. long rotation period or selection system).

Definition

- Virgin forest
- Cvasi-virgin forest

Criteria & indicators for their rapid assessment:

Criterion Naturalness:

- Species composition;
- Structure;
- Ages;
- Deadwood;
- Quantifying “insignificant” human influence.

Criterion Area & Delimitation

- Area of forest plot stand;
- Shape of forest plot stand and soil;
- Surrounding boundaries

In Romania, in terms of naturalness, and considering the national specific **Old-Growth Forests were considered the forests that have developed structures and are composed of species similar to old primary forest.**

That is how were define:

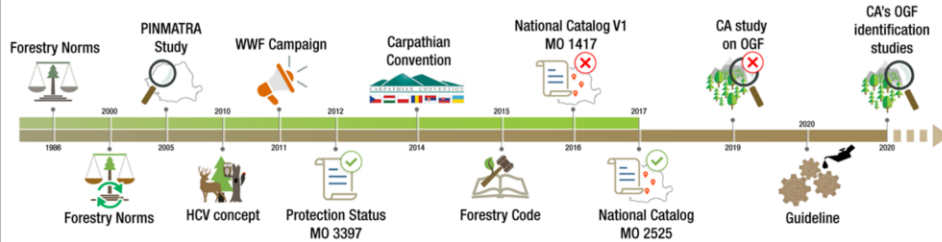
- **Virgin forest:** formed and developed exclusively under the action of natural factors - no direct or indirect anthropogenic influence.
- **Cvasi-virgin forest:** where they undergone visible anthropic changes but insignificant on the structure or ecosystem processes.

Very important! Criteria and indicators have been only established for their **rapid identification** and take into consideration the national specifics;

The reasons were:

- to have an quick assessment in the field and operative evaluation of available data from forest management plans.
- to act as a filter to exclude most of the situations in which these parameters could have been reached following active management process.

Overview



Aiming to have a better understanding of the facts, here is brief overview of the main milestones of the process of protecting the Old growth Forest in Romania (quickly go through these point).



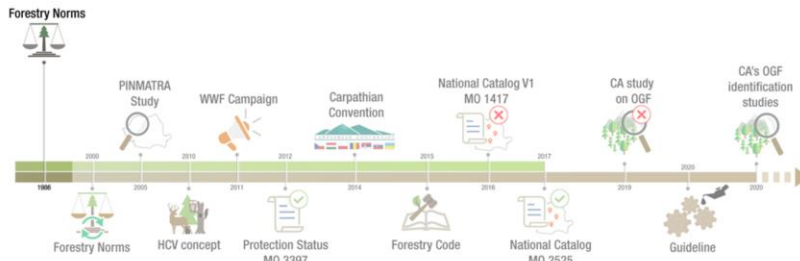
Forestry Norms

1986



- ✓ the academic environment draws attention to their importance
- ✓ formal recognition of OGF importance
- ✓ functional category 1-5J

- ✗ no clear identification criteria
- ✗ no strict protection regime



1986 – Forestry Norms

Achievement:




- ✓ The academic environment draws attention to the importance of protecting this heritage
- ✓ Formal recognition of OGF importance by imposing a new Functional category 1-5J; at that time about 25% of the forests (at that time belonging to the state) were under protection (TI - TII) having different protection roles.

BUT:

- NO clear identification criteria are established
- NO strict protection regime imposed

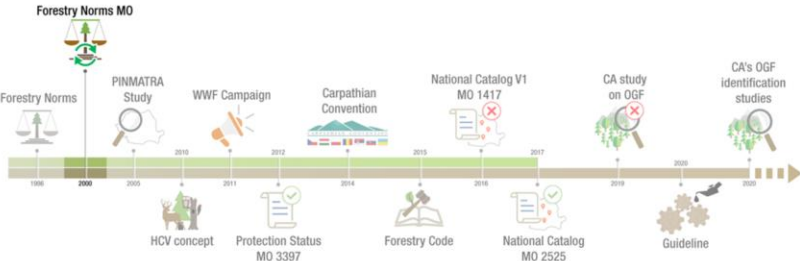
National specific procedures to ensure Old Growth Forest protection - challenges & achievements way forward

