

REVIEW AND REVISION OF FSC CENTRALISED AND NATIONAL RISK ASSESSMENT FOR ROMANIA

V1

DOCUMENT FOR PUBLIC CONSULTATION

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INTRODUCTION

Scope of the document

The purpose of this document is to review and revise the <FSC-CNRA-RO V1-0 EN - Centralised National Risk Assessment for Romania> (CNRA, 2017) using the <FSC-PRO-60-006b V2-0 Risk Assessment Framework>.

The revision is needed as the validity of the existing risk assessment has ended and its requirements need to be aligned with the EUDR (Regulation EU 2023/1115). The review of the CNRA Romania 2017 has been conducted against FSC-PRO-60-006b Risk assessment framework with the aim to identify gaps and discrepancies and revise the respective assessment in conformance with the revised FSC risk assessment framework.

The scope of the risk assessment is at the country level (Romania) and for wood sourced from the Romanian forests. The risk assessment is applicable to Forest Management and Chain of Custody (including Controlled Wood). Since the legal requirements are generally applicable at the national level the geopolitical scale for the evaluation is designed at the country level. When the case, functional differentiation may apply considering different governance mechanisms in place for specific cases.

Process description

- For Romania, the national and centralized risk assessment in wood supply was carried out in 2017 and is available at <https://connect.fsc.org/document-centre/documents/resource/291> .
- The evaluation process involves determining the risks for the 64 indicators in the FSC-PRO-60-006b V2-0 Risk Assessment Framework available at: <https://connect.fsc.org/document-centre/documents/resource/377> .
- The evaluation process is conducted by a team of experts from Transylvania University of Brasov selected based on a bidding process.
- A first draft was developed by the six team members and considering the inputs of additional 16 experts in a working group meeting held in 17-18th of September 2024 in Brasov.
- The first draft has been submitted for a revision by FSC on 20st of September 2024.
- The current version represents the document for public consultation and integrates the revisions received from FSC on 11th of October 2024.
- The Risk Assessment Framework requires one round of focused consultation on the draft risk assessment lasting 30 days.
- The current version (V1- Document for public consultation) is in the public consultation process from 21st of October 2024 until 19th of November 2024.
- The focus consultation target stakeholders identified according to the groups listed in Annex 1 of the Risk Assessment Framework.
- A second draft will be developed based on the input from stakeholder consultation, and will be submitted to the FSC reviewer for review prior submission to the decision-making body.

Risk definition and designation

According to the definitions provided by FSC-PRO-60-006b V2-0 Risk Assessment Framework, the following risks can be identified as:

Negligible risk: A conclusion, following a risk assessment, that there is no cause for concern either that material from a specific geographic area originates from unacceptable sources, or that material is mixed with non-eligible inputs or material with a different origin in such a way that would not allow the level of risk related to origin to be confirmed as negligible. NOTE: FSC is replacing the term 'low risk' with 'negligible risk'. The term 'low risk' was used in <FSC-PRO-60-002a FSC National Risk Assessment Framework>.

Non-negligible risk: A conclusion, following a risk assessment, that there is cause for concern that material from unacceptable sources may have been sourced or entered the supply chain from a specific geographic area. The nature and extent of this risk is specified for the purpose of defining efficient mitigation measures. NOTE: FSC is replacing the term 'specified risk' with 'non-negligible risk'. The term 'specified risk' was used in <FSC-PRO-60-002a FSC National Risk Assessment Framework>.

The designation of risks follows the procedure described in section 13 of the FSC-PRO-60-006b V2-0 Risk Assessment Framework. Please verify the full section before providing comments to the document. In brief, the following aspects need to be considered when providing feed-back in the consultation process:

- A risk designation shall be provided at the level of indicator and corresponding scale of assessment used. NOTE: An indicator may have different risk designations depending on the scale of assessment.
- The risk designation shall be determined by evaluating the information in identified sources against the 'non-negligible' risk thresholds associated with each indicator. NOTE: A 'non-negligible' risk designation can only be reached when the risk threshold(s) associated with each indicator are met.
- Each indicator under assessment shall be determined as either:
 - a) 'Negligible risk', in the event that evidence indicates that the 'non-negligible' risk threshold(s) are not exceeded, and that there is no other information that would lead to a 'non-negligible risk' designation; OR
 - b) 'Non-negligible risk', in the event that available means of verification do not show evidence that the negligible risk category is applicable; or that one or more specific risk areas were identified; OR
 - c) 'Not applicable', when an indicator is not considered applicable in the risk assessment.
- Non-negligible risks are those which: i). Affect a wide area, causes significant damage, and/or continues over a long period of time; ii.) Indicate the absence or breakdown of enforcement of the legal system; iii) Are not corrected or adequately responded to upon being identified; iv.) Have a significant negative impact on society, the production of forest products and other services, the forest ecosystem and the people directly and indirectly affected by management activities.
- Negligible risks are those which are: i) Temporary; ii) Unusual or non-systematic; iii) Limited in their impact; iv) Effectively controlled through the implementation of monitoring and enforcement measures carried out by efficient and effective government agencies.
- Risk designation shall be substantiated, including the rationale behind the final conclusion (e.g., "based on findings x, y and z, it is concluded that the risk is non-negligible for this indicator").

Establishment of mitigation measures

The establishment of mitigation measures follows the procedure described in section 14 of the FSC-PRO-60-006b V2-0 Risk Assessment Framework. Please verify the full section before providing comments to the document. In brief, the following aspects need to be considered when providing feed-back in the consultation process:

- Where 'non-negligible risks' are identified, mitigation measures shall be established which, when implemented, are expected to reduce the risk from 'non-negligible' to 'negligible', either individually or in combination with other mitigation measures.
- Mitigation measures are recommended considering that this is a centralised national risk assessment
- Mitigation measures shall be provided for each identified risk and contain the following information:
 - a) Classification of the verifier used in evaluating the mitigation measure (e.g., document verification, stakeholder consultation, field visit, etc.). Often, multiple types of verification may be needed to effectively mitigate a risk; and
 - b) The type of information to be used as per the verifiers and the associated mitigating actions to address the identified risk(s). Examples of type of information include relevant document(s) to collect and verify, stakeholders to consult, and other types of information needed to address the risk(s).
- Mitigation measures shall be established according to each risk and source type identified.

PART 1 – GENERAL ASPECTS

1.1. Scope

The scope of the risk assessment is at the country level (Romania) and for wood sourced from the Romanian forests. The risk assessment is applicable to Forest Management and Chain of Custody (including Controlled Wood).

Geographical scope (country/countries)	COUNTRY
Geographical scope (subnational) (insert N/A if risk assessment is at country level)	N/A
Commodities Impacted (from EUDR Annex 1/FSC Product Classification [FSC-STD-40-004a])	WOOD
Indicator Coverage	All Indicators

1.2. Country overview

Short Summary	
<p>Forests, as de jure defined by the Romanian Forest Code represent 6.459 million ha (29% of the country's territory) and are integrated in the National Forest Fund (NFF). About 0,57 million ha of land is included in the category of forest vegetation outside the NFF. During Communism (June 1948 - December 1989), all Romanian forests were state-owned; currently, the Romanian forest sector is characterized by a diverse ownership structure: i) public ownership of forests (64.2% of NFF) is constituted by State-owned forests, managed by National Forest Administration Romsilva (48.1%) and municipal forests – forests owned by local administrative units (UAT) (16.1%) while ii) private ownership represents 35.8%. The legal system for the forest sector is based on the Forest Code (approved in 2008 with the latest amendments in 2024). The legal system of forest management does not differentiate between the different forms of ownership thus both public and private forests are subject to the same legislation and management regulations defined as the “forest regime” (Law 46/2018). The unitary and sustainable forest management is assured by the mandatory requirements for forest management planning (FMP), silvicultural services implemented by Forest Districts (FD), and the timber traceability system SUMAL. Despite significant improvements in the traceability and transparency regulations and systems, issues related documents and data falsification (leading to illegal logging), occupational health and safety, human labour rights, the environmental impact of forest operations, due diligence and HCVF 1 and 3 management (in non-certified forests within natural protected areas without management plans) can be documented. Identified risks associated with illegal logging do not lead to forest conversion to agricultural use, while conversion as such is prohibited by legislation and there are no practices in this sense.</p>	
Full Description	
Key aspect	Description
Geographic Context	<p>The results of the National Forest Inventory (NFI)[1] (2018), that apply the international definition for forest (i.e. canopy coverage above 0.1), identified 7.038 million hectares (ha) of forest (29.6 % of the country's land area). According to the National Statistical Institute [2] the National Forest Fund (NFF) covered as of 2023 an area of 6.615 million ha out of which 6.459 million ha are forests included in the NFF according to the national definition. Other 0.2 million hectares of NFF is dedicated to forest administration needs. About 0,57 mil ha of lands covered by forest vegetation meeting the international definition of forest are not de jure considered as forest according to the Romanian legal system and are included in the category of forest vegetation outside the NFF.</p> <p>The distribution of forest vegetation is differentiated across the country, about 66% of forest land (especially coniferous, beech and mixed forests) is located in the mountain area, 24%</p>

	<p>in hills area and 10% on the plains. The ecoregions that are found in Romania are: Carpathian Mountain Forests, Balkan Mixed Forests, Central European Mixed Forests and East European Forest Steppe. Romania is a country of broadleaved tree species, covering 74 percent of national forestland; out of them, European beech is dominant (32%), followed by oaks. Conifer species cover 26 percent of national forestland, being dominated by Norway spruce (20%).</p> <p>[1]https://roifn.ro/site/rezultate-ifn-2/ [2] http://statistici.insse.ro:8077/tempo-online/#/pages/tables/insse-table</p>
Legal Context	<p>The legal system for the forest sector is based on the Forest Code (approved in 2008 with the latest amendments in 2024). The forest code gives the general framework for the sustainable management of Romanian forests, detailing aspects related to forest administration, forest management planning, biodiversity conservation, forest guard and forest protection, forest harvesting, research and education in forestry, forest accessibility etc. The subsequent legislation impacting the forest sector comprises more than 200 Governmental Decisions and Ministerial Orders, creating one of the most restrictive regulatory frameworks in Europe (Nichiforel et al, 2018).</p> <p>The forest legal system and nature protection management had important changes since the elaboration of the CNRA 2017. The main changes refer to: i) the approval in 2022 of a New Forest Strategy 2030 setting the grounds from some legal changes; ii) the implementation in 2021 of an up-dated version of the timber traceability system (SUMAL 2.0) with additional modules for Forest Management Planning, timber inventory and monitoring of transports; iii) the approval of up-dated technical norms for forest management (2022); iv) the re-organization of the administration of nature protected areas under the National Agency for Natural Protected Areas (2016) with recent modifications in 2024 of this organizational structure.</p>
Ownership, Management, and Tenure Characteristics	<p>During Communism (June 1948 - December 1989), all Romanian forests were state-owned; currently the Romanian forest sector is characterised by a diverse ownership structure as a result of three main restitution laws ((Law no. 18/1991, Law no. 1/2000 and Law no. 247/2005). As of 2020 (MMAF, 2020[1]), public ownership on forests (64.2% of NFF) is constituted by i) State owned forests, managed by National Forest Administration Romsilva (48.1%) and ii) Municipal forests – forests owned by local administrative units (UAT) represented by communes, municipalities, cities, towns (16.1%). Private ownership represents 35.8% and are classified by the Romanian Forest code in i) Individual owners-forest owned by individuals and families; ii) Community forests: undivided group ownership association composesorates (obsti) and other community forests; iii) Churches and monasteries; associations and foundations; other moral entities and iv) private forests of local administrative units (municipalities).</p> <p>The legal system of forest management does not differentiate between the different forms of ownership thus state-owned forests, forests belonging to public local public authorities, communal and private forests are subject to the same legislation and management regulations defined as the “forest regime” (Law 46/2018).</p> <p>In order to implement the forest regime in all forests, irrespective of the ownership group, the three main instruments of the compulsory and unitary forest administration are: (i) The obligation to have a contract for silvicultural works with a forest district (<i>ocoale silvice</i>) (FD) which are organised on the same basis in private or in public forest and are accredited by the public authority responsible for forest management. (ii) Forest Management Plans (FMPs), developed by contractors authorised by Governmental commission and approved by Ministerial Order are a prerequisite of legal timber harvests for all forest owners with more than 10 ha. As stated in the Forest Code, a forest owner (with less than 10 ha) who has no FMP cannot harvest more than 5 m³ per hectare per year. If forest owners have a FMP in force, they can harvest according to the annual plan of cuttings. In both cases, a forest official from the contracted FD – will first do the selection of the trees, the timber inventory and the timber marking in the field, then the volumes to be harvested are recorded in the volume estimation document (APV). (iii) The timber traceability system SUMAL 2.0: all timber harvested has to be recorded in the system that assures the integration of all documents for</p>

	<p>timber harvesting and selling in the online system. This includes the volume estimation on the field, issuing of harvesting permits, timber transportation codes including timber processed products. The timber cut can only be transported out of the forest with a document of origin (called a delivery note), after the volumes cut are recorded in the electronic timber tracking system.</p> <p>Despite the significant improvements in the legislation and law enforcement risks associated with documents falsification (discrepancies between recorded documents for standing volume identification – APV and the real harvested volume) can lead to illegal logging occurrence but not to the level of determining forest conversion to agricultural use. Conversion as such is prohibited by legislation and there are no practices in this sense. [1] https://www.mmediu.ro/categorie/starea-padurilor/209</p>
Context of Certification / Standard Development	<p>Certification process evolution was very dynamic in Romania. From the first attempt in 1999, when the Faculty of Silviculture and Forest Engineering from Braşov, initiated the discussions on forest certification with NFA Romsilva, until today, certification has evolved rapidly from a less trusted initiative to an instrument that can clearly be associated with recognition and economic development. Presently, FSC certification scheme is the main active scheme for forest management in Romania with more than 2.8 million ha of FSC certified area. According to the global report, prepared by FSC Market Info Pack in 2015 (FSC, 2015), Romania between January 2013-January 2015 ranks first in the world in terms of percentage increasing number of FSC certificates issued for the chain of custody. Another important milestone in the FSC implementation in Romania was the accreditation by FSC International of the Standard Development Group of the National Forest Stewardship Standard in Romania. This process of FSC National standard development, with adapted indicators to Romanian forest management has ended in 2017 when was approved and with an effectiveness date of 15 April 2019 (www.standardnational.ro). This process demonstrates the interest for using sustainability indicators that are better adapted to specific Romanian legislation, silvicultural norms, rights of forest workers, needs of community and forest owners or other stakeholders with a better identification and management of biodiversity and social values. FSC certification remains in Romania, the main voluntary tool for promoting responsible forest management, which combines social, economic and environmental aspects under the same standard. In the same time, forest certification audit reports serve as a vital resource for flagging and mitigating risks related to occupational health, labour rights, environmental sustainability, and the protection of High Conservation Value Forests.</p>
Industry Size and Economic Impact	<p>Companies active in forestry and wood-based industries recorded a turnover of EUR 9.7 billion in 2021: 16.7% from forest administration and wood harvesting, 39.8% from wood processing, 16.3% from pulp and paper, and 27.1% from furniture. The gross added value (GAV) by the wood-based industries is EUR 3.5 billion, representing 1.6% of GDP. When considering indirect effects on the economy, the cumulative contribution reaches 4.5% of GDP. The forestry sector and wood-based industries directly employ over 157,000 people and contribute to the employment of approximately 172,000 more in other parts of the economy. The contribution to the state budget includes direct taxes of over EUR 1.2 billion and a cumulative total of over EUR 3.2 billion.</p>
International Trade and Market Dynamics	<p>Forestry and wood-based industries account for over 7% of total exports, while imports related to this sector represent 4%. The total export value is EUR 5.3 billion, of which EUR 2.1 billion comes from raw wood, timber, laminated products, and other wood products, EUR 2.5 billion from furniture, and EUR 0.6 billion from other products. The share of roundwood exports has decreased to below 100,000 cubic meters annually, favoring timber, wood panels, and laminated products. Furniture exports have fluctuated between EUR 2.3 billion and EUR 2.6 billion over the past 10 years, with the highest value recorded in 2020.</p>
Relevant Industry Practices	<p>In terms of commercial forestry, Romania has a very lucrative wood harvesting and mechanical processing industry. There are about 4500 private harvesting companies registered according to the legal requirements by a commission appointed by the Ministry of Environment, Water and Forests. Besides locally established timber processing companies, the processing sector has attracted large foreign investors playing an important role in</p>

	national and international markets. Furniture companies are important contributors to the national economy.
Sustainability and Environmental Considerations	<p>Forest Management Plans (FMPs) are key-instruments to prescribe sustainable management operations at the stand level, every ten years. Since 2015 they are no more compulsory for small forest estates under 10 hectares (Forest Code, 2008); nevertheless, these forests represent about only 8% of the national forest areas (MAP, 2017). Thus, for more than 90% of the Romanian forests, the FMPs are legal requirements. The FMPs are designed based on the provision of a specific technical norm (MO 2536/2022) and endorsed by the central forest authority. Romania has a forest functional zoning system that was implemented in 1954 (Government Decision 114/1954) and improved since. The different functions have been divided into two Groups: I Forests with special protection functions with six sub-groups (1.1 to 1.5; sub-group 1.6 was defined only in 2018), and II Forests with production and protection functions. The area of forests in Group I has increased from 12.7 percent of national forestland in 1954 to 66 percent at present. Forests in sub-groups 1.1 (water protection role) and 1.2 (soil protection role) represent ca. 75% of Group I. For Group I, sub-group 1.5., the most relevant components are forests part of the Natura 2000 sites (both Sites of Community Importance SCI - cover 16.80 percent of national land -, and Special Protection Areas SPA - 14.89 percent of national land), as well as primary virgin forests (8,579.8 ha) and secondary virgin forests (61,489.2 ha as of December 15, 2021[1]). The most important components of Group I, sub-group 1.6. are national parks, natural parks, scientific reserves, reserves and nature monuments, as well as Biosphere reserves - MAB/UNESCO Committee.</p> <p>The nature protection system includes one biosphere reserve, 12 National Parks, 13 Natural Parks, 916 natural reserves, 383 Sites of Community Importance (SCI) and 148 Special Protection Areas (SPA). All forest areas have to be under the administration of state or private Forest Management Enterprises (FME), regardless of the fact that certain areas are delineated as protected areas.</p> <p>[1] http://www.mmmediu.ro/articol/catalogul-padurilor-virgine-si-cvasivirgine-din-romania/4790</p>
Cultural Considerations	Forest management still play an important role in the traditional use of local communities. The cultural role of forests has been increasingly recognized especially with the implementation of forest certification (i.e. the identification of HVF6). The need to support local communities strictly dependent on forest resources and the identification of forests with high cultural values are recognized in the National Forest Strategy 2030.

1.3. Supply chain transparency and traceability

Regardless of ownership, the two key instruments of compulsory and unified forest management are: Forest Districts (FDs), which are based on territorial jurisdiction and operate under the same principles and legal responsibilities for both private and public forests, and Forest Management Plans (FMPs).

FMPs, which are not-mandatory only for forest properties smaller than 10 hectares, must be prepared by contractors authorized by the central government and approved by Ministerial Order. These plans are a legal prerequisite for timber harvesting. The FMP must be uploaded in GIS format to the government's digital wood tracking system (SUMAL). According to the Forest Code, a forest owner with less than 10 hectares who lacks an FMP is limited to harvesting no more than 5 cubic meters per hectare annually. If an FMP is in place, the owner may harvest in accordance with the established annual allowable cut.

In both scenarios, the owner must contract the local FD to perform a timber inventory and mark the trees to be harvested. The volumes to be harvested are then recorded in the volume estimation document (APV). This volume estimation is done automatically in SUMAL, which also records the geographic location and assigns a unique identification number to the APV. Only volumes listed in the APV can be harvested, and these documents form the

basis for timber sales. Timber can either be sold as standing stock, where the buyer assumes responsibility for harvesting, or as processed wood assortments, where harvesting responsibility lies with the FD or the owner.

Prior to harvesting, the contractor or owner must obtain a harvesting permit from the FD for each APV. These permits are used to check for any discrepancies—such as missing timber or damage to the forest—before, during, and after harvesting. All permits are recorded in detail in the SUMAL database. The responsibility for transportation lies with the entity that loads the timber and/or the transporter. After loading, the timber owner must use the SUMAL mobile application to enter all transport details, including photos of the transport vehicle and its GPS location, which is recorded automatically. SUMAL then links this information with the APV and the harvesting permit, generating a unique digital document that is sent to the transporter's mobile device. If there is no internet access, the SUMAL application allows data to be uploaded, with the links to the database completed once the transport enters an area with coverage. By connecting the APV, harvesting permits, and digital control documents, SUMAL certifies that all transports originate from areas with valid harvesting permits issued in compliance with legal requirements. The current version of SUMAL records the GIS coordinates of the area where trees are to be harvested and links this data to ownership records (including property documents and maps), ensuring land tenure rights and minimizing the risk of illegal sourcing. Transport-related data includes the type of wood products being moved, and SUMAL only allows products that conform to the regulatory framework, facilitating cross-checks for compliance. In this way, SUMAL ensures adherence to legal requirements regarding product classification.

SUMAL 2.0 is significantly more effective in preventing illegal logging. Illegal logging typically occurs when wood is transported without SUMAL documentation (often small quantities intended for household use) or with falsified documents. Although digital SUMAL transport documents can still be falsified—particularly regarding the quantity of wood transported, especially over short distances—most cases of fraud involve data falsification in connection with corruption and bribery, especially related to discrepancies between recorded volume estimation documents (APV) and the real harvested volume, but also in relation with other technical or control activities within SUMAL. To address this issue, mitigation strategies should prioritize preventive measures against corruption and data falsification.

Detecting forestry offenses and imposing fines is not solely the responsibility of the police; under the Forestry Code, these responsibilities have also been extended to representatives of FDs and Forest Guards (FG). Consequently, timber harvesting and transport can be monitored by FDs, FG, and the police throughout the supply chain. Typically, FDs handle forest monitoring and control, while FG and police oversee transportation. During inspections, both FG and police verify the consistency between the digital transport documents (including photos) and the actual transport vehicle. The public can also monitor the location of timber transports via the online forest radar and inquire about the legality of a specific transport in real time using an online system, using the vehicle's registration number.

Key documents for supply chain mapping and verification of entities	
Short reference name	Is the document relevant to verify trade links or entities in the supply chain? YES
SUMAL DATABASE	In SUMAL database there are records of all APVs (including information on FDs and persons in charge with APV data upload) linked with harvesting permits, harvesters, transporters and all details regarding every transport. All entities and persons involved in the supply chain (FDs, representatives of the FDs, harvesting companies and persons in charge with timber measurements for transportation, transporters and persons in charge with transport, etc.) are included in SUMAL, with entity/personal credentials as well as respective links. SUMAL database is managed (including the servers) at central level (central authority for forestry – presently Ministry of Environment, Waters and Forests) and the access to information is based on roles for the ministry officials, FG and police representatives. Certain information is available also for the public (see the “radar of forests”- https://inspectorulpadurii.ro/#/). Depending on the data an entity needs, they can be provided, if officially requested) by the special group in charge with SUMAL management in the Ministry.

1.4. Geopolitical scale

Since the legal requirements are generally applicable at the national level **the geopolitical scale** for the evaluation is designed at the country level.

#	Name of the geopolitical scale	Forest Type	Differences in legislation compared to national level	Other Characteristics /Comments
1	COUNTRY SCALE	Temperate forests	As explained in the country overview, the Romanian legal system is highly normative and applies unitary regardless of the type of ownership. This implies also that the technical norms imposed to be used for e.g. afforestation, silviculture, forest protection etc take into consideration the different forest ecological groups (e.g. address variations in geography, climate, forest types). Moreover, the enforcement of the legislation, is performed unitary at the national level under the umbrella of the National Forest Guard (established in 2023). This has been acknowledged by the 2017 CNRA evaluation, and other independent assessments (WWF,2024) and there is no additional evidence that different historical or administrative regions have different forest management practices.	Country boundaries

1.5. Source types

In the process of risks designation, the following sources type have been identified:

Name of Source type	Description	Land Classification	Type of Forest	Ownership Type	Management Regime	Related License/Permits
all sources types	Public and private forests in National Forest Fund	Forest	Natural and planted forest	all forms of ownerships described in country overview	Particular Planning Requirements (Specify)	According to the provisions of Forest Code and subsequent legislation as described in the country overview and/or in the description of the indicator
FSC certified forest area	The source type is needed on the particular cases of HCVF identification which are addressed in certified forest. Currently, 2725565 ha are FSC certified in Romania.	Forest	Natural and planted forest	all forms of ownerships described in country overview	Particular Planning Requirements (Specify)	The identification of HCVF is required as part of the FSC forest management certification and specific measures and monitoring is in place for identified HCVF.

non-FSC certified forest area in protected area with management plans	The source type is needed to differentiate the situation of HC VF 1 and 3 identification in non-certified areas that is addressed in nature protected areas with a management plan.	Forest	Natural and planted forest	all forms of ownerships described in country overview	Particular Planning Requirements (Specify)	The management plan of nature protected areas addresses the identification of HC VF1 and 3 and sets specific management measures that are reflected in the approval of a harvesting permit
non-FSC certified forest area in protected area without management plans	The source type is needed to differentiate the lack of identification of HC VF 1 and 3 in non-certified areas that are also not addressed in nature protected areas without a management plan	Forest	Natural and planted forest	all forms of ownerships described in country overview	Particular Planning Requirements (Specify)	Nature protected areas without a management plan provided general requirements that were considered insufficient to mitigate the risk of assuring adequate protection to HC VF1 and HC VF3.
non-FSC certified forest area outside protected area	The source type is needed on the particular cases of HC VF 1 identification that is not present outside nature protected areas.	Forest	Natural and planted forest	all forms of ownerships described in country overview	Particular Planning Requirements (Specify)	The approval of harvesting activities follows the provisions of Forest Code and subsequent legislation as described in the country overview.

PART 2 – ASSESSMENT OF INDICATORS AND RISK MITIGATION MEASURES

2.1. Summary of risk designation for each indicator

Indicator Category	Indicators	Risk designation
Land Use and Management	01. Land tenure rights are secured and registered according to legal requirements.	Negligible risk
	02. Land management rights are in place and registered according to legal requirements.	Negligible risk
	03. Forest concession licenses are in place and are issued and registered according to legal requirements.	Negligible risk
	04. Harvesting permits are in place and are issued and registered according to legal requirements.	Negligible risk
	05. Legal requirements for land-use and management planning are complied with.	Negligible risk
Taxes and Fees	06. Legal requirements for payment of royalties, land/area taxes and fees are complied with.	Negligible risk
	07. Legal requirements for payment of value-added taxes and/or other sales taxes are complied with.	Negligible risk
	08. Legal requirements for payment of corporate taxes are complied with, including profit taxes.	Negligible risk
	09. Legal requirements for payment of trade and/or export taxes and fees are complied with.	Negligible risk
Corruption and document or data falsification	10. Legal requirements related to corruption, including bribery, fraud and conflict of interest, are complied with.	Non-negligible risk
	11. All forms of bribery and corruption are avoided.	Non-negligible risk
	12. Data and document falsification do not occur.	Non-negligible risk
Management activities and environmental protection	13. Legal requirements for management activities and related operational requirements are complied with.	Non-negligible risk
	14. Development and maintenance of infrastructure associated with management activities comply with applicable codes and legal requirements for the protection of environmental values.	Negligible risk
	15. Development and maintenance of infrastructure associated with management activities is done in a way that minimises adverse impacts on environmental values.	Negligible risk
	16. Legal requirements related to biodiversity conservation, protected sites, and the protection of endemic, rare, threatened, or endangered species and their habitats are complied with.	Negligible risk
	17. Legal requirements relating to the harvesting, collection, and trade of CITES species are complied with.	Not applicable
	18. The volume and impacts of waste from management activities comply with legal requirements, and are managed and minimised.	Negligible risk

	19. Pollution resulting from management activities comply with legal requirements, and is controlled and minimised.	Non-negligible risk
	20. Water resources are protected and used responsibly in compliance with legal requirements, and with the aim of ensuring long-term viability.	Non-negligible risk
	21. Negative impacts on soils from management activities are minimised, and comply with legal requirements.	Non-negligible risk
Health and safety	22. Legal requirements related to occupational health and safety are complied with.	Non-negligible risk
	23. Facilities and activities are safe and support worker's health, and workers have access to and use appropriate Personal Protective Equipment commensurate with the activities undertaken.	Non-negligible risk
	24. The use, application, storage, and disposal of chemicals in management activities addresses the protection of the environment and human health and safety and complies with legal requirements.	Negligible risk
Human and labour rights	25. Human rights protected under international law, as enshrined in national law, are complied with.	Negligible risk
	26. Harvest or trade in products do not contribute to a violation of international human rights or is not associated with armed conflicts.	Negligible risk
	27. Legal requirements related to child labour and employment of young workers are complied with.	Negligible risk
	28. Child labour is not present, and the employment of young workers is responsibly managed, including related rights as specified in the ILO Fundamental Principles and Rights at Work.	Negligible risk
	29. Legal requirements related to modern slavery, including forced and compulsory labour, are complied with.	Negligible risk
	30. Modern slavery, including forced and compulsory labour are not used, promoted, or supported in any way, including as specified in the ILO Fundamental Principles and Rights at Work.	Negligible risk
	31. Legal requirements related to the Freedom of Association, the Right to Organise and the Right to Collective Bargaining are complied with.	Negligible risk
	32. Labour rights related to the Freedom of Association, the Right to Organise and the Right to Collective Bargaining are respected, including as specified in the ILO Fundamental Principles and Rights at Work.	Negligible risk
	33. Legal requirements related to the recruitment and employment of workers are complied with.	Negligible risk
	34. Legal requirements related to the contracts and working permits, and requirements for competence certifications and other training requirements are complied with.	Non-negligible risk
	35. Legal requirements related to workers' wages and other payments, such as social insurance contributions and the payment of social and income taxes withheld by the employer on behalf of the worker, are complied with.	Non-negligible risk

	36. Legal requirements related to working hours, overtime, rest time and time off are complied with.	Negligible risk
	37. Labour rights related to recruitment and employment, contracts, training, workers' wages and other payments, working hours, overtime, rest time and time off are upheld, including as specified in the ILO Fundamental Principles and Rights at Work are upheld.	Non-negligible risk
	38. Legal requirements related to discrimination against workers are complied with.	Negligible risk
	39. There is no discrimination against workers in processes related to hiring, remuneration and access to training, promotion, termination, or retirement, including related rights as specified in the ILO Fundamental Principles and Rights at Work.	Negligible risk
	40. Legal requirements related to gender equality in the workplace are complied with.	Negligible risk
	41. Gender equality is protected following best practices, including ensuring availability of job opportunities, equal remuneration for work of equal value and sufficient maternity and paternity leave, and other related rights as specified in the ILO Fundamental Principles and Rights at Work.	Negligible risk
Third parties' rights	42. Legal requirements related to the rights of Indigenous Peoples are complied with.	Not applicable
	43. The rights of Indigenous Peoples, including land tenure and management, are respected and upheld according to the principles of FPIC.	Not applicable
	44. Legal requirements related to the rights of Traditional Peoples are complied with.	Not applicable
	45. The rights of Traditional Peoples, including land tenure and management, are respected and upheld according to the principles of FPIC.	Not applicable
	46. Legally recognised customary and community rights are identified and respected.	Negligible risk
	47. The rights of local communities are respected and upheld.	Negligible risk
	48. Interaction with Indigenous Peoples, Traditional Peoples and local communities is conducted in a respectful and culturally appropriate manner.	Negligible risk
Trade and transport	49. Legal requirements related to the trade and transport of products are complied with.	Negligible risk
	50. Legal requirements related to applicable trade restrictions and sanctions are complied with.	Negligible risk
	51. Legal requirements related to the classification of products are complied with.	Negligible risk
	52. Legal requirements related to the export and/or import of products are complied with.	Negligible risk
	53. Legal requirements relating to offshore trading and transfer pricing are complied with.	Negligible risk

Due diligence and due care	54. Legal requirements relating to due diligence or due care are complied with.	Non-negligible risk
Conversion and forest degradation	55. There is no conversion from natural forest and no transformation of plantations to agricultural use since 31 December 2020.	Non-negligible risk
	56. There is no conversion from natural forest to land uses other than agriculture since 31 December 2020.	Negligible risk
	57. There is no degradation of natural forests since 31 December 2020.	Non-negligible risk
High Conservation Values	58. Concentrations of biological diversity including endemic species, and rare, threatened, or endangered species that are significant at global, regional or national levels are identified and protected, maintained or enhanced (HCV1).	Non-negligible risk Source type differentiation
	59. Intact forest landscapes and large landscape-level ecosystems and ecosystem mosaics that are significant at global, regional, or national levels, and which contain viable populations of the great majority of the naturally-occurring species in natural patterns of distribution and abundance, are identified and protected, maintained or enhanced (HCV2).	Negligible risk
	60. Rare, threatened, or endangered ecosystems, habitats or refugia are identified and protected, maintained, or enhanced (HCV3).	Non-negligible risk Source type differentiation
	61. Basic ecosystem services in critical situations, including the protection of water catchments and control of erosion of vulnerable soils and slopes, are identified and protected (HCV4).	Negligible risk
	62. Sites and resources fundamental for satisfying the basic needs of local communities or Indigenous Peoples are identified and protected (HCV5).	Negligible risk
	63. Sites, resources, habitats, and landscapes of global or national cultural, archaeological, or historical significance, and/or of critical cultural, ecological, economic or religious/sacred importance for the traditional cultures of local communities or Indigenous Peoples are identified and protected (HCV6).	Negligible risk
Genetically modified organisms	64. There is no commercial use of GMO.	Negligible risk

2.2. Assessment of each indicator, including the risk designation and mitigation measures

Indicator category: Land Use and Management

Risk indicator	01. Land tenure rights are secured and registered according to legal requirements.
Thresholds	<p>1. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof;</p> <p>1. 2. Violations of identified laws are not efficiently followed up on by the relevant entities;</p> <p>1. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.</p>
Risk conclusion	Negligible risk
Source types	all source types
Risk threshold	
Short description of risks	The legislative and institutional changes in the last years (Forest Code, SUMAL 2.0) have reduced the risk of sourcing wood in violation of property rights, even in the case of fragmented ownership or vegetation outside forest fund.
Long description of issues/risk	<p>The forest ownership types are public (state and municipality) and private (private persons, community, companies). The forest ownership, other than state, was reconstituted through successive restitution laws (Law 18/1991, 1/2000, 247/2005). The ownership registration is based on land ownership titles, restitution records and forest management plans database. In the last decade, there is an ongoing process of systematic land registration, which is done at municipality level and ensures an accurate registration. The verification of land ownership for forest areas is done when drafting the forest management plan (FMP), which has a special section on this issue. Any parts of a management unit under dispute are marked accordingly and no management is allowed (only forest guarding) (MO 2356/2022). For private forest owners with areas less than 10 ha, an annual harvest of maximum 5 cubic meters / ha is allowed, without an FMP (Forest Code, art 20). The person that requires this right can be the owner, the successor or user of the land (which can be proved with documents). The claim is verified by the authorized forest district with territorial competency and included in the wood tracking system SUMAL 2.0, in a property chart, with spatial coordinates that remain in the system and constitute the basis for the harvest. In case one other person claims rights on the same area in court, the forest services are suspended until the solution provided by the court. For woody vegetation outside National Forest Fund (NFF), tree harvesting is conditioned by forest services provided by the forest district, with SUMAL 2.0 registration based on a property chart.</p> <p>Since 2017, there is a significant improvement in land ownership protection:</p> <ul style="list-style-type: none"> - The forest services are based on a contract between the owner or successor and a forest district, - SUMAL 2.0 platform records each harvest site by coordinates and based on a property chart; - In case of legal dispute between owners or successors, the forest services, including harvesting permit issuing are suspended. <p>Therefore, a negligible risk for this indicator was assessed.</p>
References	
Legislation	The CIVIL CODE of July 17, 2009 (republished), The FOREST CODE of March 19, 2008 (republished), Ministerial Order No. 118 of January 27, 2021, Regulation (EU) No 995/2010 of the European Parliament and of the Council of 20 October 2010, MO 2356/2022
Description of legal requirements	Every forest owner (other than the state) is obligated to have a forest services contract with a competent forest district. The contract is based on the ownership title or successor certificate, which are verified by the forest district (Forest code). Also, the FMPs have a section of verification of ownership titles (MO 2356/2022). For areas where the FMP is not required, the harvesting is done only after registration in SUMAL 2.0, using a property chart, based on ownership documents.
Limitations of Sources	The experts consulted have agreed that the risk is negligible.
Risk mitigation	-

Risk indicator	02. Land management rights are in place and registered according to legal requirements.
Thresholds	2. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 2. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 2. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	The authorisation and activity of Forest districts, which are the entities responsible for forest management in detail, is closely monitored by the national authority (Ministry of Environment, Water and Forests) through its territorial representatives. Any forest harvesting needs to be recorded in SUMAL 2.0, for the wood to have legal registration.
Long description of issues/risk	Forest management can be done only by forest district - FD (state FD in National Forest Administration or private/municipality FD), authorized by the Ministry of Environment, Water and Forests, according to the Forest Code. The FDs are recorded in a National Registry of Forest Administrators, according to the OM 1112/2018. The FD is responsible for forest guarding and protection, contracting forest management planning, planning and supervising forest harvesting. For forest owners (other than state) the forest services are done according to a valid contract between the owner/successor with rights/entitled user and the FD, contract registered at the territorial Forest Guard office. The FD are mandated to assume guarding for the private forest areas less than 30 ha/owner in their territorial competence (Forest Code, art. 16), with the payment for this service done by the state. The Forest management is done according to the FMP, which is mandatory for all forests, except private forests less than 10 ha/owner. For such cases, the FD can authorise the harvest of max 5 cubic meters per ha per year, only when there is a contract and ownership documents. All harvests (including forest vegetation outside NFF) must be authorised and supervised by FDs and recorded in the wood tracking system - SUMAL 2.0. Since the implementation of SUMAL 2.0, the efficiency of forest management control increased, even for small private forests or vegetation outside NFF. Hence, the risk was considered negligible.
References	
Legislation	Forest Code Law46/2008; MO 1112/2018; MO 118/2021
Description of legal requirements	The forest management is done only through FD, which have to go through the authorisation process, according to the Forest Code and the regulations for authorisation (MO 1112/2018). The State Forest districts function within the National Forest Administration. The forest owners (others than state) must have a valid contract for services with an authorised FD, registered with the Forest Guard office (Forest code). All management activities that involve forest harvesting must be recorded in SUMAL 2.0, even for forest areas without FMP (forest ownership less than 10 ha/owner) or vegetation outside NFF (MO 118/2021 SUMAL). All harvests (including forest vegetation outside NFF) must be authorised and supervised by FDs and recorded in the wood tracking system - SUMAL 2.0.
Limitations of Sources	The experts consulted have agreed that the risk is negligible.
Risk mitigation	-

Risk indicator	03. Forest concession licenses are in place and are issued and registered according to legal requirements.
Thresholds	3. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 3. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 3. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	The risk is assessed as negligible, given the very few cases applicable and low probability of tree harvests from areas under concession
Long description of issues/risk	In Romania, there is no actual base for large scale forest concessions. Art 11 from the Forest Code states that public forest cannot be subject to concession, except for land from NFF under buildings owned or used by other people. Given the low scale of these cases

	and the very low probability of wood sourcing from these areas (with other land use than forest), the risk is considered negligible.
References	
Legislation	Forest Code Law46/2008
Description of legal requirements	Art 11 from the Forest Code states that public forest cannot be subject of concession, except for land from NFF under buildings owned or used by other people.
Limitations of Sources	
Risk mitigation	-

Risk indicator	04. Harvesting permits are in place and are issued and registered according to legal requirements.
Thresholds	4. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 4. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 4. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities."
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	The issuing and recording of harvesting permits is done within an integrated wood tracking platform (SUMAL), which ensures an efficient control. The risk is considered negligible.
Long description of issues/risk	Harvesting permits are only issued by the authorised FD, according to the Forest Code and subsequent legislation (indicator 2). The wood harvesting in forest areas or vegetation outside NFF can only be done after the issuing of the harvesting permit, regardless of the ownership type or forest operation. The harvesting permits can be issued from the wood tracking system SUMAL 2.0, by authorised persons only (Forest District chief) and are based on a spatial registration of the harvest site and log landing platform (with spatial coordinates). In cases where the FMP is not mandatory (areas less than 10 ha per owner), the harvesting permit is based on a property chart introduced in SUMAL 2.0, using ownership documents and spatial representation. The harvest site recorded in the harvesting permit becomes origin for the wood material sourced and will be mentioned in the delivery documents. The permits can be issued only to harvesting companies, certified by the Commission for certification of forest harvesting contractors (except for wood harvests less than 20 cubic meters per year, where the harvesting permit is issued to the owner and the harvesting is done with his own means). In the case of harvests following natural calamities (windthrow, pests, fire), the issuing of harvesting permits is preceded by the announcement of the intention to harvest to the competent Forest Guard office, who will control, in the field, 20% of the cases. Only after this procedure is followed, the FD can issue the harvesting permit. The validity and correctitude of harvesting permits are verified by the Forest Guard inspectors, with options to select the areas for control from their spatial representation. Forest guard experts consulted declared that there is no significant risk of false declaration of accidental cuts. As the instruments for issuing and control of harvesting permits are in place, the risk is considered negligible.
References	Anghel (2024)
Legislation	Ministerial Order No. 838 of June 3, 2021, Ministerial Order No. 1,540 of June 3, 2011 Ministerial Order No. 767 of July 23, 2018,
Description of legal requirements	According to the Forest Code and subsequent legislation (indicator 2), only authorised FDs can issue harvesting permits. The harvesting permits can be issued from the wood tracking system SUMAL 2.0, by authorised persons only (Forest District chief) and are based on a spatial registration of the harvest site and log landing platform (with spatial coordinates). In cases where the FMP is not mandatory (areas less than 10 ha per owner), the harvesting permit is based on a property chart introduced in SUMAL 2.0, using ownership documents and spatial representation. The harvest site recorded in the harvesting permit becomes origin for the wood material sourced and will be mentioned in the delivery documents. The permits can be issued only to harvesting companies, certified by the Commission for certification of forest harvesting contractors (with the exception of wood harvests less than 20 cubic meters per year, where the harvesting permit is issued to the owner and the harvesting is done with his own means) (MO 1540/2011).