Forestry Norms
2000

- ✓ same functional system;
- ✓ thousands of hectares are already preserved
- ✓ the academic environment draws attention to the importance
- ✗ still no clear identification criteria
- ✗ increasing the risks in light of the chaotic restitution process;

Forestry Norms MO



2000 – Forestry Norms

Success:

- ✓ pretty much the same norms;
- ✓ thousands of hectares are already preserved
- ✓ the academic environment continue to draws attention to the importance of protecting this heritage

BUT:

- still no clear identification criteria established
- threats are increasing due to a “chaotic” ownership restitution process;
- “chaotic” since it was not “restitution in integrum” after having in place an adequate legislative framework adapted to this new situation; and in this context the new small owner became immediately outlawed.

National specific procedures to ensure Old Growth Forest protection - challenges & achievements way forward

PINMATRA Study
2005

- ✓ detailed identification criteria and indicators;
- ✓ performed using centralized ICAS database on all FMPs
- ✓ designed to support the designation process of Natura 2000 sites (> 80% became part of the Nature 2000).
- ✗ preliminary assessment - the study is more a kind of desktop research
- ✗ final results are not formally approved by the ICAS scientific council;
- ✗ results are not fully transparently publish;
- ✗ decision makers are not informed.

Virgin Forests in Romania

2005 – Pinmatra Study:

- ✓ started in 2001 and funded by the Programme International Nature Management of the Dutch Ministries of Agriculture
- ✓ the study offer detailed criteria and indicators for identification (regionally harmonized: RO-BG-UA-SK);
- ✓ it is a study performed by ICAS (National Forest Research Institute) and using ICAS database (unique & last centralized structured description of forests for every single forest sub-compartment at the national level – before accelerating the restitution process)'
- ✓ the results of this project supposed to support the designation process of Natura 2000 sites (as a result > 80% of the areas will became part of the Nature 2000 network).

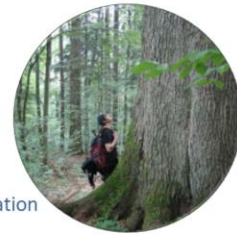
BUT:

- the study is more a kind of desktop research a preliminary assessment
- many of the area were not assessed in the field and furthermore the GIS layer has a relative accuracy.
- therefore many areas included never meet the criteria but on same time there are other representative OGF areas that are not included in the study.
- consequently the study's results are not approved by the ICAS scientific council;
- results are not fully transparent;
- decision makers are not formally informed.

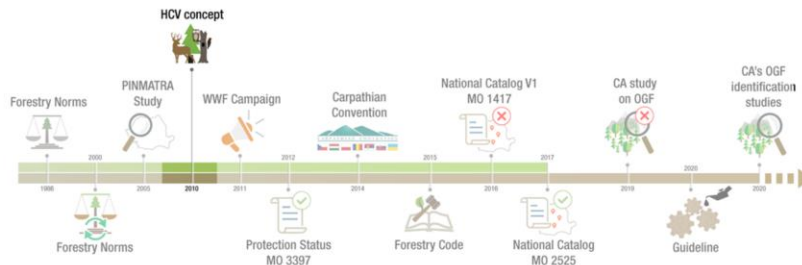


HCV concept

2010



- ✓ criteria and indicators harmonized with the PINMATRA ones;
- ✓ thousand of ha are protected on a voluntary basis through FSC® certification
- ✓ > 3000 only in WWF PCAs;;
- ✗ voluntary mechanism
- ✗ there are few FSC® certified areas



2010 – High Conservation Value Forest Concept

Introduce by FSC certification, provide:

- ✓ Criteria and indicators harmonized with the PINMATRA ones;
- ✓ thousand of ha are protected on a voluntary basis through FSC certification
- ✓ over 3000 only in WWF priority conservation areas;

BUT

- FSC is a voluntary mechanism
- there were few FSC certified areas at that time

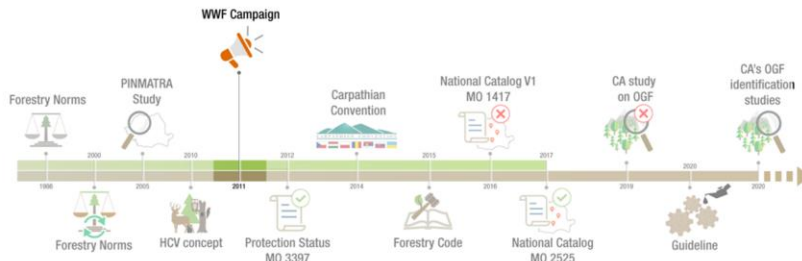


WWF Campaign

2011



- ✓ petition supported by 100.000 signatures in a month;
- ✓ CA assume to amend the Forest Norms to ensure their protection;
- ✓ MoU for establishing the National Catalogue of Virgin and Cvasi-virgin Forests – as an evidence and management tool to protect OGF.
- ✓ Since it was not a clear identification of the OGF the only chance to speed up the process was to make it more transparent and participatory - to allow interested stakeholders to bring their contribution.



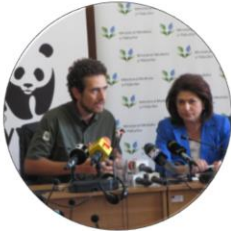
2011 – WWF Campaign for OGF protection

High interest of the society for protecting these forests:

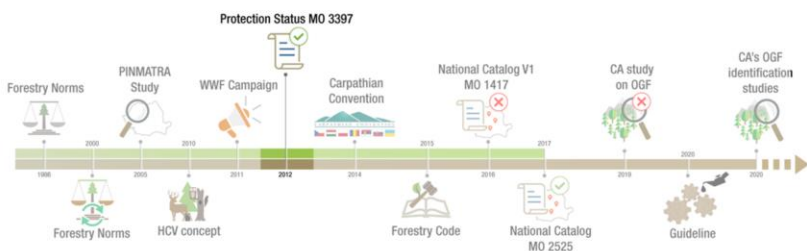
- ✓ a petition was supported by over 100.000 signatures in a month only;
- ✓ Competent Authority (CA) assume to amend the Forest Norms;
- ✓ WWF signed a MoU with CA for establishing the National Catalogue of Virgin and Cvasi-virgin Forests – as an evidence and management tool to protect OGF.
- ✓ Since it was not a clear identification of the OGF the only chance to speed up the process was to make it more transparent and participatory - to allow interested stakeholders to bring their contribution.
- ✓ Ideal situation would be to have a full inventory and immediately put them under protection, but it was not the case! Romania didn't know where its OGF are! We discuss about the PINMATRA study: **it seems it was more like a desktop research** (a useful one but with many question mark in term of its accuracy)

National specific procedures to ensure Old Growth Forest protection - challenges & achievements way forward

Protection Status – MO 3397
2012



- ✓ Participatory & transparent process for setting up the identif. criteria;
- ✓ Strict protection regime is enforced
- ✓ Criteria and indicators harmonized with PINMATRA
- ✗ FMP revision is the only way to ensure OGF protection
- ✗ A moratorium is established for PINMATRA areas – but only for those with a production role (15%)
- ✗ PINMATRA results are not officially published - moratorium cannot be applied
- ✗ NO functional compensatory mechanism for private owners.



2012 – OGF reaches their Protection status in the legislation

Success:

- ✓ Strict protection regime is enforced
- ✓ It was a participatory and transparent process for setting up the identification criteria (engaging NGOs, RO Academy, National Research Institute, Forestry Universities and other key stakeholders);
- ✓ Criteria and indicators **are** harmonized with the PINMATRA ones;
- ✓ The legal procedure for identification and establishing protection regime are the updating forest management plan (FMP) procedure (this is happening every 10 years);

BUT

- FMP revision is the only way to ensure OGF protection (and this is a slow process)
- A moratorium is established for PINMATRA areas – but only for those with a production role (covering about 15% of the area included in PINMATRA)
- PINMATRA results are not officially published - moratorium cannot be applied!
- **As a conclusion:** protection process just started without really knowing where are the Romanian's OGF; and with an inapplicable moratorium to ensure protection of PINMATRA Study. AND **NO functional compensatory mechanism for private owners.**