	In the case of harvests following natural calamities (windthrow, pests, fire), the issuing of harvesting permits is preceded by the announcement of the intention to harvest to the competent Forest Guard office, who will control, in the field, 20% of the cases.
Limitations of Sources	Forest guard experts consulted have declared that the issuing of harvesting permits has a negligible risk of illegality, even in the cases of small ownership or accidental harvests (Anghel, 2024).
Risk mitigation	-

Risk indicator	05. Legal requirements for land-use and management planning are complied with.
Thresholds	5. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 5. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 5. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	The forest management planning system has become more transparent and has taken into account more environmental sustainability issues, which led to a negligible risk conclusion.
Long description of issues/risk	<p>The forest management planning is done by authorised institutes and companies, once every ten years for most forests (Forest Code, MO 1011/2020, Technical regulations 5/2022). The FMP must incorporate the special requirements from the management plans of the protected areas, where the management unit in question overlaps such areas (OUG 57/2007, art 24). The drafted management plans are subjected to control by the Forest Guard and environmental evaluation (MO 1946/2021). During the environmental evaluation, the FMP is posted on the site of the regional Environmental Protection Agency, as part of the public consultation. After the Environmental evaluation, the FMPs are analysed and approved in the Technical Commission for Silviculture, within the Ministry (by ministerial order). After the approval, the FMPs are loaded in the wood tracking system SUMAL 2.0, using standardized shapefiles, and made publicly available on the site inspectorulpadurii.ro.</p> <p>The environmental evaluation is mandatory for valid FMPs, in case of management units that overlap protected areas. The validity of the FMPs was interrupted during the evaluation process.</p> <p>For the private forest areas with less than 10 ha per owner, the FMP is not mandatory. In such cases, the owner can request harvesting permit for up to 5 cubic meters per year, depending on the structure of the stand. The marking of trees and harvesting permit issuing is done by the competent FD, with registration of each harvest site in SUMAL 2.0.</p> <p>No FMP is required for vegetation outside NFF.</p> <p>Since the process of drafting and approval of FMPs has become more transparent in the course of the last years, the risk of illegalities in this respect was considered negligible.</p>
References	
Legislation	The FOREST CODE of March 19, 2008, EMERGENCY ORDINANCE no. 57 of June 20, 2007, Ministerial Order No. 118 of January 27, 2021, Ministerial Order No. 766 of July 23, 2018
Description of legal requirements	The Forest Code (Title III) regulates the elaboration of FMPs for the forest areas. The plans can be drafted only by certified companies and institutes, authorised by the Ministry (MO 1011/2020). The field work and results of the planning are controlled by the Forest Guard. According to the Forest Code, the FMPs are subjected to environmental assessment, done according to the OM 1946/2021, even for FMPs that overlap protected areas, valid at the time of the OM issuing. the drafting of the plans is done according to the technical regulations 5/2022 and OM 766/2018, considering also the requirements from the overlapping protected areas (OUG 57/2007, art. 24). The FMPs are further approved by the Technical Commission for Silviculture. The associated maps are made publicly available on the site inspectorulpadurii.ro
Limitations of Sources	The experts consulted have agreed that the risk is negligible.
Risk mitigation	-

Risk indicator	06. Legal requirements for payment of royalties, land/area taxes and fees are complied with.
Thresholds	6. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 6. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 6. 3. Violations of identified laws are not followed up by preventive actions taken by entities
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	Payments for royalties, land/area taxes and fees benefits from a sound and transparent legislation, as well as enough tools for regulations implementation monitoring.
Long description of issues/risk	<p>The payment of taxes related to the establishment of the Conservation Fund (pursuant to Forest code, Art. 33) or the establishment of guarantees provided by the regulations on wood harvesting from public forests (L6) is straightforward to verify and account for, and cannot be circumvented by FF administrators. From this perspective, no risks have been identified.</p> <p>The same applies to the Forest Accessibility Fund established by Law 56/2010 (L15).</p> <p>According to the Fiscal Code (Law 227/2015, Art. 486, paragraph 2), local public authorities are authorized to impose road taxes for the use of the roads owned by them. In the previous risk assessment report, challenges in identifying management or ownership were noted, complicating the payment/collection of forest road taxes imposed by local authorities. However, the improved SUMAL 2.0 system, which includes the Forest Inspector application, provides the public and other interested parties (including local authorities) with comprehensive information on wood harvesting and transportation. All timber volume estimation documents (APV) issued by forest districts are displayed on the map in real time via the portal. Users can filter searches based on the issuing forest district, the APV status, and the APV number.</p> <p>Additionally, transport permits from the past 96 hours are displayed and can be searched by license plate number, permit code, APV number, or transport type. The route followed by the transport vehicle is visible for 24 hours after transport completion. The application also provides access to forest management maps for both state and private forest districts/owners. As a result, the Forest Inspector application effectively prevents transporters from evading road tax payments.</p>
References	
Legislation	The FOREST CODE of March 19, 2008 (republished), Ministerial Order No. 118 of January 27, 2021, Regulation (EU) No. 995/2010, The Fiscal Code of September 8, 2015, Government Decision No. 715 of October 5, 2017, Law No. 56 of March 19, 2010 (republished)
Description of legal requirements	<p>The Conservation Fund is established by the Forestry Code (Law 46/2008, art. 33) as a guarantee for carrying out reforestation works. It is collected and monitored continuously through transparent instruments as well as the harvesting guaranties.</p> <p>The accessibility fund is established by Law 56/2010 (L15) and is collected also based on the reported quantity of harvested wood, thus easy to monitor. According to the Fiscal Code (L16), local authorities may impose taxes for the use of forest roads that are in their ownership.</p>
Limitations of Sources	The mentioned experts discussed the way the local authorities can monitor the payment of forest road tax. The unanimous conclusion was that, because SUMAL 2.0 is providing interactive geographical positioning of all transports to the local authorities, there is no way for the transporters to avoid road tax payment. In addition, experts underlined the fact that, in most of the cases, the forest district doesn't issue the harvesting permit unless the harvesting company is providing documentary prove of road tax payment.
Risk mitigation	-

Risk indicator	07. Legal requirements for payment of value-added taxes and/or other sales taxes are complied with.
Thresholds	<p>7. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof;</p> <p>7. 2. Violations of identified laws are not efficiently followed up on by the relevant entities;</p> <p>7. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.</p>
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	The value-added taxes and other sales taxes are regulated by sound legislation, including recently implemented regulations regarding e-Invoice, and the monitoring system is effective.
Long description of issues/risk	<p>The payment of the tax for the establishment of the Environmental Fund (in accordance with Art. 9 of EO 196/2005) is straightforward to verify and account for, and cannot be circumvented by forest management entities. From this perspective, no risks have been identified.</p> <p>In addition to the efforts made by authorities up to 2017 (as outlined in the previous risk assessment), the introduction of the e-Invoice system (L139/2022) in January 2024 marks a significant improvement. This system requires all invoices issued by economic entities to be registered on a multifunctional platform managed by the central authority responsible for public finances. As a result, it can be concluded that the situation has improved since the 2017 assessment.</p> <p>Regarding potential cases of intentionally inaccurate estimation of wood volumes intended for harvesting (underestimated APVs), which could lead to an incorrect tax base for sales taxes or value-added tax, it is considered that this risk is already accounted for within the indicators related to corruption and document or data falsification (Indicator 12).</p>
References	
Legislation	Emergency Ordinance No. 196 of December 22, 2005, regarding the Environmental Fund, The Fiscal Code of September 8, 2015, Law No. 139 of May 17, 2022, Government Emergency Ordinance No. 120/2021
Description of legal requirements	<p>The Environmental Fund is a tax collected according to EO 196/2005 and involves payment to a centralized fund of a percentage from the value of the marketed wood.</p> <p>VAT is regulated by the fiscal code (L227/2015). The following products are not subject to value added taxes: logs or rough wood, planks, boards, strips, beams, sawn wood, processed wood (assortments from cutting operations).</p> <p>The regulation on e-Invoicing has introduced the obligation, for all economic entities) of uploading all the invoices in a special integrated governmental platform.</p>
Limitations of Sources	Some experts (E1 mainly) gave examples of some situations of VAT violations in the area of wood products (especially firewood) sold to physical persons with a bigger price than the one included in the documents, due to high demand of firewood in some rural areas. However, all experts in the working group concluded that those are isolated cases involving physical persons and not processing companies (opinion expressed by E3).
Risk mitigation	-

Risk indicator	08. Legal requirements for payment of corporate taxes are complied with, including profit taxes.
Thresholds	8. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 8. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 8. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	The corporate taxes are regulated by sound legislation, including recently implemented regulations regarding e-Invoice, and the monitoring system is effective.
Long description of issues/risk	The situation described in the previous risk assessment (2017) has improved. In addition to the legal provisions that have remained the same or have been enhanced, the e-Invoice system has been introduced, which poses significant obstacles to tax evasion across all sectors, including forestry. In this context it can be concluded that the situation has improved since the previous assessment in 2017.
References	
Legislation	Emergency Ordinance No. 196 of December 22, 2005, regarding the Environmental Fund, The Fiscal Code of September 8, 2015, Law No. 139 of May 17, 2022, Government Emergency Ordinance No. 120/2021, Ordinance No. 6 of January 22, 2013
Description of legal requirements	Corporate taxes are regulated by the fiscal code (L16), the most important one being the profit tax. Romania has a unique profit tax of 16%. The regulation on e-Invoicing has introduced the obligation, for all economic entities) of uploading all the invoices in a special governmental platform. After the invoices are registered, the system has cross checking mechanisms for pairing the fiscal documents uploaded by the economic entities, there is practically not possible to avoid payment of profit tax or other corporate taxes. The system is seen as well implemented.
Limitations of Sources	Experts gave examples of cases of fiscal fraud for companies selling wood products to physical persons with prices higher than the official (recorded in the trade documents) prices. However, the unanimous conclusion was that these are isolated cases.
Risk mitigation	-

Risk indicator	09. Legal requirements for payment of trade and/or export taxes and fees are complied with.
Thresholds	9. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 9. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 9. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	The trade/export taxes are regulated by sound legislation (including EU level regulations) and all evidence indicate a proper implementation.

Long description of issues/risk	There are no relevant changes in the regulatory framework relative to this indicator. The most recent Report of the National Custom Authority (R8) doesn't mention any custom regulations violation in relationship with wood-based goods.
References	Romanian Customs Authority (2023)
Legislation	REGULATION (EU) No. 952/2013 laying down the Union Customs Code (L19), Law No. 57 of May 15, 2020, regarding the sustainable management of Romania's forests (L20)
Description of legal requirements	Required custom transport documentation must indicate (The Union Customs Code - L19): (i) shipping date; (ii) information on the sender, the recipient and the carrier; (iii) description of shipped goods (type and quality); and (iv) quantity Two copies of each transport document shall be issued; one is to be kept by the sender, the other by the recipient. Retention time shall be no less than 10 years. Round wood exports are not allowed for export outside EU (Law 57/2020- L20).
Limitations of Sources	The consulted experts agreed that this risk is negligible.
Risk mitigation	-

Risk indicator	10. Legal requirements related to corruption, including bribery, fraud and conflict of interest, are complied with.
Thresholds	10. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 10. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 10. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.
Risk conclusion	Non-negligible risk
Source types	all sources types
Risk threshold	10. 2. Violations of identified laws are not efficiently followed up on by the relevant entities;
Short description of risks	Even though there are laws and control procedures in place for reducing corruption, there are still significant cases of such activities in the forest sector, as perceived also by the international organisations.
Long description of issues/risk	Romania ranks medium low on the corruption indexes from the recommended sources, with a decreased perception of corruption since 2017 (ex. transparency.org – Corruption Perception Index 44, decreasing from 48 in 2017). At the level of state institutions involved in the control of forest activities, there is a methodology for reducing the effects of corruption (GD 599/2018) in place. For forestry staff, the statute of forestry personnel regulates the cases of conflict of interest, especially in relation to the harvesting activities and forest management. Cases are followed by the Forest Guard and the prosecutors. The general perception is that steps have been taken to reduce corruption and to follow the cases of recorded fraud. One of the cases raised by some of the experts consulted is the low rate of convictions in the lawsuits for criminal offences in silviculture. According to the Forest Code, almost every offence in relation to the illegal cuts is considered a criminal offence, which results in a high number of lawsuits, while only a few result in convictions. In the last years, steps for the cross check of documents and passive control methods were taken, especially using SUMAL 2.0, which integrates the operations at different levels of transparency, but the expert opinion is that there are still cases of corruption that affect the general activity in the forest sector. The risk was considered non-negligible.
References	Corruption Perceptions Index Rank, Corruption Perceptions Index, Global Corruption Index (2023)
Legislation	The FOREST CODE 2008, Ministerial Order No. 118 of January 27, 2021, Government Decision No. 599 of August 2, 2018, Law No. 286 of July 17, 2009, regarding the Criminal Code, Order no. 819/2015
Description of legal requirements	The Forest Code and subsequent legislation states that the institutions with control competencies must implement measures to reduce the risk of corruption. This is controlled by the prosecutors and relevant authorities. The Forestry staff in forest management is required not to participate in companies that are involved in forest harvesting, based on L75. Most of the documents related management and harvesting operation planning, harvesting permits, timber inventory and delivery documents are issued and followed in the wood tracking system SUMAL 2.0, for all harvesting operations in forest and vegetation outside the NFF. The identified cases of fraud, bribery and corruption are investigated and prosecuted against the requirements of the Criminal code L57.
Limitations of Sources	There are no clear data on the efficiency of anti-corruption measures, but the experts consulted agreed that the level of corruption is still significant.
Risk mitigation	1. Audit of suppliers

	<ul style="list-style-type: none"> - interviews with the staff of the supplier, to identify relevant cases of corruption <p>2. Database verification</p> <ul style="list-style-type: none"> - reports of controls done by Forest Guard and Police inspectorate - risk areas designation by Forest Guard National and Territorial Offices, using available data from the Forest Guard reports on the controls done in the area, using risk areas designation where available. <p>3. Training and raising awareness of the suppliers</p> <ul style="list-style-type: none"> - forest administration and harvesting companies should be trained in identifying and reporting cases of corruption, as part of the anticorruption policies
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Risk indicator	11. All forms of bribery and corruption are avoided.
Thresholds	<p>11. 1. Applicable legislation for the area under assessment covers the requirements under this indicator, but the risk assessment for indicator 10 confirms a designation of 'non-negligible risk';</p> <p>11. 2. Applicable legislation for the area under assessment contradicts indicator requirement(s);</p> <p>11. 3. Evidence indicates widespread or systematic violation of requirements covered under this indicator.</p>
Risk conclusion	Non-negligible risk
Source types	all sources types
Risk threshold	11. 1. Applicable legislation for the area under assessment covers the requirements under this indicator, but the risk assessment for indicator 10 confirms a designation of 'non-negligible risk';
Short description of risks	As indicator 10 was identified with non-negligible risk, this indicator follows the same designation, confirmed by the experts consulted.
Long description of issues/risk	<p>The means of corruption in Romania are described as related to bribery and corruption of persons with various competences on the implementation and control of forest activities. During the last years, the implementation of SUMAL 2.0 and the stricter follow-up on corruption cases have resulted in the punishment of offenders, even with incarceration (R49). The new Forest Code, under development, also includes higher punishments for corruption.</p> <p>Even so, the experts consulted agreed that there is still difficult to prove and prosecute these cases, due to the high number of small cases, classified as criminal offenses due to the legislation framework.</p>
References	Europa Libera (2023)
Legislation	The FOREST CODE of March 19, 2008, Ministerial Order No. 118 of January 27, 2021, , Government Decision No. 599 of August 2, 2018, Order no. 819/2015, Law No. 171 of July 16, 2010, Law for completion of Law 51/1991 regarding National Security
Description of legal requirements	The legal requirements for forest management, timber evaluation prior and after harvest, timber trade and transport are very detailed and specific, with different levels of legal definition of civil and criminal offences (L4, L63, L57). The corruption/bribery of persons involved in the activities of forest districts, officials from the control institutions, leads to a high level of prosecution, mostly being considered offences to the national security law (L81).
Limitations of Sources	There are no clear data on the results of prosecution and convictions for corruption and bribery offenders. The experts agreed that the system for following and punishing such offences still needs to be improved.
Risk mitigation	<p>1. Audit of suppliers</p> <ul style="list-style-type: none"> - interviews with the staff of the supplier, to identify relevant cases of corruption <p>2. Database verification</p> <ul style="list-style-type: none"> - reports of controls done by Forest Guard and Police inspectorate - risk areas designation by Forest Guard National and Territorial Offices, using available data from the Forest Guard reports on the controls done in the area, using risk areas designation where available.

	<p>3. Training and raising awareness of the suppliers</p> <ul style="list-style-type: none"> - forest administration and harvesting companies should be trained in identifying and reporting cases of corruption, as part of the anticorruption policies
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Risk indicator	12. Data and document falsification do not occur.
Thresholds	<p>12. 1. Applicable legislation for the area under assessment covers the requirements under this indicator, but the risk assessment for indicator 10 confirms a designation of 'non-negligible risk';</p> <p>12. 2. Applicable legislation for the area under assessment contradicts indicator requirement(s);</p> <p>12. 3. Evidence indicates widespread or systematic violation of requirements covered under this indicator.</p>
Risk conclusion	Non-negligible risk
Source types	all sources types
Risk threshold	12. 1. Applicable legislation for the area under assessment covers the requirements under this indicator, but the risk assessment for indicator 10 confirms a designation of 'non-negligible risk';
Short description of risks	Even though these steps were taken and the situation improved, there are still cases of fraud that lead to a designation of non-negligible risk.
Long description of issues/risk	<p>The forest regulations in Romania are very specific, leading to detailed procedures for the planning of forest operation, tree inventory, harvesting permits issuing, timber trade and transport, with official documents issued along the whole workflow. These documents are linked in a wood tracking platform, SUMAL 2.0, which allows cross-checks between documents. According to the experts consulted, in order to avoid the legal registration of harvested timber or to introduce illegal timber in the CoC, a series of false documents may be used:</p> <ul style="list-style-type: none"> - Volume estimation documents with underestimated quantities of wood, that would lead to a surplus of wood in a harvesting site - Delivery notes with recorded volumes less than the real load in the transportation vehicle - The use of inadequate photos that accompany the timber transports - Transportation of wood using two transport with the same delivery note - Reception of underestimated loads in log yards and processing companies - False declaration of conversion factors in processing facilities, to account for the surplus of wood <p>During the last years, there were important steps taken for discovering and prosecuting such cases:</p> <ul style="list-style-type: none"> - The wood tracking system SUMAL 2.0, implemented in 2021, has become more efficient, including a system to follow the transports using GPS receiver of a phone with the installed official app and incorporating requirements to record the finalisation of transport, - The system has become more transparent, with the publication of forest management plans maps, delivery notes in real time on the site inspectorulpadurii.ro, - The public has become more and more involved in following the legality of transports, - The forest guard and police had integrated broadscale controls of the entire chain of custody <p>Even though these steps were taken and the situation improved, there are still cases of fraud that lead to a designation of non-negligible risk.</p>
References	Forest Guard territorial offices reports
Legislation	The FOREST CODE of March 19, 2008 (republished), Ministerial Order No. 118 of January 27, 2021, Government Decision No. 599 of August 2, 2018, Law No. 286 of July 17, 2009, regarding the Criminal Code, Order no. 819/2015, Law for completion of Law 51/1991 regarding National Security, Law No. 171 of July 16, 2010
Description of legal requirements	The forest harvesting process in Romania must undergo a complex process of authorisation and monitoring. The requirements are included in the Forest Code (L3) and SUMAL 2.0 legislation (L4). The trees need to be marked for cutting using a circular stamp (its use is authorised by the FD chief in SUMAL 2.0 app for specific spatial locations) and inventoried (species, volumes, quality) directly in the SUMAL 2.0 app, on a registered phone. The inventory is computed into a