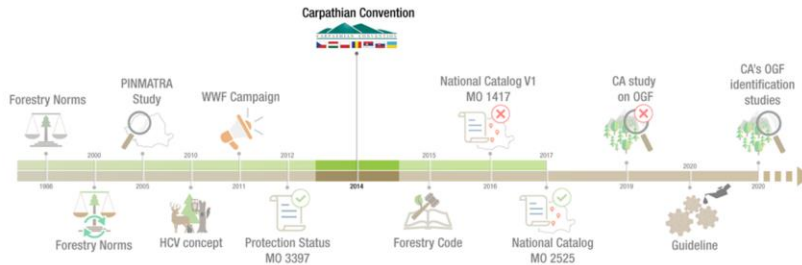


Carpathian Convention

2014



- ✓ identification criteria are established for virgin forest
- ✓ developed by groups of experts
- ✓ finally assumed by the official representatives of the Carpathian countries
- ✓ very much in line with the RO legislation provisions
- ✗ does not have legal levers to speed up the process in Romania.



2014 – Conventia Carpati (Mikulov, Czech Republic)

Succes:

- ✓ Identification criteria are established for virgin forest– those forest ecosystems that require a strict protection in terms of naturalness
- ✓ developed by groups of experts is finally assumed by the official representatives of the Carpathian countries
- ✓ very much in line with the RO legislation provisions

BUT:

→ The Carpathian Convention protocol does not have legal levers to speed up the process in Romania.

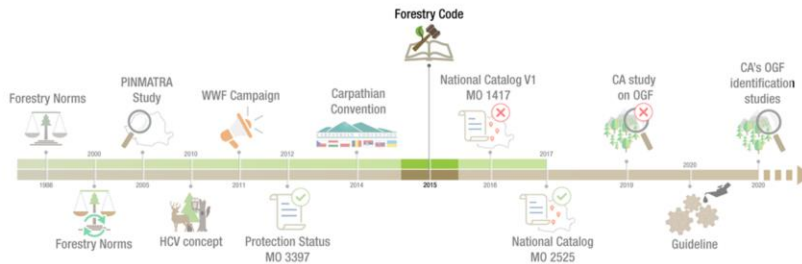


Forestry Code

2015



- ✓ The protection of virgin forests is strengthened by law provisions;
- ✓ Imposes the establishment of the National Catalog as a tool for evidence and management of virgin and quasi-virgin forests.
- ✗ The legal procedures (to make the process more transparent and dynamic) must wait for the elaboration of a Ministerial Order



2015 – Forestry Code

Succes:

- ✓ The protection of virgin forests is now provided by law;
- ✓ It is now imposed the establishment of the National Catalog as a tool for evidence and management of virgin and quasi-virgin forests.

BUT:

→ The legal procedures (to make the process more transparent and dynamic) must wait for the elaboration of a Ministerial Order.

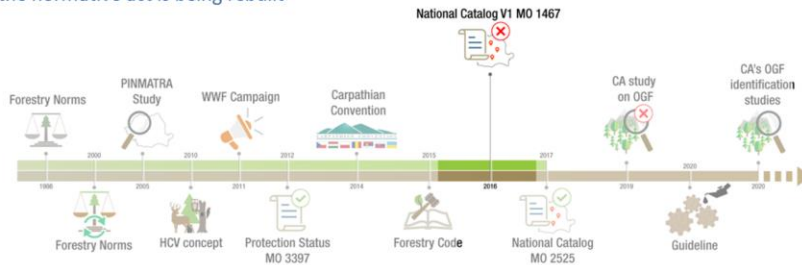


National Catalog V1 MO 1467

2016



- ✓ the PINMATRA results are officially published by CA
- ✓ the moratorium procedures can be formally implemented (relevant only for 15%);
- ✓ forest management design entities can start considering the PINMATRA results
- ✓ a national WG is formed to develop the National Catalogue procedure (NGOs, ICAS, CA, Forest universities, Forest Administrator, Experts).
- ✓ the 1st version of the National Catalog of is published – MO 1417;
- ✗ the MO provisions have loopholes that could undermine its scope;
- ✗ the normative act is being rebuilt



2016

Success:

- ✓ The PINMATRA results are finally, officially published by Competent Authority
- ✓ Only now the moratorium procedures (2012) can be formally implemented (remember only for about 15% - for the productive forests only);
- ✓ Only now forest management design entities can start officially considering the PINMATRA results;
- ✓ Following the Forest Code – a national working group is formed to develop the National Catalogue procedure (engaging NGOs, ICAS, CA, Forest Universities, Forest Administrator, and other independent experts).
- ✓ The first version of the ministerial order for the Catalog of Virgin Forests is published;

BUT:


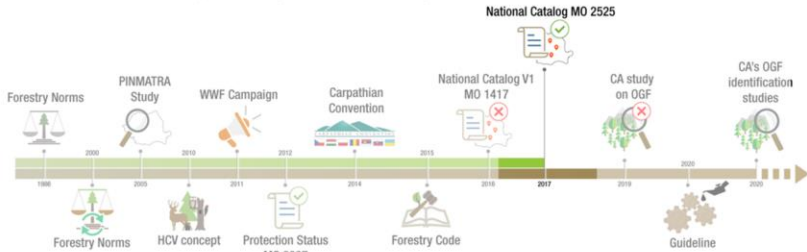
→ But the provisions have loopholes that could undermine its scope; and then the normative act is being rebuilt.

National specific procedures to ensure Old Growth Forest protection - challenges & achievements way forward

National Catalog MO 2525
2017

- ✓ new participatory and transparent approach - anyone can practically get involved
- ✓ are established 2 moratoriums (all PINMATRA & any formally submitted study)
- ✓ new clarifications for identification criteria (based from the ones approved by Carpathian Convention)

- ✗ the necessary procedures are quite complex
- ✗ the process is progressing very slowly
- ✗ low capacity of CA for a proper implementation
- ✗ still NO functional compensatory mechanism for private owners.

2017 – National Catalogue – Ministerial Order

Success:


- ✓ It opens a new participatory and transparent way - **anyone can practically get involved!**
- ✓ There are established **2 moratoriums** (related to all PINMATRA areas & any for any other areas that are subject of a Study that respect the legal procedure)
- ✓ New clarifications for identification criteria (based from the ones approved by Carpathian Convention)

BUT:

- The procedures become quite complex
- The process is progressing very slowly
- Low capacity of the CA for a proper implementation
- Still **NO functional compensatory mechanism** for private owners.

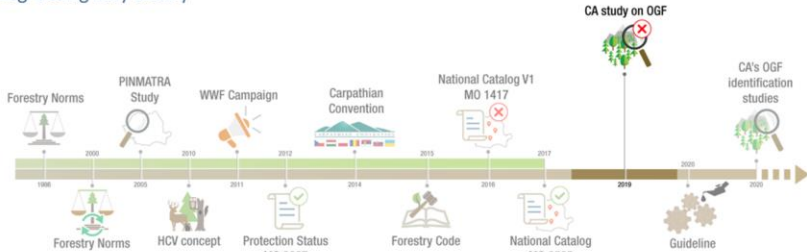
National specific procedures to ensure Old Growth Forest protection - challenges & achievements way forward

1st attempt - CA study on OGF
2019



- ✓ pre-assessment of over 300,000 ha of potential OGF is coordinated by CA
- ✓ participatory and transparent process
- ✓ public consultation for potential OGF identification - areas to be included in the scope of the field evaluations – coordinated by CA;
- ✓ public tender for the OGF identification is launched

- ✗ no one participates in the auction
- ✗ procedures to ensure protection of the already identified OGF are progressing very slowly



2019 – 1st First attempt of the CA to conduct an OGF identification

Success:


- ✓ A pre-assessment of over 300,000 ha of potential virgin forests coordinated by CA
- ✓ Participatory and transparent process attended by more than 80 stakeholders;
- ✓ Public consultation on potential OGF areas, aiming to be complete the scope of the field evaluations
- ✓ It was organize a public tender for the OGF identification

BUT:

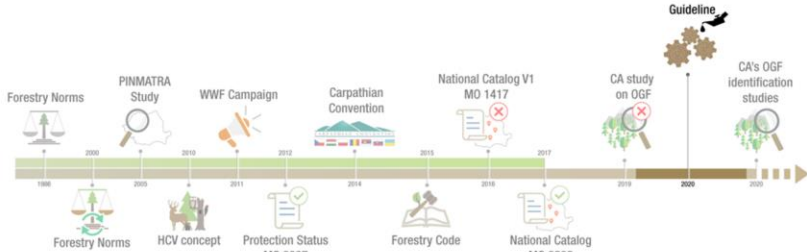
- No one participates in the auction
- Still procedures to ensure protection of the already identified OGF are progressing very slowly (mainly due to lack of CA capacity)

National specific procedures to ensure Old Growth Forest protection - challenges & achievements way forward

Guideline
2020



- ✓ clarifying procedures aiming to have a harmonized implementation
- ✓ transparent and participatory process
- ✗ cannot be clarified all the terms and procedures – it's finally a matter of assumption
- ✗ COVID context slow down the process



2020

Context:

Many of the studies are stuck in bureaucratic procedures. Therefore it was considered necessary to come out with a guideline

Success:

- ✓ Clarifying procedures aiming to have a harmonized implementation at national level.
- ✓ Transparent and participatory process.

BUT:

- Not all terms and procedure can be clarified in guidelines - Finally it's a matter of assumption from the CAs representative
- COVID context slow down the process

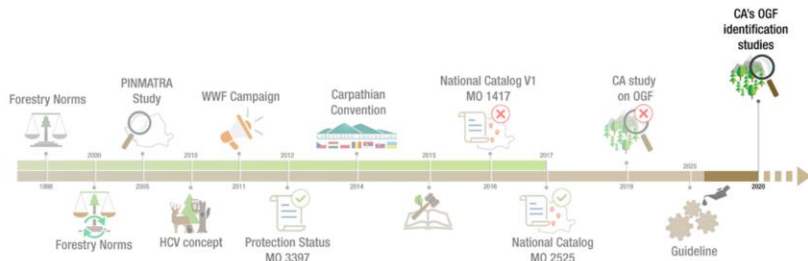


CA's OGF identification studies

2020



- ✓ transparent and participatory process
- ✓ public consultation for identification of potential OGF areas to be included under the scope of the study (40,000 ha)
- ✓ moratorium to put on hold any harvesting authorization
- ✓ teams of specialists
- ✗ according to the ToRs we still need do wait one more year.



2020 – CA's OGF identification Studies

Success:

- ✓ Transparent and participatory process
- ✓ A new public consultation to complete the scope of the Study with new proposals from interested stakeholders (40,000 ha)
- ✓ Finally were selected teams of specialists – the contracts are signed

BUT:

→ According to the ToRs we still need do wait one more year until we will see its results and the identified OGF will be included in the National Catalogue.



National specific procedures to ensure Old Growth Forest protection - challenges & achievements

Actual status - Where we are now?

- OGF in the National Catalogue:

Categorie de ecosistem	Suprafata
Cvasi-virgin forest	36421,38
Virgine forests	7401,98
Total	43823.36 ha

- Ongoing approval procedure: 16.509,18 ha (studies already registered)
- New OGF identified: 6.500 ha (WWF studies not yet registered – WWF)
- Ongoing field identification: 40.000 ha only by the CA
- Still opened procedure for new identifications.

Preliminary assessment	Field evaluated area	OGF identified
600,000 ha	155,000 ha	60,000 ha



<https://lemncontrolat.ro/>

Unfortunately in last century and especially last decades many of OGF were **lost**. **Nowadays** our estimations is that the total virgin and cvasi-virgine area is somewhere slightly above 100.000 ha