	<p>volume assessment, per species and dimensions, in a Volume Estimation Document (APV), which is verified by FD central staff.</p> <p>The APV becomes a base for issuing harvesting permit (also from the platform) and the origin of the timber transported with delivery notes (issued directly in SUMAL, by the forester, in case of sold logs or by harvesting company in the case of wood sold as standing stock). The volumes for the delivery notes from one site are maximum the value from APV. In case of higher volumes found in the field, the FD or harvesting company must notify the Forest Guard to control the situation and modify the volumes from SUMAL app.</p> <p>The delivery notes would have a start point (log landing platform or log yard) and start time, an unloading site specified and an estimate of duration, that cannot be exceeded. Upon reaching the unloading site, the transporter must finalise the online delivery note.</p> <p>Any processing within the log yards, companies etc. must be recorded in SUMAL, with conversion factors, own consumption etc. failure to operate in real time the transformation of different wood assortments could lead to a classification of wood as illegal and its confiscation.</p> <p>Any trespasses to these regulations are classified as fraud and prosecuted against the Forest code, Law of Silviculture contraventions, Civil Code and criminal code.</p>
Limitations of Sources	<p>The Forest Guard reports R4 offer information on the control results, including volumes of confiscated wood. However, the experts consulted state that there are still illegal activities in the sector, eluding the procedures and control mechanisms.</p>
Risk mitigation	<ol style="list-style-type: none"> 1. Document verification <ul style="list-style-type: none"> - request a history of SUMAL use, including delivery notes, cross checked with the capacity of the track, photos from SUMAL etc - forest guard reports for the areas, from territorial offices - harvesting result check-up 2. Audit of suppliers – <ul style="list-style-type: none"> - field verifications for the correctitude of tree inventories 3. Scientific testing <ul style="list-style-type: none"> - a system for verification of transports at the gate of log yard/processing company in place

Indicator category: Management activities and environmental protection

Risk indicator	13. Legal requirements for management activities and related operational requirements are complied with.
Thresholds	13. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 13. 2. Applicable legislation for the area under assessment contradicts indicator requirement(s); 13. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.
Risk conclusion	Non-negligible risk
Source types	all sources types
Risk threshold	13. 2. Violations of identified laws are not efficiently followed up on by the relevant entities;
Short description of risks	Even though the quality of harvesting has increased in the last years, there are still discrepancies between the requirements and the situation in the field, leading to a non-negligible risk conclusion.
Long description of issues/risk	The process of authorisation has become more transparent over the last years. The checking of the requirements regarding machinery and specialised management personnel are more on point. However, the sector suffers from low investments in technology (especially with low environmental impact) and fluctuations in the specialised work force. Still, the certification audit records show a high percentage of NCRs from harvesting activities, especially related to the non-conform use of skidding trails, damages to residual trees and regeneration, depositing wood debris close to the watercourses. The experts consulted agreed that the risk is non-negligible, due to the number of cases where the instructions for forest harvesting are not followed.
References	Halalisan (2018), Buliga and Nichiforel (2019)
Legislation	The FOREST CODE of March 19, 2008 (republished), Ministerial Order No. 118 of January 27, 2021, Ministerial Order No. 2,536 of September 28, 2022, Ministerial Order No. 1,540 of June 3, 2011
Description of legal requirements	The requirements for the implementation of forest management activities are comprised in the Forest Code, Technical regulation, SUMAL legislation and the Instructions Regarding Forest Harvesting. The forest operations are planned within the FMP and implemented under the supervision of the FD and according to technical regulation. The harvesting permits can only be issued to companies certificated by the Commission for certification of forest harvesting contractors (except for wood harvests less than 20 cubic meters per year, where the harvesting permit is issued to the owner and the harvesting is done with his own means). The certification is based on ownership for machinery and the employment of technical staff. The harvesting must follow the Instructions regarding forest harvesting (L30), which regulate the harvesting techniques, the design of the skidding trails and log landing platforms, protection of regeneration residual trees and soil, deadlines for harvesting and restrictions in case of certain operations.
Limitations of Sources	The experts consulted agreed that the requirements for forest harvesting are not completely followed.
Risk mitigation	1. Buy certified - certification audits have a specific focus on the impact of management activities and operational requirements that stem from the legal provisions, but are not limited to that. 2. Audit of suppliers - the focus of the audit would be the harvesting requirements - damages to residual trees and regeneration, compliance with the harvesting technology in the harvesting permit, skidding trail design and use, watercourse crossing, logyard management. 3. Verification of documents - harvesting permits, to verify the harvesting technologies

	<ul style="list-style-type: none"> - results of forest harvesting controls done by the forest districts in each harvest site (at least once per month, as required by law), where the non-compliant practices are recorded <p>4. Training and awareness raising of harvesting companies</p> <ul style="list-style-type: none"> - the companies will be trained on efficient use of harvesting technologies for avoiding damages to residual trees, regeneration and soils. The legal requirements will be presented to raise awareness on their importance.
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Risk indicator	14. Development and maintenance of infrastructure associated with management activities comply with applicable codes and legal requirements for the protection of environmental values.
Thresholds	<p>14. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof;</p> <p>14. 2. Violations of identified laws are not efficiently followed up on by the relevant entities;</p> <p>14. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.</p>
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	The maintenance of forest infrastructure is regulated to consider the environmental requirements, followed in the field by Environmental protection agencies.
Long description of issues/risk	The infrastructure maintenance - forest roads mainly - is done according to a very specific design, a project that must go through a specific environmental impact assessment, based on legal documents, considering the environmental values associated. The assessment is subjected to a public consultation through the National Environmental Protection Agency.
References	
Legislation	Ministerial Order No. 1682 of June 14, Ministerial Order No. 135 of February 10 2010
Description of legal requirements	The development and maintenance of forest infrastructure must undergo a specific methodology for the design and approval. The projects for construction of new roads or maintenance of existing roads must undergo a procedure for environmental evaluation and environmental impact assessment, which considers the identified environmental values, including the requirements from the management plans of the protected areas (in case of overlap). The environmental permit is obtained only after public consultation organized by the Environmental Protection Agency. The requirements are followed during construction and reception by the relevant authorities.
Limitations of Sources	The expert consulted agreed that the risk related to the environmental impact of development and maintenance of forest infrastructure is negligible.
Risk mitigation	

Risk indicator	15. Development and maintenance of infrastructure associated with management activities is done in a way that minimises adverse impacts on environmental values.
Thresholds	<p>15. 1. Applicable legislation for the area under assessment covers the requirements under this indicator, but the risk assessment for indicator 14 confirms a designation of 'non-negligible risk';</p> <p>15. 2. Applicable legislation for the area under assessment contradicts indicator requirement(s);</p> <p>15. 3. Evidence indicates widespread or systematic violation of requirements covered under this indicator.</p>
Risk conclusion	Negligible risk

Source types	all sources types
Risk threshold	
Short description of risks	The maintenance of forest infrastructure is regulated to consider the environmental requirements, followed in the field by Environmental protection agencies.
Long description of issues/risk	The infrastructure development and maintenance is done according to a very specific design, a project that has to go through a specific environmental impact assessment, based on legal documents, taking into account the environmental values associated. The assessment is subjected to a public consultation through the National Environmental Protection Agency. The minimisation of environmental impact is one of the requirements.
References	
Legislation	Ministerial Order No. 1,682 of June 14, 2023, Ministerial Order No. 135 of February 10, 2010
Description of legal requirements	The development and maintenance of forest infrastructure must undergo a specific methodology for the design and approval. The projects for construction of new roads or maintenance of existing roads must undergo a procedure for environmental evaluation and environmental impact assessment, which considers the identified environmental values, including the requirements from the management plans of the protected areas (in case of overlap). The environmental permit is obtained only after public consultation organized by the Environmental Protection Agency. The requirements are followed during construction and reception by the relevant authorities.
Limitations of Sources	The expert consulted agreed that the risk related to the environmental impact of development and maintenance of forest infrastructure is negligible.
Risk mitigation	

Risk indicator	16. Legal requirements related to biodiversity conservation, protected sites, and the protection of endemic, rare, threatened, or endangered species and their habitats are complied with.
Thresholds	16. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 16. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 16. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	The system for environmental protection in Romania has become more reliable and transparent in the last years, through specific institutions (ANANP Environmental Protection Agency, Environmental guard).
Long description of issues/risk	The protected area system in Romania has a more efficient management based on a national agency (ANANP) and National and Park administrations that have established better communication with the forest districts, for implementing the management measures from the management plans of the protected areas. There is a higher rate of approved management plans for PAs and the FMPs must undertake a n Environmental Impact Evaluation Process that must incorporate requirements from the management plans of the PAs. Even in the case of protected areas without a management plan, there are specific conditions and requirements for forest operations issued based on the general objectives of the protected area, transmitted to the forest district that implements and monitors the operations. Representatives of ANANP have the legal possibility to attend the planning and implementation of these operations in the protected areas.
References	ANANP, ANANP (2024)

Legislation	Ministerial Order No. 1,682 of June 14, 2023, Emergency Ordinance no. 57/2007
Description of legal requirements	As more than 40% of the Romanian forests are included in protected areas (considered concentrations of biodiversity), there is a high concern regarding the environmental values present in the forest. The forest operations that have to be implemented in areas with protected species or ecosystem must be notified to the proper institutions (ANANP, National or Natural park administrations). These institutions must issue specific conditions for the forest operations, based on the specific protection objectives and requirements from the management plans. The planning and implementation of the operations will be controlled by the Forest district, with the possibility to be monitored by the representatives of ANANP or park administrations.
Limitations of Sources	The experts consulted agreed that the planning and implementation of forest operations are done in such a way to ensure the following of specific legislation on biodiversity conservation, protected sites, and the protection of endemic, rare, threatened, or endangered species and their habitats
Risk mitigation	

Risk indicator	17. Legal requirements relating to the harvesting, collection, and trade of CITES species are complied with.
Thresholds	17. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 17. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 17. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.
Risk conclusion	Not applicable
Source types	all sources types
Risk threshold	
Short description of risks	There are no species of trees from Romania present on the Appendices of CITES
Long description of issues/risk	The verification of the CITES appendices I, II and III (R14) showed that no species of trees from Romania are listed. The implementation report for CITES requirement (R58) in Romania, developed by the National Responsible Authority (Ministry of Environment) mentions trade regulations only for species of animals.
References	R14 - CITES, UNEP-WCMC (2016), R58 - CITES, Romania implementation report (2023)
Legislation	
Description of legal requirements	
Limitations of Sources	
Risk mitigation	

Risk indicator	18. The volume and impacts of waste from management activities comply with legal requirements, and are managed and minimised.
Thresholds	18. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 18. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 18. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities;

	18. 4. Applicable legislation for the area under assessment contradicts indicator requirement(s); 18. 5. Evidence indicates widespread or systematic violation of requirements covered under this indicator.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	The volume of waste in the forest has been significantly reduced during the last years, due to implementation of mandatory waste management systems in every municipality, controls from Environmental and Forest Guard
Long description of issues/risk	The waste associated with forest activities is mainly related to the harvesting activities, where there is the possibility to have recipients from oil, fuel or other consumables associated. The practices in waste management implemented in the last decade, when every municipality needs to implement a system for waste management and the practices associated with forest certification had an impact on the activity of harvesting companies. There is a much lower quantity of waste in the forest. The issue is also subject of control by the Environmental and Forest Guard (R52). The risk was considered negligible.
References	Frumosu, 2024 (R52)
Legislation	Emergency Ordinance no. 57/2007 regarding the regime of the Protected areas, habitats, flora and fauna conservation
Description of legal requirements	The activities associated with forest management must comply with the requirements of the Environmental Law (57/2007).
Limitations of Sources	The experts consulted agreed that the waste management in forests has improved and the controls done by relevant authorities are efficient.
Risk mitigation	

Risk indicator	19. Pollution resulting from management activities comply with legal requirements, and is controlled and minimised.
Thresholds	19. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 19. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 19. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities; 19. 4. Applicable legislation for the area under assessment contradicts indicator requirements; 19. 5. Evidence indicates widespread or systematic violation of requirements covered under this indicator.
Risk conclusion	Non-negligible risk
Source types	all sources types
Risk threshold	19. 5. Evidence indicates widespread or systematic violation of requirements covered under this indicator.
Short description of risks	The use of outdated machinery and harvesting practices still maintains a non-negligible risk of oil and fuel spills during forest harvesting.
Long description of issues/risk	Pollution from management activities is related to the use of machinery in the forest, with oil leakage and fuel spills, given the state of forest machinery, which are not subject to regular maintenance and inspection. The scale of the phenomenon and the impact indicated a non-

	negligible risk for the indicator. The review of FSC reports (Buliga, Nichiforel 2019, Halalisan 2018) shows that there are still nonconformities on this issue.
References	Buliga and Nichiforel (2019), Halalisan (2018)
Legislation	Emergency Ordinance no. 57/2007 regarding the regime of the Protected areas, habitats, flora and fauna conservation
Description of legal requirements	The activities associated with forest management must comply with the requirements of the Environmental Law (57/2007).
Limitations of Sources	The experts consulted agreed that the pollution in forests still represent a non-negligible risk.
Risk mitigation	<ol style="list-style-type: none"> 1. Buy certified <ul style="list-style-type: none"> - certification audits have a specific focus on the impact of management activities and operational requirements that stem from the legal provisions, but are not limited to that. 2. Audit of suppliers <ul style="list-style-type: none"> -the focus of the audit would be the state of machinery in terms of oil and fuel leaks. 3. Verification of documents <ul style="list-style-type: none"> - harvesting permits, to verify the harvesting technologies - results of Environmental Guard 4. Training and awareness raising of harvesting companies <ul style="list-style-type: none"> - in relation to the importance of avoiding pollution during the harvesting operations <p>The legal requirements will be presented to raise awareness on their importance.</p>

Risk indicator	20. Water resources are protected and used responsibly in compliance with legal requirements, and with the aim of ensuring long-term viability.
Thresholds	<p>20. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof;</p> <p>20. 2. Violations of identified laws are not efficiently followed up on by the relevant entities;</p> <p>20. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities;</p> <p>20. 4. Applicable legislation for the area under assessment contradicts indicator requirement(s);</p> <p>20. 5. Evidence indicates widespread or systematic violation of requirements covered under this indicator.</p>
Risk conclusion	Non-negligible risk
Source types	all sources types
Risk threshold	20. 5. Evidence indicates widespread or systematic violation of requirements covered under this indicator.
Short description of risks	While the functional zoning system protects important water resources, the practices implemented in the forest harvesting represent a risk for watercourses that supply small farms or households close to the forest.
Long description of issues/risk	The Romanian forest zoning system takes into account in a separate class, the forests that have water source protection functions. There are implemented measures in the FMPs regarding the protection of water sources, with low impact management and low intensity cuts. However, the practices in forest harvesting related to skidding in periods with high soil moisture or on watercourses, while illegal, still have an impact, especially on mountain watercourses that supply water for trout farms or small households.
References	Halalisan (2018), Buliga and Nichiforel (2019)
Legislation	Ministerial Order No. 2,536 of September 28, 2022, for the approval of the Technical Norms for Forest Management and the Guide to Best Practices for Forest Management, The FOREST

	CODE of March 19, 2008 (republished), Emergency Ordinance no. 57/2007 regarding the regime of the Protected areas, habitats, flora and fauna conservation
Description of legal requirements	The forest management planning and implementation of forest operations must protect the water resources, according to the technical regulations for FMPs and environmental law. The controls are performed by the Forest Guard and the Environmental Guard.
Limitations of Sources	The experts consulted agreed that there is a level of protection for important water resources, while raising concerns for small watercourse protection from harvesting activities.
Risk mitigation	<ol style="list-style-type: none"> 1. Buy certified <ul style="list-style-type: none"> - certification audits have a specific focus on the impact of management activities and operational requirements that stem from the legal provisions, but are not limited to that. 2. Audit of suppliers <ul style="list-style-type: none"> - the focus of the audit would be the use of skidding trails and the overlap with permanent watercourses 3. Verification of documents <ul style="list-style-type: none"> - harvesting permits, to verify the harvesting technologies and the design of the harvesting process (harvest site map) - results of Environmental Guard 4. Training and awareness raising of harvesting companies <ul style="list-style-type: none"> - in relation to the importance of avoiding the overlap between skidding trails and watercourses.

Risk indicator	21. Negative impacts on soils from management activities are minimised, and comply with legal requirements.
Thresholds	<ol style="list-style-type: none"> 21. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 21. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 21. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities; 21. 4. Applicable legislation for the area under assessment contradicts indicator requirement(s); 21. 5. Evidence indicates widespread or systematic violation of requirements covered under this indicator.
Risk conclusion	Non-negligible risk
Source types	all sources types
Risk threshold	21. 5. Evidence indicates widespread or systematic violation of requirements covered under this indicator.
Short description of risks	There is a non-negligible risk of soil erosion, especially on skidding trails developed on slopes.
Long description of issues/risk	The damages to soils are found mostly on skidding trails, due to timber hauling and erosion, especially when lacking sufficient maintenance of the collection routes. The changes in the harvesting instructions (2021) allow, in some conditions, to extract trees with whole crowns. Such practices, when applied incorrectly, can raise the risk of soil erosion. The sources related to forest certification audits showed that there still are NCRs issued for soil erosion.
References	Halalisan (2018), Buliga and Nichiforel (2019)
Legislation	Ministerial Order No. 1,540 of June 3, 2011, regarding the approval of harvesting instructions, dates and technologies, Ministerial Order No. 487 of March 22, 2021, for the amendment and completion of harvesting instructions, dates and technologies, approved by the Order of the Minister of Environment and Forests No. 1,540/2011
Description of legal requirements	The design and implementation of skidding trails in the forest harvesting activities are regulated by MO 1540/2011. The routes are imposed by the forest district during planning of operations and are mandatory for the harvesting company. The technology that will be used for harvesting

	is recorded in the harvesting permit for each site, considering the type of operation and the risks associated with trees and soil protection.
Limitations of Sources	The experts consulted agreed that forest harvesting in areas with high slopes, the risk of soil erosion on skidding trails is non-negligible.
Risk mitigation	<ol style="list-style-type: none"> 1. Buy certified <ul style="list-style-type: none"> - certification audits have a specific focus on the impact of management activities and operational requirements that stem from the legal provisions, but are not limited to that. 2. Audit of suppliers <ul style="list-style-type: none"> - the focus of the audit would be the use of skidding trails and the intensity (depth) of soil erosion 3. Verification of documents <ul style="list-style-type: none"> - harvesting permits, to verify the harvesting technologies and the design of the harvesting process (harvest site map) - results of the harvesting site controls done by the Forest District 4. Training and awareness raising of harvesting companies <ul style="list-style-type: none"> - in relation to the importance of mitigating soil erosion on skidding trails

Risk indicator	22. Legal requirements related to occupational health and safety are complied with.
Thresholds	<p>22. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof;</p> <p>22. 2. Violations of identified laws are not efficiently followed up on by the relevant entities;</p> <p>22. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.</p>
Risk conclusion	Non-negligible risk
Source types	all sources types
Risk threshold	22. 2. Violations of identified laws are not efficiently followed up on by the relevant entities;
Short description of risks	Despite the presence of a robust normative framework that should safeguard workers, health and safety requirements in harvesting activities are often not complied with.
Long description of issues/risk	<p>The legislation related to health and safety issues is generally implemented by forest managers and processing companies. However, harvesting activities are operations with a high risk of non-compliance, particularly in two of its defining processes: trees harvesting and skidding of wood. Despite available procedures and equipment, workers often avoid using them. Thus, the identification of health and safety issues in harvesting activities is one of the most frequent non-conformities identified in FSC forest audits (R43 and R44).</p> <p>Even though the implementation of legislation has improved since the 2017 evaluation, considering increased thematic controls of Labour Inspectorates and increased implementation of FSC certified forest audits, the risk remains non-negligible. This is because violations of identified laws are not efficiently followed up on by the relevant entities.</p>
References	ASFOR (2023), Halalisan (2018), Buliga and Nichiforel (2019), Forestmania (2022)
Legislation	Law No. 319/2006; Government Decision No. 1,425 of October 11, 2006; Government Decision No. 1,051 of August 9, 2006; Government Decision No. 1,146 of August 30, 2006; Government Decision No. 1,091 of August 16, 2006; Government Decision No. 971 of July 26, 2006; Government Decision No. 1,048 of August 9, 2006 (republished); Government Decision No. 300 of March 2, 2006; Government Decision No. 493 of April 12, 2006; Ministerial Order No. 3 of January 3, 2007; Government Decision No. 355 of April 11, 2007; Government Decision No. 1,218 of September 6, 2006.
Description of legal requirements	Health and safety issues are regulated in Romania by a specific law—The Occupational Health and Safety Act (L32) and by specific bylaws (L33-L43). The legal framework outlines the rights and obligations of employers and employees regarding workplace safety, the organization of occupational health and safety within enterprises and at the state level, procedures for challenging decisions, and liability for violating health and safety requirements. Article 13 (L32) specifically states that employers must obtain an operating authorization from the perspective of workplace safety and health before starting any activity, in accordance with legal provisions. This creates a robust legal framework designed to safeguard workers. The Labour Inspectorate is the controlling agency for health and safety matters. All entities operating in the forest sector must have a contract with a specialized entity (or their own responsible person) for training and regular health and safety checks. While forest managers have the right to monitor harvesting companies during their field operations, they are not authorized to issue fines for health and safety violations. However, forest managers can report such violations to the Labour Inspectorate.
Limitations of Sources	Despite frequent thematic controls by the Labour Inspectorate targeting health and safety issues in harvesting activities, there is a lack of clear data on their results. Existing references (R43, R44) and expert opinions (E1, E9) confirm that the situation has generally improved but that the risk remains non-negligible in harvesting operations.
Risk mitigation	1. Document verification: Health and safety documents

	<ul style="list-style-type: none"> - Evidence of health and safety equipment's acquisition by harvesting companies in the supply chain are provided to assure that all workers have access to health and safety equipment - Participants' signatures confirming completion of health and safety training are recorded in prior to the commencement of any harvest operations. This ensures all workers are trained and certified before engaging in operational activities. <p>2. Database verification: Labour inspectorate reports</p> <ul style="list-style-type: none"> - Evidence of controls from the Labour Inspectorates pointing to harvesting companies with higher risks of non-compliance with health and safety requirements - Occupational accidents are systematically recorded by economic operators in the supply chain. Workers who have been involved in two or more accidents in the previous year will receive an additional safety training session within one month of the second incident to mitigate future risks. <p>3. Training and awareness raising of harvesting companies:</p> <ul style="list-style-type: none"> - In most of the cases breaking of health and safety regulation in harvesting operations is done consciously by the workers despite the fact that health and safety equipment's are provided by the employer.
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Risk indicator	23. Facilities and activities are safe and support worker's health, and workers have access to and use appropriate Personal Protective Equipment commensurate with the activities undertaken.
Thresholds	<p>23. 1. Applicable legislation for the area under assessment covers the requirements under this indicator, and the country has ratified the Occupational Safety and Health Convention (C155)[1] and Promotional Framework for Occupational Safety and Health Convention (C187)[2], but the risk assessment for indicator 22 confirms a designation of 'non-negligible risk';</p> <p>23. 2. Applicable legislation for the area under assessment contradicts indicator requirement(s);</p> <p>23. 3. Evidence indicates widespread or systematic violation of requirements covered under this indicator;</p> <p>23. 4. The non-fatal occupational injuries in the area under assessment are more than 591.5 per 100'000 workers and occupational fatalities are more than 2.45 per 100'000 workers.</p>
Risk conclusion	Non-negligible risk
Source types	all sources types
Risk threshold	23. 4. The non-fatal occupational injuries in the area under assessment are more than 591.5 per 100'000 workers and occupational fatalities are more than 2.45 per 100'000 workers.
Short description of risks	Despite the presence of a robust normative framework that should safeguard workers, the occupational fatalities in forest harvesting remain high.
Long description of issues/risk	The legislation related to health and safety issues is generally implemented by forest managers and processing companies. However, harvesting activities are operations with a high risk of non-compliance, particularly in two of its defining processes: trees harvesting and skidding of wood. Existing data sources from the Labour Inspectorate (R46) and National Institute of Statistics (R19) show a significant reduction in occupational fatalities in the silviculture and timber harvesting sector, from 25 in 2008 to 8 in 2023. Nevertheless, the occupational fatality rate in 2023 (2.6/100,000 workers) slightly exceeds the threshold of 2.45 occupational fatalities per 100,000 workers.
References	Labour Ministry (2024), INSE (R19)
Legislation	Same as for indicator 22
Description of legal requirements	Same as for indicator 22

Limitations of Sources	
Risk mitigation	<ol style="list-style-type: none"> 1. Document verification: Health and safety documents <ul style="list-style-type: none"> - Evidence of health and safety equipment's acquisition by harvesting companies in the supply chain are provided to assure that all workers have access to health and safety equipment - Participants' signatures confirming completion of health and safety training are recorded in prior to the commencement of any harvest operations. This ensures all workers are trained and certified before engaging in operational activities. 2. Database verification: Labour inspectorate reports: <ul style="list-style-type: none"> - Evidence of controls from the Labour Inspectorates pointing to harvesting companies with higher risks of non-compliance with health and safety requirements. - Occupational accidents are systematically recorded by economic operators in the supply chain. Workers who have been involved in two or more accidents in the previous year will receive an additional safety training session within one month of the second incident to mitigate future risks. 3. Training and awareness raising of harvesting companies: <ul style="list-style-type: none"> - In most of the cases breaking of health and safety regulation in harvesting operations is done consciously by the workers despite the fact that health and safety equipment's are provided by the employer.

Risk indicator	24. The use, application, storage, and disposal of chemicals in management activities addresses the protection of the environment and human health and safety and complies with legal requirements.
Thresholds	<p>24. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof;</p> <p>24. 2. Violations of identified laws are not efficiently followed up on by the relevant entities;</p> <p>24. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities;</p> <p>24. 4. Applicable legislation for the area under assessment contradicts indicator requirement(s);</p> <p>24. 5. Evidence indicates widespread or systematic violation of requirements covered under this indicator.</p>
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	The management of chemicals in the forest sector is regulated, and there is no evidence of non-compliance with the existing regulations.
Long description of issues/risk	The use, application, storage, and disposal of chemicals in the forest sector are regulated by general laws (L35, L43, and L44). Specifically, the use of pesticides in forest management activities has been increasingly restricted by the adoption of biological control agents. Existing data from labour inspectorates (Labour Ministry, 2024) show that the level of accidents in the production and use of chemical agents is low (0.79 in 2023). Therefore, the risk associated with this indicator is considered negligible.
References	Labour Ministry (2024)
Legislation	Law No. 319/2006; Government Decision No. 1,218 of September 6, 2006; Regulation (EC) No. 1907/2006
Description of legal requirements	The legal requirements are generally addressed by the specific law on Occupational Health and Safety (L32) but also by specific laws on the use, application, storage, and disposal of chemicals (L43 and L44). The REACH regulation (L44) establishes the minimum requirements for the protection of workers against risks to their safety and health, which originate or may originate

	<p>from the effects of chemical agents present at the workplace or as a result of any professional activity involving chemical agents. The L43 decision establishes the minimum requirements for the protection of workers against risks to their safety and health, which originate or may originate from the effects of chemical agents present at the workplace or as a result of any professional activity involving chemical agents. Failure to comply with occupational health and safety regulations regarding the manufacturing, transporting, storing, handling, or using of dangerous chemical substances or preparations and the resulting waste is punished with a fine from 5,000 lei (approximately 1,000 euro) to 10,000 lei. The controlling responsibilities are shared between the Labor Inspectorate (for health and safety issues) and the Environmental Guard (for the use and application of chemicals).</p>
Limitations of Sources	<p>The data provided by the Labor Inspectorate on controlling activities related to monitoring the implementation of legal provisions regarding ensuring the safety and health of workers exposed to dangerous chemical agents (R46) are not specifically detailed for the forest sector. For 2024, only 15 out of 324 entities controlled resulted in fines, thus showing a generally low incidence of failure to implement the legal provisions.</p>
Risk mitigation	

Risk indicator	25. Human rights protected under international law, as enshrined in national law, are complied with.
Thresholds	<p>25. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof;</p> <p>25. 2. Violations of identified laws are not efficiently followed up on by the relevant entities;</p> <p>25. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.</p>
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	The human rights are recognised by the legislation and there is no evidence of regulation violations.
Long description of issues/risk	<p>There is no chapter on Romania in the country chapters of the HRW WorldReport 2024. Global WIntess: No information found on specified risks. State of the Human Rights Report 2023 (https://www.amnesty.org/en/location/europe-and-central-asia/western-central-and-south-eastern-europe/romania/report-romania/).</p> <p>In this document, Amnesty International reports the following issues for Romania (not related to forestry):</p> <ul style="list-style-type: none"> - Discrimination – Roma, Police violence against Roma remained prevalent and procedures to investigate it were inadequate. In March, a court upheld a complaint by two Roma men tortured by police in 2021 in the city of Tulcea. In August, the relatives of a young man who died in police custody in the city of Arad filed a criminal complaint against the Romanian police with the support of NGOs. The case remained pending at the end of the year. In August, a pregnant, deaf Roma woman was treated in a discriminatory and negligent manner after being denied medical care at a hospital in the town of Urziceni due to a lack of appropriate facilities. As a result, she had to give birth on the pavement outside. A criminal complaint was filed against the hospital and a petition alleging multiple discrimination was submitted to the National Council for Combating Discrimination (CNCD). The Ministry of Health condemned the incident and launched an investigation. - In August, the CNCD found that a school in the county of Vâlcea had indirectly discriminated against Roma pupils by creating separate classes based on ethnicity and residence criteria. As a result, the school was fined and given a six-month deadline to remedy the situation. In September, the Council of Europe criticized Romania's failure to effectively protect Roma from discrimination. It deplored the prevalence of anti-Roma hate speech from politicians. It also noted little tangible progress in overcoming segregation in education and housing or in reducing the gap between Roma and the rest of the population in access to healthcare, clean water and sanitation. - LGBTI people's rights: In May, the ECtHR ruled in the case of Buhuceanu and others v. Romania that same-sex families needed some form of legal recognition to enable them to access equal rights. Following the judgment, civil society organizations urged the government to adopt adequate instruments of protection and legal recognition for all families, including LGBTI-parent families. At the end of the year, however, same-sex marriage and partnership remained unrecognized. - Gender-based violence. Law enforcement agencies registered an increase in reported incidents of domestic violence compared with 2022. In February, an NGO national study found that respondents increasingly disapproved of violence against women compared with 20 years before. However, one in four accepted that a woman could not go out without her male partner and 23% that he could forbid her choice of friends. Some 19% of respondents found it "not at all or slightly serious" if a woman was raped after agreeing to visit a man's house. Women did not report violent incidents out of fear for themselves or their children, a distrust of the authorities, a lack of alternative accommodation options and feelings of shame. - Freedom House Report: The status of Romania on the Freedom in the World 2023 index is 'free' (83/100) (https://freedomhouse.org/country/romania/freedom-world/2024).

	- Romania is ranked 130 out of 179 countries (51 points) on the Fragile States Index 2024 (nr 1 being the most failed state). This ranks Romania in the category 'Stable'(https://fragilestatesindex.org/country-data/).
References	HRW WorldReport 2024
Legislation	The CONSTITUTION of Romania of November 21, 1991, The Universal Declaration of Human Rights of December 10, 1948, The Universal Declaration of Human Rights of December 10, 1948
Description of legal requirements	According to the Romanian Constitution, Romania is a democratic and social state based on the rule of law, in which human dignity, citizens' rights and freedoms, the free development of the human personality, justice and political pluralism are supreme values, in the spirit of the democratic traditions of the Romanian people and the ideals of the December 1989 Revolution, and are guaranteed. Romania has ratified most universal and European human rights treaties. According to Article 20 of the Romanian Constitution: Constitutional provisions on the rights and freedoms of citizens shall be interpreted and applied in accordance with the Universal Declaration of Human Rights, the covenants and other treaties to which Romania is a party. If there are inconsistencies between the covenants and treaties on fundamental human rights, to which Romania is a party, and domestic laws, international regulations shall take precedence, unless the Constitution or domestic laws contain more favourable provisions.
Limitations of Sources	The experts consider that is no issues in forestry regarding human rights.
Risk mitigation	-

Risk indicator	26. Harvest or trade in products do not contribute to a violation of international human rights or is not associated with armed conflicts.
Thresholds	26. 1. The area is a source of conflict timber; 26. 2. The area is covered by a UN security ban on exporting timber; 26. 3. The area is covered by any other international ban on timber export; 26. 4. Operators in the area are involved in the supply or trade of conflict timber (identified entities should be specified whenever possible while maintaining compliance with the law); 26. 5. Individuals or entities in the forest sector are facing UN sanctions; 26. 6. There are rapidly changing circumstances within the area under assessment that pose a serious risk to the integrity or reputation of the FSC certification scheme.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	According to United Nations, there is no UN Security Council export ban on Romania
Long description of issues/risk	
References	
Legislation	The CONSTITUTION of Romania of November 21, 1991
Description of legal requirements	According to the Romanian Constitution, Romania is a democratic and social state based on the rule of law, in which human dignity, citizens' rights and freedoms, the free development of the human personality, justice and political pluralism are supreme values, in the spirit of the democratic traditions of the Romanian people and the ideals of the December 1989 Revolution, and are guaranteed. Romania has ratified most universal and European human rights treaties. According to Article 20 of the Romanian Constitution: Constitutional provisions on the rights and freedoms of citizens shall be interpreted and applied in accordance with the Universal Declaration

	of Human Rights, the covenants and other treaties to which Romania is a party. If there are inconsistencies between the covenants and treaties on fundamental human rights, to which Romania is a party, and domestic laws, international regulations shall take precedence, unless the Constitution or domestic laws contain more favourable provisions.
Limitations of Sources	
Risk mitigation	

Risk indicator	27. Legal requirements related to child labour and employment of young workers are complied with.
Thresholds	27. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 27. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 27. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	Legal requirements related to child labour and employment of young workers are complied with. No issues in Romania on these aspects.
Long description of issues/risk	Romania ratified all ILO Conventions. Exploitation of minors, their use in activities that would harm their health, morals or endanger their life or normal development are prohibited by the Romanian Constitution. The employment of a minor who does not comply with the legal age requirements or the use of a minor to perform activities in violation of the legal provisions regarding the employment of minors constitutes an offense and is punishable by imprisonment from 3 months to 2 years or a fine.
References	
Legislation	The CONSTITUTION of Romania of November 21, 1991, The Universal Declaration of Human Rights of December 10, 1948, C138 - Minimum Age Convention, 1973 (No. 138), C182 - Worst Forms of Child Labour Convention, 1999 (No. 182), The Labour Code of January 24, 2003 (republished), The Memorandum of Understanding between the Government of Romania and the International Labour Organization regarding the elimination of child labor, dated June 18, 2002.
Description of legal requirements	Regardless if a Romanian employer contracts a Romanian or foreign individual, they must fulfill certain obligations. Under the Romanian law, in order to hire foreign citizens, employers must take some steps that, for non-EU citizens, are not very simple compared to other countries. Therefore, the difficulty of the employment process depends on the location from which the citizen seeking employment in Romania comes from. According to Article 13 of the Romanian Labour Code, the minimum age required to be employed is 16 years. A 15-year-old individual can be hired for certain activities which will not affect his health or professional development and only with the prior consent of the parents or legal representatives. Working hours for young people aged 18 or under are limited to 6 hours per day and 30 hours per week. Young people aged 18 or under cannot undertake overtime or night work. In addition, night work may not be imposed on pregnant women, women who have recently given birth or nursing mothers. Young people up to the age of 18 are entitled to a lunch break of at least 30 minutes if their daily working time exceeds 4.5 hours. Under the Labour Code, employees are entitled to a minimum annual leave of 20 working days. The actual period of the annual leave shall be established in the individual employment contract, proportionally to the activity carried out within a year. Young people aged 18 or less, employees working in harsh, dangerous, harmful conditions, blind

	persons and other persons with disabilities are entitled to additional annual leave of at least 3 working days. Persons with disabilities may be employed in specially set-up, protected workplaces, providing appropriate facilities and adjustments so as to eliminate any impediments. Persons with disabilities may also telework, in which case the employer must provide transportation to and from the employee's home of any raw materials used and of the end products made by the employee. Persons with severe, advanced or average disabilities who are under an individual employment contract enjoy special protection rights. The institution responsible for the protection of persons with disabilities is the National Authority for the Rights of Persons with Disabilities, which is under the authority of the Ministry of Labour and Social Solidarity. Refugees, persons who enjoy another type of social protection or who have applied for asylum and who, under the law, are granted access to the labour market, foreign nationals or stateless citizens who have been employed or obtained incomes in Romania or who have the right to work in Romania are beneficiaries of the law on unemployment security and stimulation of employment. Foreign nationals coming from non-EU countries are granted access to the Romanian labour market insofar as vacant positions cannot be filled by hiring Romanian or EU/EEA and Swiss Confederation citizens. To be employed, they need a work permit issued by the Inspectorate-General for Immigration at the employer's request.
Limitations of Sources	According to the Forestry Code, forest owners, both natural and legal persons, may harvest up to 20 cubic meters of forest land per year from their own property without a certificate of attestation for logging works, under the conditions provided by law (own consumption). Timber harvesting usually involves family members or close relatives, in some cases including minors. However, in this situation, the timber is not commercialized as it is intended for domestic use and is not considered to be placed on the market. However, in the case of logging companies, which are often family businesses, there is a risk that minors may participate in contracted logging activities. However, all experts consider that the risks are negligible, being limited.
Risk mitigation	-

Risk indicator	28. Child labour is not present, and the employment of young workers is responsibly managed, including related rights as specified in the ILO Fundamental Principles and Rights at Work.
Thresholds	28. 1. Applicable legislation for the area under assessment covers all ILO Fundamental Principles and Rights at Work, but the risk assessment for indicator 27 confirms a designation of 'non-negligible risk'; 28. 2. Applicable legislation for the area under assessment contradicts indicator requirement(s); 28. 3. There is substantial evidence of widespread or systematic violation of labour rights against child labour, including as specified in the ILO Fundamental Principles and Rights at Work.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	Child labour is not present, and the employment of young workers is responsibly managed, including related rights as specified in the ILO Fundamental Principles and Rights at Work.
Long description of issues/risk	According to Article 13 of the Romanian Labour Code, the minimum age required to be employed is 16 years. A 15-year-old individual can be hired for certain activities which will not affect his health or professional development and only with the prior consent of the parents or legal representatives. The employment of an individual under the age of 15 is forbidden.
References	
Legislation	The Labour Code of January 24, 2003 (republished), C138 - Minimum Age Convention, 1973 (No. 138), C182 - Worst Forms of Child Labour Convention, 1999 (No. 182), The Memorandum of Understanding between the Government of Romania and the International Labour

	Organization regarding the elimination of child labor, dated June 18, 2002., C105 - Abolition of Forced Labour Convention, 1957 (No. 105)
Description of legal requirements	National legislation on the ratification of ILO Convention 182/199 - on child labor and various forms of child labor - ratified by Law 203/2000 - 15.11.2000 on child labor. Exploitation of minors, their use in activities that would harm their health, morals or endanger their life or normal development are prohibited by the Romanian Constitution. Employing a minor who does not meet the legal age requirements or using a minor to carry out activities in violation of the legal provisions on the employment of minors constitutes a criminal offense and is punishable by imprisonment from 3 months to 2 years or a fine. No evidence on the ILO child labor scoreboard. National legislation on ratification of ILO Convention 182/199 - on child labor and various forms of child labor - ratified by Law 203/2000 - 15.11.2000 on child labor
Limitations of Sources	The experts consider that is no issues in forestry regarding child labour.
Risk mitigation	

Risk indicator	29. Legal requirements related to modern slavery, including forced and compulsory labour, are complied with.
Thresholds	29. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 29. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 29. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	Legal requirements related to modern slavery, including forced and compulsory labour, are complied with. No cases of forced slavery or slavery in forestry.
Long description of issues/risk	Forced labor is any work or service imposed on a threatened person or to which the person has not freely consented. Forced labor is prohibited by the Romanian Constitution. The act of subjecting a person, in cases other than those provided for by law, to work against his or her will or to compulsory labor is punishable by imprisonment of one to three years. Cases of violations of laws/regulations are effectively pursued through preventive measures taken by competent authorities and/or entities.
References	
Legislation	The Labour Code of January 24, 2003 (republished), The CONSTITUTION of Romania of November 21, 1991, C029 - Forced Labour Convention, 1930 (No. 29), Law No. 286 of July 17, 2009, regarding the Criminal Code, C105 - Abolition of Forced Labour Convention, 1957 (No. 105)
Description of legal requirements	The forced labour and slavery is forbidden in Romania (Romanian Constitution) (2) The following shall not constitute forced labor: (a) activities in the performance of military duties, and activities performed by law in lieu thereof for religious or conscientious reasons; (b) the work of a convicted person, carried out under normal conditions, during a period of detention or conditional release; (c) services exacted in the event of calamity or other danger, and those which form part of normal civil obligations prescribed by law.
Limitations of Sources	The experts consider that is no issues in forestry regarding slavery or forced labour.
Risk mitigation	

Risk indicator	30. Modern slavery, including forced and compulsory labour are not used, promoted, or supported in any way, including as specified in the ILO Fundamental Principles and Rights at Work.
Thresholds	<p>30. 1. Applicable legislation for the area under assessment covers all ILO Fundamental Principles and Rights at Work, but the risk assessment for indicator 29 confirms a designation of 'non-negligible risk';</p> <p>30. 2. Applicable legislation for the area under assessment contradicts indicator requirement(s);</p> <p>30. 3. There is substantial evidence of widespread or systematic violation of labour rights against modern slavery, including forced and compulsory labour, including as specified in the ILO Fundamental Principles and Rights at Work.</p>
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	Modern slavery, including forced and compulsory labour are not used, promoted, or supported in any way
Long description of issues/risk	Forced labor is any work or service imposed on a threatened person or to which the person has not freely consented. Forced labor is prohibited by the Romanian Constitution. The act of subjecting a person, in cases other than those provided for by law, to work against his or her will or to compulsory labor is punishable by imprisonment of one to three years. Cases of violation of laws/regulations are effectively pursued through preventive measures taken by the competent authorities and/or entities.
References	
Legislation	C105 - Abolition of Forced Labour Convention, 1957 (No. 105), The Labour Code of January 24, 2003 (republished), Law No. 286 of July 17, 2009, regarding the Criminal Code, The CONSTITUTION of Romania of November 21, 1991
Description of legal requirements	<p>The forced labour and slavery is forbidden in Romania (Romanian Constitution) (2)</p> <p>The following shall not constitute forced labor:</p> <p>(a) activities in the performance of military duties, and activities performed by law in lieu thereof for religious or conscientious reasons; (b) the work of a convicted person, carried out under normal conditions, during a period of detention or conditional release;</p> <p>(c) services exacted in the event of calamity or other danger, and those which form part of normal civil obligations prescribed by law.</p>
Limitations of Sources	The experts consider that is no issues in forestry regarding slavery or forced labour.
Risk mitigation	