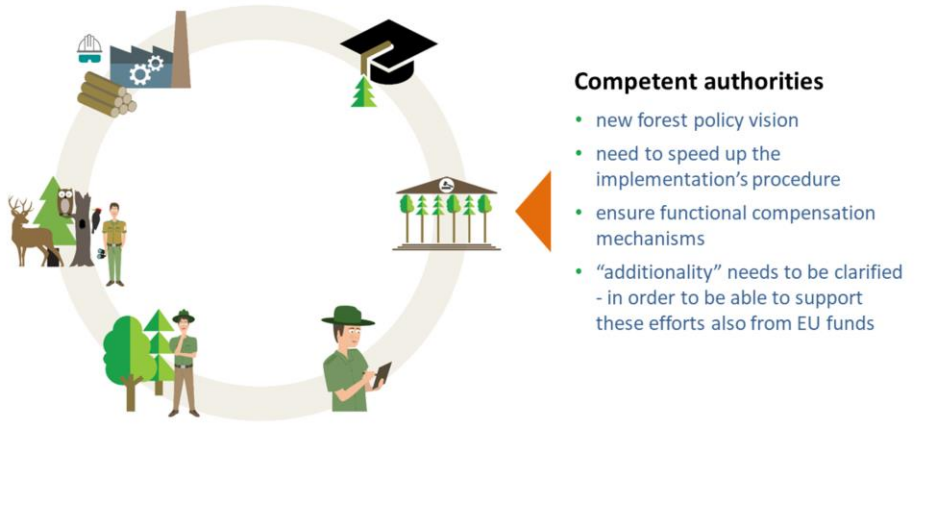


Old Growth Forest protection – way forwards



BUT we could only effectively save this heritage we have left, if WE **ALL** interested stakeholders work together for this common goal since we believe **TOGETHER** is Possible!

Old Growth Forest protection – way forwards



Addressed to Competent Authorities -

- We just have a snapshot in this presentation that demonstrate Romania really need a **national forest policy vision** (something that is missing for yeas)
- Concerning OGF we have now a consolidate specific legislation in place - we need to speed up the implementation's procedure and
- Ensuring functional compensation mechanisms for private owners is KEY

Additionality needs to be clarified - in order to be able to support these efforts also from EU funds

- European funding programs take into account national legislation and we are told EU granting funds are eligible only for measures that are exceed the existing national legislation provisions.
- **If so**, the payments programs became more **counterproductive** in protecting EU biodiversity;
- They might **favor** Member States with **less** restrictive environmental legislation, where there **may be no OGF at all!**

Old Growth Forest protection – way forwards



Civil servants

- First of all they must strive to strengthen the “rule of law”
- Particularly to OGF: there are many frustrations related to this challenging process but they must believe in the need to protect these values (not only because it is written in law or because academia and civil society demand these things but because this natural heritage must be protected).

Old Growth Forest protection – way forwards



Forest owners and forest administrators

- to have a stronger voice - compensation mechanisms derives from EU & National core values
- to understand the importance of these forests and to be more open, more pro-active for enabling their protection
- finally they do it also for themselves and for the local communities they belong to.

Forest owners and forest administrators

- To have a **stronger voice** - compensation mechanisms **derives from EU & National core values as a society**
- To **understand** the importance of these forests and to be **more open**, more **pro-active** in **supporting their protection** (those who have not already done so far)
- Finally they do it, also for themselves, and for the local communities they belong to.



Old Growth Forest protection – way forwards



PA administrator & NGOs

- beside the “Wach Dog” role – which is critical important;
- be proactively involved in OGF identification and following legal procedure to ensure their protection
- it is difficult but still very few have assumed this responsibility.
- apart from the forest administrators who were obliged to protect these forests, very few protected areas administrator or NGOs were proactively involved following the legal procedures (less than 10 entities).
- raising awareness & supporting local green business initiatives – local communities is always the key driver for their long term protection.

PA administrators & Civil Society

- **Beside** the “Wach Dog” role – which is **critical important**,
- Should be more **proactively involved** in OGF **identification** and following legal procedure to ensure their protection
- It is difficult, but **still** very few have assumed this **responsibility**.
- Apart from the forest owners and administrators (i.e. affected stakeholders) who were obliged to protect these forests, very few **interested** stakeholders were **proactively involved** in following the legal procedures provided by the National Catalogue (**less than 10 entities**).
- To continue raising awareness of their importance & **while** supporting local green business initiatives; N.B. **local communities are always the key driver for their long term protection**.



Old Growth Forest protection – way forwards



Operators

- Enforce Robust Due Diligence System



Old Growth Forest protection – way forwards



Academic environment

- To decipher the secrets of the forest universe;
- To emphasize their importance;
- Help us learn how to better manage our forests

Research and Academic environment

- To decipher the secrets of the forest universe;
- To further emphasize their importance;
- Help us learn how to better manage our forests.



Thank you!

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Thank you!