Risk indicator	31. Legal requirements related to the Freedom of Association, the Right to Organise and the Right to Collective Bargaining are complied with.
Thresholds	<p>31. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof;</p> <p>31. 2. Violations of identified laws are not efficiently followed up on by the relevant entities;</p> <p>31. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.</p>
Risk conclusion	Negligible risk

Source types	all sources types
Risk threshold	
Short description of risks	All legal requirements related to the Freedom of Association, the Right to Organise and the Right to Collective Bargaining are complied with.
Long description of issues/risk	The rights of association, organization and collective bargaining are guaranteed by the Constitution and the Labour Code Romania has ratified all ILO fundamental Conventions on freedom of association: the 1930 C87 Freedom of Association and Protection of the Right to Organise Convention, the 1948 C98 Right to Organise and Collective Bargaining Convention
References	
Legislation	The Labour Code of January 24, 2003 (republished), C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98), LAW No. 367 of December 19, 2022, regarding social dialogue
Description of legal requirements	<p>A trade union can be founded if it assembles at least 10 employees from the same company or at least 20 employees from different companies within the same sector of activity. An employee can be member of only one trade union at the level of an employer. A trade union gains legal personality by registration with the Court. Any subsequent amendment to the trade union statute or change in the composition of the governing body has to be authorised by the same Court. A trade union gains enhanced power if it reaches the representativity thresholds. The representativity thresholds are provided by law, and are different for company level, a group of companies' level, sector level or national level. For instance, at company level, a trade union is representative if at least 35% of the employees in that company are members of that trade union. The representativity thresholds are assessed and recognised by the Court. A trade union can be constituted and recognised without any participation (or information) of the employer. Trade unions are formed to defend, support, and promote the professional, economic, cultural, artistic, sports, or social interests of employees in their relationship with the employer. To achieve these goals, unions have the right to use specific means, such as negotiations, dispute resolution procedures through conciliation, mediation, arbitration, petition, protest picketing, marches, rallies, or strikes, in accordance with the law. Trade unions have the right to take any action, including filing legal actions on behalf of their members, at the written request of their members. Trade unions have the right to be invited to the collective bargaining agreement process and to the meetings of the board of directors or any other similar body, for discussing issues of professional, economic, and social interest that impact employees/workers. Trade unions are entitled to initiate collective labour disputes in the following situations: the employer refuses to initiate negotiations for a collective bargaining agreement when there is no such agreement in place or the previous one has terminated; the employer organisation does not accept the demands made by employees/workers; the parties do not reach an agreement regarding the conclusion of a collective bargaining agreement by the date that was agreed for completing negotiations; in cases where, although the negotiation of a collective bargaining agreement has begun, the employer does not share the documentation required for continuing negotiations; the employer refuses to initiate negotiations when the parties have stipulated clauses to be periodically renegotiated and the agreed-upon period for renegotiating them has expired, or if the parties do not reach an agreement on the renegotiation of clauses to be periodically renegotiated; in the event of non-completion of renegotiation of clauses that were invalidated, after exhausting the negotiation procedures provided by this law; or if the employer refuses to adhere to the collective bargaining agreement concluded at sector level. A collective labour dispute can also be initiated in case the employer refrains from granting to its employees the rights provided in the collective bargaining agreements, if this affects: at least 10 employees if the employer has more than 20 but less than 100 employees; at least 10% of employees if the employer has at least 100 but less than 300 employees; and at least 30 employees if the employer has at least 300 employees. The trade union is entitled to initiate a collective labour dispute in cases where a litigation for enforcing the individual rights has begun but has not been concluded within a maximum period of 45 days calculated from the date of the first Court hearing.</p>
Limitations of Sources	In an employer who employs at least 10 employees/workers and where there is no trade union, the interests of the employees/workers may be promoted and defended by their representatives,

	<p>elected and mandated specifically for this purpose, under the conditions of the law. In certain situations, employees, having a low level of awareness of their rights, do not initiate the procedures for electing employee/worker representatives, thus association is not a practice. Collective bargaining is aimed at regulating the employment or service relations between the parties, establishing working conditions and any other agreements on matters of common interest and is mandatory in establishments with at least 10 employees/workers. The experts consider that there are no issues in forestry regarding freedom of association.</p>
Risk mitigation	

Risk indicator	32. Labour rights related to the Freedom of Association, the Right to Organise and the Right to Collective Bargaining are respected, including as specified in the ILO Fundamental Principles and Rights at Work.
Thresholds	<p>32. 1. Applicable legislation for the area under assessment covers all ILO Fundamental Principles and Rights at Work but the risk assessment for indicator 31 confirms a designation of 'non-negligible risk';</p> <p>32. 2. Applicable legislation for the area under assessment contradicts indicator requirement(s);</p> <p>32. 3. There is substantial evidence of widespread or systematic violation of the Freedom of Association, the Right to Organise and the Right to Collective Bargaining, including as specified in ILO Fundamental Principles and Rights at Work.</p>
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	All legal requirements related to the Freedom of Association, the Right to Organise and the Right to Collective Bargaining are complied with.
Long description of issues/risk	A trade union acquires legal personality by registering with the court. Any subsequent amendment of the trade union's statutes or change in the composition of its governing body must be authorized by the same court. A trade union gains more power if it reaches the thresholds of representativeness. The representativeness thresholds are laid down by law and differ at company, group of companies, sectoral or national level. For example, at company level, a trade union is representative if at least 35% of the employees in that company are members of that union. The representativeness thresholds are assessed and recognized by the Court. A trade union can be established and recognized without any participation (or information) from the employer. The rights of association, organization and collective bargaining are guaranteed by the Constitution, the Labour Code and the ILO Conventions to which RO has acceded.
References	https://www.ituc-csi.org/romania
Legislation	The Labour Code of January 24, 2003 (republished), C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98), LAW No. 367 of December 19, 2022, regarding social dialogue
Description of legal requirements	A trade union acquires legal personality by registering with the court. Any subsequent amendment of the trade union's statutes or change in the composition of its governing body must be authorized by the same court. A trade union gains more power if it reaches the thresholds of representativeness. The representativeness thresholds are laid down by law and differ at company, group of companies, sectoral or national level. For example, at company level, a trade union is representative if at least 35% of the employees in that company are members of that union. The representativeness thresholds are assessed and recognized by the Court. A trade union can be established and recognized without any participation (or information) from the employer. The rights of association, organization and collective bargaining are guaranteed by the Constitution, the Labour Code and the ILO Conventions to which RO has acceded. Specified risk of violation of collective labor rights Romania is classified in category 3 "Regular

	violation of rights" which is the 3rd of 6 categories: "Government and/or companies regularly interfere in collective labor rights or fail to fully guarantee important aspects of these rights. There are deficiencies in laws and/or certain practices that make frequent violations possible." All social rights are covered by relevant legislation and enforced in Romania (see category 1) - Romania is classified in category 3 of the CIS Global Rights Index, which means "Regular violation of the rights to freedom of association, collective bargaining and strike". However, all other sources analyzing describe minor violations and there is no evidence of violations in the forest sector.
Limitations of Sources	The experts consider that is no issues in forestry regarding Freedom of Association.
Risk mitigation	

Risk indicator	33. Legal requirements related to the recruitment and employment of workers are complied with.
Thresholds	33. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 33. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 33. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	In Romania the legal requirements related to the recruitment and employment of workers are complied with.
Long description of issues/risk	<p>According to the Romanian Constitution, all citizens have equal rights to work without discrimination on grounds of gender, political and religious opinions and nationality. Women and men have equal rights to work and to belong to trade unions and to benefit from social rights. Romania has ratified all ILO Conventions on child labor and the ILO Fundamental Principles.</p> <p>Overview of legal requirements</p> <ul style="list-style-type: none"> - Persons involved in harvesting activities must have the necessary certificates of competence for the function they perform. - Personnel involved in harvesting activities are paid at least the legally established minimum wages. - Wages shall be officially paid and declared by the employer as required for personnel engaged in harvesting activities - Minimum age will be respected for all personnel involved in harvesting activities. - Staff shall be employed on the basis of an employment contract or registered in the daily register of workers.
References	
Legislation	The Labour Code of January 24, 2003 (republished), C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
Description of legal requirements	<p>There are more types of employment agreements in Romania, no matter if the individuals are residents or non-residents, of which we mention:</p> <ul style="list-style-type: none"> -Employment agreement for indefinite period; -Employment agreement for definite period. <p>As a rule, the employment contract must be concluded for an unlimited duration. The unlimited duration is a measure of protection for the employee. By exception, the individual employment contract may also be concluded for a limited duration, under the terms expressly provided by the law.</p>

	Maximum number of defined employment agreement is 3 successive ones. The Labour Code requires that an individual employment contract must be concluded in written form and in Romanian language. Among the mandatory elements that an individual employment contract must contain with observance of the provisions of Article 17 of the Labour Code, we mention: the identification details of the employer and employee; contract duration and the job position occupied in accordance with the Romanian Classification of Jobs, as well as the job description; salary, periodicity of payment and method of payment; vacation days and other days off entitlement; the duration and conditions of the probationary period, if any; notice period and conditions. The contract may also specify provisions such as confidentiality, copyrights (in IT area) etc.
Limitations of Sources	Experts indicates that is no concern on recruitment and employment.
Risk mitigation	

Risk indicator	34. Legal requirements related to the contracts and working permits, and requirements for competence certifications and other training requirements are complied with.
Thresholds	34. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 34. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 34. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.
Risk conclusion	Non-negligible risk
Source types	all sources types
Risk threshold	34. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.
Short description of risks	The employment of unskilled workers are widespread nationwide.
Long description of issues/risk	Despite the presence of a strong regulatory framework, undeclared work, under-declared work (giving a net wage higher than the net wage recorded in the wage statements and in the monthly declaration of social contributions, income tax and nominal register of insured persons submitted to the tax authorities), and the employment of unskilled workers are widespread practices nationwide. As a result of several factors, including the short period of operation, small areas of operation, fees and taxes, the duration of employment is very short in this sector. To avoid complications, many employers prefer not to hire contract workers. The finding is based on the expert's experience in the field. It has not been possible to identify written sources that provide evidence on the extent of the problem, which is why we conclude a specified risk based on a precautionary approach. Threshold (1) is met: 34. 1. The identified laws are not consistently complied with by all entities, are often ignored, are not enforced by the relevant authorities or any combination thereof
References	
Legislation	C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111), The Labour Code of January 24, 2003 (republished), C100 - Equal Remuneration Convention, 1951 (No. 100)
Description of legal requirements	According to the Labour Code, a person becomes able to work at the age of 16. Individuals may sign an employment contract as a salaried person at the age of 15 with their parents' or legal guardians' consent for activities that are appropriate for their stage of physical development, skills and knowledge, provided that this does not jeopardise their health, development or professional training. Difficult, harmful or hazardous jobs may be performed only by persons aged 18 or over; these jobs are determined by Government Decision. The employment contract may be permanent or fixed-term, with full-time or part-time working hours. For full-time employees, working time is 8 working hours per day (40 hours/5 days a week). Working time per week is usually evenly distributed and it includes 2 days of rest. Depending on the profile of the company, one may opt

	<p>for an uneven distribution of the working time provided that the normal working period of 40 hours/week is complied with. The maximum number of legal working hours may not exceed 48 hours per week, including overtime. There are exceptions allowing an extension of the maximum period, but they are subject to strict legal rules. Work through temporary employment agencies: in this case, the employee signs a contract with a temporary employment agency and is made available to a user for temporary work under that user's management and supervision. A temporary work assignment cannot last longer than 24 months. It may be extended under certain conditions, for successive periods which, added to the initial length of the mission, cannot exceed a period of 36 months. The probationary period is a common option in employment relationships between employees and employers, between temporary work agencies and temporary employees. In the case of permanent employment contracts, the probationary period shall be a maximum of 90 calendar days for operational positions, a maximum of 120 calendar days for management positions and a maximum of 30 days for the disabled. For graduates of higher education institutions, the first 6 months after starting their job are considered an internship. This does not apply to professions for which the internship period is governed by special laws. Any probationary period counts as length of service. During the probationary period, the individual employment contract shall be terminated by simple notice and the employee shall not be required to remain during the notice period. EU citizens may occupy any position except that of civil servant, which requires Romanian citizenship. If a person wishes to provide occasional services (self-employment), they may choose to enter into a collaboration contract with the employer. This type of contract is governed by the Civil Code. The most common forms of collaboration contract are the service provision contract and the copyright contract. As regards seasonal work in Romania, the Labour Code regulates the employment of seasonal workers. The worker shall enter into a full-time fixed-term individual employment contract with the employer for the provision of activities that are carried out depending on the succession of the seasons. Non-EU-based foreign workers (with their main residence in a third country) may also work as seasonal workers in Romania under a fixed-term individual employment contract entered into with an employer, but on the basis of the employment notification issued by the Inspectorate-General for Immigration.</p>
Limitations of Sources	Experts indicates that is some concern on qualifications and skills.
Risk mitigation	<ol style="list-style-type: none"> 1. Database verification: Verification if workers have job specific qualifications consistent with the legal provisions using REVISAL platform; 2. Document verification: Verifications on workers qualifications documents; Verification of training records for all relevant workers. 3. Stakeholders consultations: Interviews with employees and contractors' staff to check if workers know the specific job tasks. 4. Training and awareness on forest operations: verification if the training plan (topics, responsible persons, deadlines) exists and is implemented; 5. Field verification: Check on the field if workers know the specific job tasks.

Risk indicator	35. Legal requirements related to workers' wages and other payments, such as social insurance contributions and the payment of social and income taxes withheld by the employer on behalf of the worker, are complied with.
Thresholds	<p>35. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof;</p> <p>35. 2. Violations of identified laws are not efficiently followed up on by the relevant entities;</p> <p>35. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.</p>
Risk conclusion	Non-negligible risk
Source types	all sources types
Risk threshold	35. 2. Violations of identified laws are not efficiently followed up on by the relevant entities;
Short description of risks	Romania faces some issues in addressing the legal requirements related to workers' wages and other payments, such as social insurance contributions and the payment of social and income taxes withheld by the employer on behalf of the worker.

Long description of issues/risk	<p>Despite the presence of a strong regulatory framework, undeclared work, under-declared work (giving a net wage higher than the net wage recorded in the wage statements and in the monthly declaration of social contributions, income tax and nominal register of insured persons). submitted to the tax authorities), and the employment of unskilled workers are widespread practices nationwide. As a result of several factors, including the short period of operation, small areas of operation, fees and taxes, the duration of employment is very short in this sector. To avoid complications, many employers prefer not to hire contract workers. To avoid complications, many employers prefer not to hire contract workers.</p> <p>ELA, 2023: For undeclared work as a share of total private sector employment, undeclared work is most prevalent in Romania (21.7%), Lithuania (20.8%) and Bulgaria (19.3%). This finding is based on the experience of the authors in the field. It has not been possible to identify written sources to provide evidence on the extent of the problem, which is why we conclude a specified risk based on a precautionary approach.</p> <p>Thresholds (2 and 3) are met: 35. 2. Violations of identified laws are not effectively followed up by relevant entities; 35. 3. Violations of identified laws are not followed up by preventive actions taken by relevant entities.</p>
References	ELA, 2023
Legislation	The Labour Code of January 24, 2003 (republished)
Description of legal requirements	Same as for indicator 34
Limitations of Sources	Experts agree on issues on workers' wages and other payments, such as social insurance contributions and the payment of social and income taxes.
Risk mitigation	<p>1.Document verification:</p> <ul style="list-style-type: none"> -Verification of Individual/collective labor contracts to check if workers are legally employed; -Verification of evidences on salaries in order to demonstrate that the salaries are paying at time; - Verification of general register of employees and associated document; - Check the control reports of Labour institution to establish if is any financial issues <p>2. Database verification: Verification on legality of contracts of workers using REVISAL platform;</p> <p>3.Stakeholders consultations: Interviews with employees and contractors' staff to check if is any complain regarding the contracts and payments</p>

Risk indicator	36. Legal requirements related to working hours, overtime, rest time and time off are complied with.
Thresholds	<p>36. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof;</p> <p>36. 2. Violations of identified laws are not efficiently followed up on by the relevant entities;</p> <p>36. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.</p>
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	The requirements on working hours, overtime, rest time and time off are complied with
Long description of issues/risk	<p>There are more types of employment agreements in Romania, no matter if the individuals are residents or non-residents, of which we mention:</p> <ul style="list-style-type: none"> -Employment agreement for indefinite period; -Employment agreement for definite period. <p>As a rule, the employment contract must be concluded for an unlimited duration. The unlimited duration is a measure of protection for the employee. By exception, the individual employment</p>

	contract may also be concluded for a limited duration, under the terms expressly provided by the law. Maximum number of defined employment agreement is 3 successive ones. Among the mandatory elements that an individual employment contract must contain with observance of the provisions of Article 17 of the Labour Code, we mention: the identification details of the employer and employee; contract duration and the job position occupied in accordance with the Romanian Classification of Jobs, as well as the job description; salary, periodicity of payment and method of payment; vacation days and other days off entitlement; the duration and conditions of the probationary period, if any; notice period and conditions.
References	
Legislation	The Labour Code of January 24, 2003 (republished)
Description of legal requirements	The normal length of the work time is 8 hours per day and 40 hours per week, usually Monday to Friday, with two rest days, usually Saturday and Sunday. The rule is that the maximum working time for a week cannot exceed 48 hours per week, including overtime hours. For overtime work, the employee is entitled to paid off hours within the time limit provided by the Labour Code in Romania (90 calendar days) and, if the compensation with paid time off is not possible, the extra work will be paid, during the next month, to the employee by adding a benefit no lower than 75% of the basic wage corresponding to its duration. Employees are entitled, according to provisions of the Labour Code, to a minimum of 20 vacation days per year (working day, not calendar day). For medical reasons, the employee is entitled to a medical leave allowance, in percent of 100%, 75% of the average gross monthly income for the 6 months preceding the period of sickness, depending on the cause of incapacity. The employer is obliged to pay the remuneration for the first 5 calendar days of incapacity from the medical leave period. The rest of the period is paid by the Romanian state. However, the employer shall credit the state with the amount paid to the employee. In maximum 90 calendar days, the employer is in the position to file a compensation request to the Romanian Health Insurance House for recovering the amounts paid to the employees. In case of occurrence of special family events, the employees shall be entitled to paid days off which shall not be included in the duration of the rest leave and whose conditions should be set forth by the law, applicable collective labour agreement or Internal Regulations of the company. For solving certain personal circumstances, the employees are entitled to also ask for unpaid leaves in accordance with the provisions of the applicable collective agreement or Internal Regulations of the company.
Limitations of Sources	All experts agree on no issue on forestry on legal requirements regarding working hours.
Risk mitigation	-

Risk indicator	37. Labour rights related to recruitment and employment, contracts, training, workers' wages and other payments, working hours, overtime, rest time and time off are upheld, including as specified in the ILO Fundamental Principles and Rights at Work are upheld.
Thresholds	37. 1. Applicable legislation for the area under assessment covers all ILO Fundamental Principles and Rights at Work, but the risk assessment for indicators 33, 34, 35, and 36 confirm a designation of 'non-negligible risk'; 37. 2. Applicable legislation for the area under assessment contradicts indicator requirement(s); 37. 3. There is substantial evidence of widespread or systematic violation of requirements covered under this indicator.
Risk conclusion	Non-negligible risk
Source types	all sources types
Risk threshold	37. 1. Applicable legislation for the area under assessment covers all ILO Fundamental Principles and Rights at Work, but the risk assessment for indicators 33, 34, 35, and 36 confirm a designation of 'non-negligible risk';

Short description of risks	The employment of unskilled workers is widespread nationwide; Romania face issues on legal requirements related to workers' wages and other payment. Risk establish base on Indicator 34 and 35 according to the first threshold
Long description of issues/risk	Threshold (1) is met. The applicable legislation for the area under assessment covers all ILO fundamental principles and rights at work, but the risk assessment for indicators 33, 34, 35 and 36 confirms the designation of "non-negligible risk";
References	
Legislation	The Labour Code of January 24, 2003 (republished)
Description of legal requirements	Description is the same from 34, 35 and 36.
Limitations of Sources	The non-negligible risk was designated according to FSC procedures - threshold no.1 was met.
Risk mitigation	<p>1. Database verification: Verification if workers have job specific qualifications consistent with the legal provisions using REVISAL platform; Verification on legality of contracts of workers using REVISAL platform;</p> <p>2. Document verification: -Verification of Individual/collective labor contracts to check if workers are legally employed; -Verification of evidences on salaries in order to demonstrate that the salaries are paying at time; Verification of general register of employees and associated documents; Check the control reports of Labour institution to establish if is any financial issues; Verifications on workers qualifications documents; Verification of training records for all relevant workers.</p> <p>3.Stakeholders consultations: Interviews with employees and contractors' staff to check if is any complains regarding the contracts and payments; Interviews with employees and contractors' staff to check if workers know the specific job tasks.</p> <p>4. Training and awareness on forest operations: verification if the training plan (topics, responsible persons, deadlines) exists and is implemented;</p> <p>5. Field verification: Check on the field if workers know the specific job tasks.</p>

Risk indicator	38. Legal requirements related to discrimination against workers are complied with.
Thresholds	<p>38. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof;</p> <p>38. 2. Violations of identified laws are not efficiently followed up on by the relevant entities;</p> <p>38. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.</p>
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	The principle of equal treatment of all employees and employers applies in employment relationships.
Long description of issues/risk	The principle of equal treatment of all employees and employers applies in employment relations. Any direct or indirect discrimination against an employee, discrimination by association, harassment or victimization on the grounds of race, nationality, ethnicity, color, language, religion, social origin, genetic traits, sex, sexual orientation, age, disability, disability, chronic non-disability, contagious disease, HIV infection, political opinion, family status or responsibility, trade union membership or activity, membership of a disadvantaged group is prohibited. Romania ranks 88th in the Global Gender Gap Index 2023 with 0.697 (the highest possible score is 1 (equality) and the lowest possible score is 0 (inequality)).

References	
Legislation	The Labour Code of January 24, 2003 (republished), C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
Description of legal requirements	Employees benefit from legal protection against discrimination. Discrimination is prohibited on various grounds, including race, nationality, ethnicity, language, religion, social category, beliefs, gender, sexual orientation, age, disability, non-contagious chronic illness, HIV infection, and belonging to a disadvantaged category. Additionally, any other criteria that aim at or result in restricting or removing the recognition, use, or exercise of human rights and fundamental freedoms are also considered prohibited grounds for discrimination. This prohibition extends to various areas of public life, such as political, economic, social, and cultural domains. Any form of direct or indirect discrimination is prohibited. Also, any acts of moral harassment, psychological harassment, or sexual harassment in the context of the workplace are prohibited. Employees submitting a complaint or initiating procedures to ensure compliance with these rights are entitled to protection against any adverse treatment from the employer. Employers have specific obligations for preventing and combating any forms and acts of gender-based harassment and moral harassment in the workplace (list not exhaustive): establishing internal policies/codes of conduct/guides actively promoting a work environment where harassment and persecution are not tolerated and addressing the expected behavioural standards; introducing the provisions for the prevention and sanctioning of all forms of discrimination, as well as those concerning equality of opportunities and treatment between women and men into the internal regulations; prohibiting and sanctioning any actions that may lead to moral harassment in the workplace or based on gender; taking diligence to establish a framework of prevention and protection measures in cases of gender-based harassment and moral harassment in the workplace through employee training to raise awareness and prevent the occurrence of harassment; and organising annual training courses for all employees. Employees have the option of either initiating legal proceedings against their employer, submitting a complaint to the National Council for Combating Discrimination, or pursuing both procedures in parallel. Employers can seek an amicable resolution of the complaint, either before or after it is initiated. When suggesting a settlement, employers must bear in mind that employees cannot waive their legal rights.
Limitations of Sources	
Risk mitigation	

Risk indicator	39. There is no discrimination against workers in processes related to hiring, remuneration and access to training, promotion, termination, or retirement, including related rights as specified in the ILO Fundamental Principles and Rights at Work.
Thresholds	39. 1. Applicable legislation for the area under assessment covers all ILO Fundamental Principles and Rights at Work but the risk assessment for indicator 38 confirms a designation of 'non-negligible risk'; 39. 2. Applicable legislation for the area under assessment contradicts indicator requirement(s); 39. 3. There is substantial evidence of widespread or systematic violation of requirements covered under this indicator.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	There is no discrimination against workers in processes related to hiring, remuneration and access to training, promotion, termination, or retirement.
Long description of issues/risk	Discrimination is prohibited on various grounds, including race, nationality, ethnicity, language, religion, social category, beliefs, gender, sexual orientation, age, disability, non-contagious chronic illness, HIV infection, and belonging to a disadvantaged category. Additionally, any other

	criteria that aim at or result in restricting or removing the recognition, use, or exercise of human rights and fundamental freedoms are also considered prohibited grounds for discrimination. This prohibition extends to various areas of public life, such as political, economic, social, and cultural domains.
References	
Legislation	The Labour Code of January 24, 2003 (republished), C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
Description of legal requirements	Same as for indicator 38
Limitations of Sources	
Risk mitigation	

Risk indicator	40. Legal requirements related to gender equality in the workplace are complied with.
Thresholds	40. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 40. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 40. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	Legal requirements related to gender equality are complied with.
Long description of issues/risk	No issues on gender discrimination was detected in forestry. Projects on gender equality in forestry is conducted in Romania: FEM4Forest, FEM2forest. The principle of equal treatment of all employees and employers applies in employment relations. Any direct or indirect discrimination against an employee, discrimination by association, harassment or victimization based on race, nationality, ethnicity, color, language, religion, social origin, genetic traits, gender, sexual orientation, age, disability, disability, chronic non-disability, contagious disease, HIV infection, political opinion, family status or responsibility, trade union membership or activity, membership in a disadvantaged group is prohibited. According to the Romanian Constitution, all citizens have equal rights to work without discrimination on grounds of gender, political and religious opinions and nationality. Women and men have equal rights to work and to belong to trade unions and to benefit from social rights. Romania has ratified all ILO Fundamental Principles Conventions. Romania ranks 88th on the Global Gender Gap Index 2023 with 0.697 (the highest possible score is 1 (equality) and the lowest possible score is 0 (inequality)).
References	
Legislation	The Labour Code of January 24, 2003 (republished), C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
Description of legal requirements	Discrimination is prohibited on various grounds, including race, nationality, ethnicity, language, religion, social category, beliefs, gender, sexual orientation, age, disability, non-contagious chronic illness, HIV infection, and belonging to a disadvantaged category.
Limitations of Sources	
Risk mitigation	

Risk indicator	41. Gender equality is protected following best practices, including ensuring availability of job opportunities, equal remuneration for work of equal value and sufficient maternity and paternity leave, and other related rights as specified in the ILO Fundamental Principles and Rights at Work.
Thresholds	<p>41. 1. Applicable legislation for the area under assessment covers all ILO Fundamental Principles and Rights at Work, but the risk assessment for indicator 40 confirms a designation of 'non-negligible risk';</p> <p>41. 2. Applicable legislation for the area under assessment contradicts indicator requirement(s);</p> <p>41. 3. There is substantial evidence of widespread or systematic violation of requirements covered under this indicator.</p>
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	Gender equality is protected following best practices.
Long description of issues/risk	<p>The unadjusted gender pay gap estimated for Romania is 2.4%, which is one of the lowest in the EU. Romania ranks 88th in the Global Gender Gap Index 2023 with 0.697 (the highest possible score is 1 (equality) and the lowest possible score is 0 (inequality)). The principle of equal treatment of all employees and employers applies in employment relations. Any direct or indirect discrimination against an employee, discrimination by association, harassment or victimization on the grounds of race, nationality, ethnicity, color, language, religion, social origin, genetic traits, sex, sexual orientation, age, disability, disability, chronic non-disability, contagious disease, HIV infection, political opinion, family status or responsibility, trade union membership or activity, membership of a disadvantaged group is prohibited. According to the Romanian Constitution, all citizens have equal rights to work without discrimination on grounds of gender, political and religious opinions and nationality. Women and men have equal rights to work and to belong to trade unions and to benefit from social rights. Romania has ratified all ILO Fundamental Principles Conventions.</p>
References	
Legislation	The Labour Code of January 24, 2003 (republished), C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
Description of legal requirements	<p>In Romania, there are two types of leave related to the birth of a child: maternity leave; and childcare leave. Maternity leave has a duration of 126 days and can be split for periods preceding and following the birth of a child, with a minimum of 42 days to be taken after the birth date. The childcare leave comes after the maternity leave and may last until the child turns two years old (or three years old in case of a disabled child). The maternity leave can be taken only by the mother of the child, while the childcare leave may be taken by either of the parents or divided between them (with a two-month mandatory period to be taken by the other parent). A similar leave of two years, maximum, can be taken by the adoptive parent in case of child adoption. During the maternity leave, the mother receives a social security indemnity amounting to 85% of the average gross monthly income from the last six months out of the 12-month period that constitutes the insurance period, without exceeding 12 times the gross national minimum wage per month. The maternity indemnity is not subject to income tax nor to health insurance contribution; it remains subject to the social security contribution for pension insurance. Upon returning from maternity leave or childcare leave, the employees have the right to return to their last position held or to an equivalent position with equivalent working conditions. They are also entitled to benefit from any improvements in working conditions that they would have been entitled to during their absence. Fathers have the right to a paid paternity leave of 10 working days, anytime during the eight weeks following the birth date of the child. The duration of the paternity leave is increased to 15 working days if the father has previously completed a childcare course. During the paternity leave, the beneficiary is entitled to an indemnity equal to the salary, to be paid by the employer. Pregnant employees or mother employees returning from maternity leave may benefit from a maternal risk leave in case the conditions of work pose risks to their health or</p>

	<p>safety, or have implications for pregnancy or breastfeeding. The maternal risk indemnity amounts to 75% of the average gross monthly income from the last six months out of the 12-month period that constitutes the insurance period, without exceeding 12 times the gross national minimum wage per month. A pregnant employee unable to fulfil her normal working hours due to health reasons, either her own or related to the foetus, is entitled to a reduction of her normal working hours by a quarter, while maintaining full salary. Employees breastfeeding are entitled to two breaks during their working hours, each lasting one hour, or to the reduction of the working hours by two hours daily.</p>
Limitations of Sources	
Risk mitigation	

Indicator category: Third parties rights

Risk indicator	42. Legal requirements related to the rights of Indigenous Peoples are complied with.
Thresholds	42. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 42. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 42. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.
Risk conclusion	Not applicable
Source types	all sources types
Risk threshold	
Short description of risks	There are no recognized indigenous peoples in Romania
Long description of issues/risk	According to the United Nations Permanent Forum on Indigenous Peoples (Factsheet: Who are Indigenous Peoples, October 2007; United Nations Development Group, Guidelines on Indigenous Peoples Issues, 2009; and the United Nations Declaration on the Rights of Indigenous Peoples, 13 September 2007), there are no recognized indigenous peoples in Romania. Consequently, in the Forest Stewardship Standard for Romania <FSC-STD-ROU-01-2017>, Principle 3, which pertains to the rights of indigenous peoples, is marked as not applicable (N/A)
References	Forest Stewardship Standard for Romania <FSC-STD-ROU-01-2017>
Legislation	
Description of legal requirements	
Limitations of Sources	
Risk mitigation	

Risk indicator	43. The rights of Indigenous Peoples, including land tenure and management, are respected and upheld according to the principles of FPIC.
Thresholds	43. 1. The presence of Indigenous Peoples is confirmed or likely within the area under assessment. The applicable legislation for the area under assessment covers ILO provisions governing the identification and rights of Indigenous Peoples,[4] but the risk assessment for indicator 42 confirms a designation of 'non-negligible risk'; 43. 2. The presence of Indigenous Peoples is confirmed or likely within the area under assessment. The applicable legislation for the area under assessment covers the United Nations Declaration on the Rights of Indigenous Peoples[5] (UNDRIP) but the risk assessment for indicator 42 confirms a designation of 'non-negligible risk'; 43. 3. The presence of Indigenous Peoples is confirmed or likely within the area. The applicable legislation for the area under assessment contradicts indicator requirement(s); 43. 4. Substantial evidence of the widespread or systematic violation of Indigenous Peoples' rights exists; 43. 5. Indigenous Peoples are not aware of their rights; 43. 6. There is evidence of conflict(s) of substantial magnitude[6] pertaining to the rights of Indigenous Peoples. Laws and regulations or other legally established processes do not exist that serve the resolution of conflicts in the area concerned, or, such processes exist but are not recognized by affected stakeholders as being fair and equitable.
Risk conclusion	Not applicable

Source types	all sources types
Risk threshold	
Short description of risks	There are no recognized indigenous peoples in Romania
Long description of issues/risk	According to the United Nations Permanent Forum on Indigenous People (Factsheet Who are indigineous peoples October 2007; Uniated Nations Development Group, Guidelines on Indigenous Peoples Issues, United Nations 2009; United Nations Declaration on the Rights if Indigeneous People, 13 September 2007) in Romania there are no such indigenous people. In the Romanian National FSC STANDARD, the entire Princple 3: Indigenous Peoples rights is N/A.
References	Forest Stewardship Standard for Romania <FSC-STD-ROU-01-2017>
Legislation	
Description of legal requirements	
Limitations of Sources	
Risk mitigation	

Risk indicator	44. Legal requirements related to the rights of Traditional Peoples are complied with.
Thresholds	44. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 44. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 44. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.
Risk conclusion	Not applicable
Source types	all sources types
Risk threshold	
Short description of risks	There are no recognized Traditional peoples in Romania
Long description of issues/risk	The current demographic situation at the national level is the result of a long historical evolution, which has led to the coexistence of the ethnic majority, Romanians (98.5%), alongside other ethnic groups. None of these groups can claim indigenous or traditional population status. Furthermore, all individuals, regardless of ethnic affiliation, are guaranteed equal rights under the Constitution and all applicable laws. Customary law has gradually been replaced since the end of the 18 Century by written legislation in modern legal systems, as it is considered inferior to written law in terms of its precision and predictability. Customary land ownership laws have gradually been replaced by written legislation in modern legal systems, as it is considered inferior to written law in terms of its precision and predictability. As result of that, ownership, particularly of forested areas, has been strictly regulated by the state for hundreds of years, and there are no customary property rights over forest land. Concerning the traditional knowledge of local communities, forest management is governed by the state through technical guidelines and harvesting regulations. The machinery and technology used are standardized nationwide and are not specific to any particular community or group. Knowledge is not localized but general, provided through specialized literature, laws, and regulations. In the Forest Stewardship Standard for Romania <FSC-STD-ROU-01-2017>, Criterion 4.8 is not applicable (N/A).
References	Forest Stewardship Standard for Romania <FSC-STD-ROU-01-2017>

Legislation	
Legal requirements	
Limitations of Sources	
Risk mitigation	

Risk indicator	45. The rights of Traditional Peoples, including land tenure and management, are respected and upheld according to the principles of FPIC.
Thresholds	<p>45. 1. The presence of Traditional Peoples is confirmed or likely within the area under assessment. The applicable legislation for the area under assessment covers ILO provisions governing the identification and rights of Traditional Peoples,[7] but the risk assessment for indicator 44 confirms a designation of 'non-negligible risk';</p> <p>45. 2. The presence of Traditional Peoples is confirmed or likely within the area under assessment. The applicable legislation for the area under assessment contradicts indicator requirement(s);</p> <p>45. 3. Substantial evidence of widespread or systematic violation of Traditional Peoples' rights exists;</p> <p>45. 4. Traditional Peoples are not aware of their rights;</p> <p>45. 5. There is evidence of conflict(s) of substantial magnitude [8] pertaining to the rights of Traditional Peoples. Laws and regulations or other legally established processes do not exist that serve the resolution of conflicts in the area concerned, or, such processes exist but are not recognized by affected stakeholders as being fair and equitable.</p>
Risk conclusion	Not applicable
Source types	all sources types
Risk threshold	
Short description of risks	There are no recognized Traditional peoples in Romania
Long description of issues/risk	<p>The current demographic situation at the national level is the result of a long historical evolution, which has led to the coexistence of the ethnic majority, Romanians (98.5%), alongside other ethnic groups. None of these groups can claim indigenous or traditional population status. Furthermore, all individuals, regardless of ethnic affiliation, are guaranteed equal rights under the Constitution and all applicable laws. Additionally, land ownership, particularly of forested areas, has been strictly regulated by the state for hundreds of years, and there are no customary property rights over forest land. Concerning the traditional knowledge of local communities, forest management is governed by the state through technical guidelines and harvesting regulations. The machinery and technology used are standardized nationwide and are not specific to any particular community or group. Knowledge is not localized but general, provided through specialized literature, laws, and regulations. In the Forest Stewardship Standard for Romania <FSC-STD-ROU-01-2017>, Criterion 4.8 is not applicable (N/A).</p>
References	Forest Stewardship Standard for Romania <FSC-STD-ROU-01-2017>
Legislation	
Legal requirements	
Limitations of Sources	
Risk mitigation	

Risk indicator	46. Legally recognised customary and community rights are identified and respected.
Thresholds	46. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 46. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 46. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	The rights of local communities are recognised by the legislation and there is no evidence of regulation violations.
Long description of issues/risk	Long traditions of local communities in working with wood, in the mountain areas in general or in some specific locations are recognised by the regulatory framework. Communities are aware of their rights and are taking advantages of the regulatory framework. There is no evidence of violations. Moreover, considering the specificity of Romanian rural areas (using wood for heating and cooking), rural communities can benefit from special conditions of firewood trading. The new forest strategy of Romania (2022) includes the planned forest dependent community's identification and regulatory framework objectives.
References	
Legislation	Law No. 144 of July 26 2000; Law No. 33 of January 16 2019; The FOREST CODE of March 19 2008 (republished); Government Decision No. 715 of October 5 2017; Governmental Decision no. 1227/2022
Description of legal requirements	L 144/2000 refers to the rights of the inhabitants of rural mountain areas to have access to wood for continuing their traditional wood manufacturing activities. Also, the inhabitants of the area of Apuseni Mountains have gain special rights in terms of forest resources access for their needs (L33/2019). The regulation for public forest wood trading (GD 715/2017) as well as the Forest code (L46/2008, art. 59) include the possibility to trade firewood to local rural communities' members with special prices. The National Forest Strategy (GD 1227/2022) includes the planned forest dependent community's identification.
Limitations of Sources	Experts mentioned the increasing interest of Romanian Government in further support for local communities by developing criteria for forest dependent communities' identification as well as developing regulations making sure that the forest dependent communities are not affected by the forest resources utilisation restrictions. Another issue addressed by the experts is the way members of the local community are compensated in case the rural infrastructure (roads, fences, small rural constrictions, etc.) is affected by wood harvesting activities. Some particular situations were presented but the unanimous conclusion is that the generalist legal framework regarding the public or private goods protection is ensuring a proper protection of rural inhabitants against such cases and also the fact that the cases are isolated.
Risk mitigation	

Risk indicator	47. The rights of local communities are respected and upheld.
Thresholds	47. 1. The presence of local communities is confirmed or likely within the area under assessment. The applicable legislation for the area under assessment covers ILO provisions governing the identification and rights of local communities, but the risk assessment for indicator 46 confirms a designation of 'non-negligible risk'; 47. 2. The presence of local communities is confirmed or likely within the area under assessment. The applicable legislation for the area under assessment contradicts indicator requirement(s); 47. 3. Local communities are not aware of their rights;

	47. 4. Evidence indicates widespread or systematic violation of the rights of local communities.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	There are well regulated conditions for the local communities to manifest their rights and there is no evidence of community rights being ignored.
Long description of issues/risk	Besides the legislation that regulates the rights of rural people in mountain areas (including Apuseni Mountains) the regulatory framework regarding the strategic environment assessment (GD1076/2004 and MO117/2006) introduced the compulsory consultation of communities in the process of Forest Management Planning. Moreover, the process of protected areas management planning also includes compulsory consultations with local communities.
References	
Legislation	Law No. 144 of July 26, 2000; Law No. 33 of January 16, 2019; The FOREST CODE of March 19, 2008 (republished); Government Decision No. 715 of October 5, 2017; Government Decision No. 1,076 of July 8, 2004; Ministerial Order No. 117 of February 2, 2006; Emergency Ordinance no. 57 of June 20, 2007
Description of legal requirements	L 144/2000 refers to the rights of the inhabitants of rural mountain areas to have access to wood for continuing their traditional wood manufacturing activities. Also, the inhabitants of the area of Apuseni Mountains have gain special rights in terms of forest resources access for their needs (L33/2019). The regulation for public forest wood trading (GD 715/2017) as well as the Forest code (L46/2008, art. 59) include the possibility to trade firewood to local rural communities' members with special prices. GD1076/2004 and MO 117/2006 describes the strategic environmental impact assessment, including the compulsory consultations with local communities during the process of forest management planning. EO 57/2007 regulate the local community's interest's representation in the process of protected areas management plans.
Limitations of Sources	
Risk mitigation	

Risk indicator	48. Interaction with Indigenous Peoples, Traditional Peoples and local communities is conducted in a respectful and culturally appropriate manner.
Thresholds	48. 1. Applicable legislation for the area under assessment covers the requirements under this indicator, but the risk assessment for indicators 42, 44, and 46 confirms a designation of 'non-negligible risk'; 48. 2. Applicable legislation for the area under assessment contradicts indicator requirement(s); 48. 3. Evidence indicates widespread or systematic violation of requirements covered under this indicator.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	There are well regulated conditions for the local communities to interact with forestry stakeholders, and there is no evidence of interactions not conducted in a respectful and culturally appropriate manner.

Long description of issues/risk	The legislation that facilitates forest resources access for local communities (see indicator 47) are especially targeting traditions related to wood processing as well as rural communities heating and cooking specificities. Regarding indigenous and traditional people, there are no such groups in Romania (see the justification for indicators 42-45).
References	
Legislation	Law No. 144 of July 26, 2000; Law No. 33 of January 16, 2019; The FOREST CODE of March 19, 2008 (republished); Government Decision No. 715 of October 5, 2017; Government Decision No. 1,076 of July 8, 2004; Ministerial Order No. 117 of February 2, 2006; Emergency Ordinance no. 57 of June 20, 2007
Description of legal requirements	L 144/2000 refers to the rights of the inhabitants of rural mountain areas to have access to wood for continuing their traditional wood manufacturing activities. Also, the inhabitants of the area of Apuseni Mountains have gain special rights in terms of forest resources access for their needs (L33/2019). The regulation for public forest wood trading (GD 715/2017) as well as the Forest code (L46/2008, art. 59) include the possibility to trade firewood to local rural communities' members with special prices. GD1076/2004 and MO 117/2006 describes the strategic environmental impact assessment, including the compulsory consultations with local communities during the process of forest management planning. EO 57/2007 regulate the local community's interest's representation in the process of protected areas management plans
Limitations of Sources	
Risk mitigation	

Indicator category: Trade and transport

Risk indicator	49. Legal requirements related to the trade and transport of products are complied with.
Thresholds	<p>49. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof;</p> <p>49. 2. Violations of identified laws are not efficiently followed up on by the relevant entities;</p> <p>49. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.</p>
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	All the evidence indicates a solid general road transportation regulatory framework, with an effective implementation. The improved SUMAL regulatory framework decreased the probability of specific wood transportation regulations violation.
Long description of issues/risk	<p>The regulatory framework governing road transportation is robust, with violations being closely and effectively monitored by the territorial units of the State Inspectorate for Road Transportation Control (ISCTR). According to ISCTR's annual activity reports, the effectiveness of their operations has increased. No significant issues related to wood transportation have been identified.</p> <p>The new SUMAL regulations are more detailed and prescriptive, particularly regarding the tracking of transportation vehicles via GPS coordinates. Additionally, they mandate the compulsory uploading of photos of loaded vehicles from multiple angles, among other requirements. These measures have made violations in wood transportation less likely. Issues related to document falsification as a consequence of under evaluated volumes for harvesting are addressed in risk assessment for Indicator 12. They are not seen as violations of transportation legislation.</p>
References	
Legislation	Ordinance no. 27 regarding the road transportation; Ministerial Order No. 118 of January 27, 2021
Description of legal requirements	<p>O27/2011 include specific requirements regarding the road transportation regime: dimensions and weight of transportation means, restrictions in term of driving time for professional drivers, etc.</p> <p>The specific wood transportation 2017 provisions were updated mostly in 2020 by including the new SUMAL 2.0. but also several times after that for punctual improvements of the system. Through the new SUMAL system, any timber transport can be tracked in real-time using GPS coordinates, from the loading point to the unloading point, making it very difficult for illegal stopovers using the same permit to occur. SUMAL 2.0 also mandates the upload of photos from multiple angles of the loaded timber for every transport in Romania, as well as marking logging sites in the forest with GPS coordinates before cutting begins. Another feature of the new SUMAL is that the daily volumes of timber in any storage facility across the country will be visible. Additionally, the quantities of timber in storage will be automatically updated by SUMAL 2.0, preventing any unrecorded volumes from being overlooked.</p>
Limitations of Sources	Experts argued on cases of differences between loaded quantity and the quantity recorded in the SUMAL required transportation documents, giving examples of such cases. However, those cases were eventually explained rather by document falsification that are described and addressed at indicator 12, while for indicator 49, other possible violations than those addressed at indicator 12 have been considered. All experts agreed with this approach so the risk for indicator 49 was assessed as negligible.
Risk mitigation	

Risk indicator	50. Legal requirements related to applicable trade restrictions and sanctions are complied with.
Thresholds	50. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 50. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 50. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	The sound trade restrictions that are imposed by the legislation to public forest land are well enforced
Long description of issues/risk	The vast majority of publicly owned forest lands are managed by National Forest Administration - Romsilva or by municipalities own forest management structures, easy to be controlled by the Forest Guards. Also, the tendering process for wood involved numerous economic entities and are organised in very special transparency conditions. There is no evidence of systematic regulations violations or the inability of the Forest Guards to address the identified violations.
References	
Legislation	The FOREST CODE of March 19, 2008 (republished), Government Decision No. 715 of October 5, 2017
Description of legal requirements	Trade of wood from publicly owned forest lands (forest land belonging to the state and to the municipalities) is subject to trade restrictions (L46/2002, art. 60). It can only be commercialized in special transparency and predictability conditions (L715/2017). The regulations establish the compulsory need for organising tendering process with special schedule, a special system for prices calculation as well as on special contractual conditions. Publicly owned forest lands are managed by National Forest Administration - Romsilva or by municipalities owned structures, easy to be controlled by the Forest Guards, therefore the legal requirements are implemented. Wood harvesting companies participating in the tendering process also act as indirect controllers.
Limitations of Sources	
Risk mitigation	

Risk indicator	51. Legal requirements related to the classification of products are complied with.
Thresholds	51. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 51. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 51. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	The legislation as well as the digital wood traceability system SUMAL 2.0 make the use of illegal classification of products impossible.
Long description of issues/risk	The volume to be harvested is recorded in SUMAL 2.0 and the system allows only the records of the products classification that is defined in the regulatory framework (EUDR, HG 497/2020 and MO118/2021). Cross-checking is possible through SUMAL.

References	
Legislation	REGULATION (EU) 2023/1115; Ministerial Order No. 118 of January 27, 2021; Government Decision No. 497 of June 25, 2020
Description of legal requirements	The types of products subject to transportation are defined in EUDR, GD 497/2020 and MO118/2021. SUMAL application (compulsory for wood transportation) does not allow the use of other types of products than the ones defined by the regulations.
Limitations of Sources	Experts argues on the need to assess the risks induced by including in the SUMAL specific transportation papers products types (according to the legal products categories) that do not correspond to reality. All experts agreed, eventually, with the fact that those types of violations should be addressed in the assessment of indicator 12.
Risk mitigation	-

Risk indicator	52. Legal requirements related to the export and/or import of products are complied with.
Thresholds	52. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 52. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 52. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	The regulations have been improved and the analysed evidence indicates a low level of regulations violation related to export and/or import of products.
Long description of issues/risk	The situation regarding violations of legal provisions in the field of exports hasn't chance significantly. The export of roundwood has been banned (for countries outside EU) since 2020. No sources have been identified that contradict the official reports of the Romanian Customs Authority, which indicate that no violations of the current legislation in the field of timber exports have been identified. Furthermore, according to EUROSTAT, the quantities of roundwood/firewood exported by Romania after the last risk assesment have dramatically diminished (from 186.000 c m in 2017 to 84.000 c m in 2021 for EU countries and from 99.000 c m in 2017 to 600 c m in 2021 for non-EU countries).
References	
Legislation	L 227/2015-The Fiscal Code , REGULATION (EU) No. 952/2013 laying down the Union Customs Code, Law No. 57 of May 15, 2020, regarding the sustainable management of Romania's forests
Description of legal requirements	The only important change of the relevant legislation, comparing with the situation in 2017 is the fact that the export of round wood in non-EU countries was banned since 2020 (Law 57/2020). However, this law anyway refers to quantities of roundwood that didn't exceed 250.000 cubic meters before the banning.
Limitations of Sources	Experts discussed about the effectiveness of the L57/2020 banning the round wood export, expressing their concern, because the level of such export was, at the moment of the law adoption rather low (less that 1% of the total quantity of roundwood produced in Romania)
Risk mitigation	

Risk indicator	53. Legal requirements relating to offshore trading and transfer pricing are complied with.
Thresholds	53. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 53. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 53. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	Romania adopted internationally recognised regulations in transfer pricing and significant progresses have been done in the area of enforcing transfer prices specific legislation in the last years, thus the risk is assessed as negligible.
Long description of issues/risk	There are no relevant changes in the regulatory framework relative to this indicator. The intensification of national governmental fiscal authority (ANAF control actions in the field of transfer pricing has led to an increase in the tax base by 939.66 million lei only in 2023 (ANAF, 2023). This demonstrates an improvement in ANAF's effectiveness in this area, indicating that the situation has improved since the previous risk assessment in 2017.
References	
Legislation	L 227/2015-The Fiscal Code , Ministerial Order No. 222 of February 8, 2008, regarding the content of the transfer pricing file
Description of legal requirements	Romania is not a member of the OECD, but has implemented legislation covering transfer-pricing that has adopted the OECD guidelines and Arm's Length Principle. Transactions between related parties shall be carried out at market prices. Related parties are defined as: An individual (or legal entity) is a related party with a legal entity provided that they hold, directly or indirectly, including the shareholding of related entities, a minimum of 25% of the number/value of shares or voting rights in the legal entity, or it effectively controls the legal entity (unfortunately the legislation is silent on the meaning of 'effective control'). Two individuals are related parties provided that they are spouses or relatives up to the third degree.
Limitations of Sources	Experts expressed their positive opinion regarding the progress of the government in an effective implementation of the transfer prices related regulations.
Risk mitigation	

Indicator category: Due diligence and due care

Risk indicator	54. Legal requirements relating to due diligence or due care are complied with.
Thresholds	54. 1. Identified laws are not consistently upheld by all entities, are often ignored, are not enforced by relevant authorities, or any combination thereof; 54. 2. Violations of identified laws are not efficiently followed up on by the relevant entities; 54. 3. Violations of identified laws are not followed up by preventive actions taken by the relevant entities.
Risk conclusion	Non-negligible risk
Source types	all sources types
Risk threshold	54. 2. Violations of identified laws are not efficiently followed up on by the relevant entities
Short description of risks	Despite improvements in due diligence and due care since the 2017 CNRA evaluation, particularly in response to the European Commission's concerns, violations of identified laws are still not adequately addressed by relevant entities.
Long description of issues/risk	<p>In 2020, European Commission have issued a letter of concerning restrictive measure imposed to Romania on the failure to comply with the Regulation (EU) 995/2010. Failures to comply with the EU Regulation are mainly related to: (i) sufficient checks are not systematically and persistently carried out to examine whether operators comply with Articles 4 and 6 of the EU Timber Regulation. The two articles refer to the prohibition of the introduction of illegally harvested timber into the market and the obligation of operators to implement procedures to limit/dissuade illegal harvesting. At the time of the evaluation, less than 1% of wood shipments are checked when placed on the market. Thus, operators could make multiple shipments based on the same documents or load a volume of wood greater than that in the documents. (ii) Information on the content and frequency of checks carried out by the authorities indicates that checks are neither sufficient nor effective and the areas where the controls and prioritization criteria are carried out are not representative; (iii) The sanctions provided must be effective, proportionate to the value/magnitude of the damage and dissuasive. As a response, the Romanian Government has implemented a set of measures including new version of the on-line timber traceability system (SUMAL 2.0) that has improved capacity to address the control capacity including the possibility for any citizen to check the legality of timber transport using the on-line platform (www.inspectorulpadurii.ro). The SUMAL 2.0 platform was of a real support for the companies to develop a functional due diligence system since its implementation. Controls are currently targeting the risk areas (E9, E10) and there are approved financial means to install video surveillance equipment to monitor timber transportation in risk areas (implementation in 2025). Despite the progress made by the Romanian authorities in addressing the European Commission's letter of concerns, the risk is considered non-negligible, considering that many risks identified in this assessment are the result of the fact that violations of identified laws are still not efficiently followed up on by the relevant entities (54.2.)</p>
References	
Legislation	<p>Government Decision No. 1,029 of August 21, 2024, on the establishment of measures for the implementation of Regulation (EU) 2023/1,115 of the European Parliament and of the Council of May 31, 2023, regarding the making available on the Union market and the export from the Union of certain commodities and products associated with deforestation and forest degradation and repealing Regulation (EU) No. 995/2010,</p> <p>Decision No. 43 of April 4, 2022, regarding the proposal for a Regulation of the European Parliament and of the Council on placing certain commodities and products associated with deforestation and forest degradation on the Union market and the export of these from the Union, and repealing Regulation (EU) No. 995/2010 - COM(2021) 706 final, Regulation (EU) No 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market Text with EEA relevance,</p> <p>Regulation (EU) 607/2012 detailed rules concerning the due diligence system and the frequency and nature of the checks on monitoring organizations</p>

Description of legal requirements	<p>Romania has endorsed the EUDR in April 2022 and the first measures for its national application were set in August 2024. According to GD 1029/2024, the Ministry of the Environment, Waters and Forests, through the National Forestry Guard and its subordinate forest guards, is the competent authority for the implementation of the Regulation in the field of competence and exercises the control duties of operators and traders, for timber products. Within 90 days from the date of entry into force of this decision, the methodology for exercising the provided control attributions shall be approved by order of the head of the central public authority responsible for forestry. As of September 2024, the methodology was not entered into force. Regarding the implementation of the due diligence system as required by the Regulation (EU) 995/2010 – EUTR, the competent authority designated is the Ministry of Environment, Water and Forests. According to the Governmental Decision (HG) n 688/2012, within the ministry there are two responsible bodies for EUTR implementation: (i) The Environmental Guard and Forest Guard - entitled to exercise the control of operators and traders for the following timber products codes: 4401, 4403, 4406 and 4407; The EUTR implementation is regulated by Ministerial decision (OM) n 819/2015 for establishing the rules, procedures and methodologies for checking operators, traders and for organizations monitoring. Operators required to implement DDS requirements are: logging companies, if the timber is sold as standing stock; the forest owner/manager, if the timber is sold as an assortment by the forest owner/manager, and traders that import from outside the EU market. For logging companies, the DDS is precondition to participate in auction. At forest level (logging companies, forest managers), the DDS is checked by the Forest Guard and the traders are checked by the Environmental Guard. Placing on the market of illegally harvested timber is sanctioned with 15.000-20.000 RON, and confiscation of wood and vehicles involved; Administrative fines apply to operators who do not implement and/or use a due diligence system (DDS) or refuse to cooperate with the competent authority. The fines range from 8,000 to 15,000 RON. Documents needed for trading can be suspended for up to 12 months in this case. A grace-period of 45 days applies to operators when first checked; Administrative fines also apply to operators who do not properly use a DDS (including not maintaining and regularly evaluating a DDS) and range from 5,000 to 8,000 lei. Documents needed to trade can be suspended for up to 90 days in case of repeat offence; Criminal fines, much stricter than the fines for breaches of the EUTR, exist for illegal logging in domestic forests under Romanian forestry and environmental law and penalties include imprisonment up to 7 years in aggravated cases. Administrative fines also apply to monitoring organizations that are not fulfilling their obligation according to article 8, align (1) of the Regulation and a range from 8,000 to 15,000 lei.</p>
Limitations of Sources	<p>There is no clear evidence provided by the Forest Guard on the failures to comply with the due diligence system according to EUTR regulation. Experts from the organization (E8, E16) consider that the number of fines issued is not significant. Expert opinion on the evaluation of the risk were divided between those pointing to the improvement brought by the SUMAL 2.0 in mitigating the risk (E1, E9) and those considering that the risks identified in this assessment are related to the due diligence failures (E3, E 10), despite the visible progress made in the last three years since the implementation of SUMAL 2.0. Despite considering the efforts of the Romanian Authorities in taken up preventive actions to reduce these risks, the risk is assessed as non-negligible for this indicator.</p>
Risk mitigation	<ol style="list-style-type: none"> 1. Document Verification: Risk Maps <ul style="list-style-type: none"> - Create a robust risk assessment to identify risks related to companies failing to comply with legal requirements in areas such as corruption, management activities, occupational health and safety, working permits, and wages. - Prioritize risks based on their likelihood and severity within the supply chain. - Develop mitigation strategies based on risk mitigation measures recommended for indicators identified as non-negligible. - Companies in the supply chain that have been involved in two or more failures to comply with legal requirements in the previous year will receive an additional training session within one month of the second incident to mitigate future risks. Repeated failures may lead to the exclusion of the company from the supply chain.

Indicator category: Conversion and forest degradation

Risk indicator	55. There is no conversion from natural forest and no transformation of plantations to agricultural use since 31 December 2020.
Thresholds	55. 1. Evidence indicates that conversion from natural forest and/or transformation of plantations to agricultural use is occurring.
Risk conclusion	Non-negligible risk
Source types	all sources types
Risk threshold	55. 1. Evidence indicates that conversion from natural forest and/or transformation of plantations to agricultural use is occurring.
Short description of risks	The Romanian Forest Code (L18/2008) prohibits conversion of forests from National Forest Fund and there is no practice in this sense. However, considering the provisions of <FSC-POL-01-007 Policy to Address Conversion> the precautionary approach shall be applied for the assessment of indicator 55; thus, a 'non-negligible' risk designation shall be concluded
Long description of issues/risk	<p>The Romanian Forest Code (Law 46/2018) defines a forest as land with a minimum area of 0.25 hectares, covered by trees that will reach a minimum height of 5 meters at maturity with a minimum canopy cover (K) of 0.4. The Romanian Forest Code also defines the National Forest Fund (NFF) as consisting of lands covered by forests meeting the legal definition, lands intended for afforestation, other lands designated for forest administration by existing legal frameworks, and water bodies in forests included in forest management plans as of 1990, with subsequent modifications, regardless of ownership form. Consequently, lands covered by forest vegetation with a canopy cover less than 0.4 that are not included in the NFF are considered de jure as forest vegetation outside the forest fund. The results of the National Forest Inventory (NFI) (2018), applying the international definition for forests (i.e., canopy coverage above 0.1), identified 7.038 million hectares (ha) of forest (29.6% of the country's land area). According to the National Statistical Institute, the NFF covered an area of 6.615 million ha as of 2023, of which 6.459 million ha are forests included in the NFF according to the national definition. Another 0.2 million hectares of the NFF is dedicated to forest administration needs. Approximately 0.57 million ha of lands covered by forest vegetation meeting the international definition of forests but are not de jure considered as forests according to the Romanian legal system are included in the category of forest vegetation outside the NFF, primarily having agricultural destinations. This is consistent with the EUDR regulation (Article 37) and in line with FAO definitions stating that agroforestry systems, including where crops are grown under tree cover, as well as agri-silvicultural, silvopastoral, and agrosilvopastoral systems, should not be considered forests but as constituting agricultural use. The applicable legislation prohibiting deforestation (L18/2008) is enforced. National statistics recorded an increase in forests within the NFF area from 6.22 million hectares in 1990 to 6.45 million hectares in 2023 (INS, 2024). The illegal logging is not initiating land-use change, as currently it mainly originates from discrepancies between recorded documents for standing volume identification and the reality in the field. The areas affected by illegal logging during the 1990s in small scale ownership were left to regenerate naturally. While certain reports mention deforestation, a longer analysis (University of Maryland) shows that the areas mapped as "Forest Loss" between 1990 and 2000 are usually mapped as "Forest Gain" in the following decade (FSC, 2017). There are clear procedures regarding the conversion of forest land, and there is no evidence that these are violated. Thus, the legislation regarding conversion of forests to agricultural use is enforced and there are clear evidences that the forest areas included in NFF are increasing. This has been endorsed by other independent risk evaluations (WWF, 2024) and by all experts consulted in the working group.</p> <p>However, the requirement provided under Clause 16.3 of the FSC-PRO-60-006b V2-0 Risk Assessment Framework applies in this case: considering the provisions of <FSC-POL-01-007 Policy to Address Conversion>, the precautionary approach shall be applied for the assessment of indicator 55; thus, a 'non-negligible' risk designation was concluded by default.</p>
References	WWF Romania (2024), FSC (2017), IFN (R39), INSE (R19)
Legislation	The FOREST CODE of March 19, 2008 (republished), Ministerial Order 694/2016;

Description of legal requirements	The Forest Code (Law 46/2008) forbids conversion of forest areas to plantation or other land uses, with certain exceptions, such as the exploitation of natural resources, tourism and recreation, and housing. In any case, the reduction of the area occupied by the national forest fund is strictly forbidden. If land is to be removed from the forest fund, the afforestation of land similar in area and characteristics, payment of taxes for the regeneration fund, payment of the value of tree growth between the cutting age and the planned harvest age are required. Only for reasons of national security is a conversion of a maximum of 400 m ² allowed without the payment of taxes. Permissions for conversion are given by the Public Central Authority for Silviculture, or by the Government.
Limitations of Sources	The Commission has not developed guidelines in order to clarify the interpretation of the forest definition, in particular in relation to the conversion of forest to land the purpose of which is not agricultural use. Therefore, all the group members have considered that the de jure definition according to the Forest Code applies in the evaluation of the risk while the forest vegetation outside NFF represents and agricultural use.
Risk mitigation	1. Document verification: Volume evaluation document (APV) needs to be checked to prove that it is sourced from forests included in the NFF; APVs from forest vegetations from outside NFF should be recorded as inputs from agricultural land use sources.

Risk indicator	56. There is no conversion from natural forest to land uses other than agriculture since 31 December 2020.
Thresholds	56. 1. The applicable legislation for the area under assessment covers laws that prevent conversion from natural forest to land uses other than agriculture to the extent of 0.02% gross annual loss of natural forest area, but the risk assessment for relevant indicators on legal compliance confirms a designation of 'non-negligible risk'; or 56. 2. Any of the following are true: a) Conversion of natural forests to land uses other than agriculture since 31 December 2020 in the area under assessment is more than 0.02% gross annual loss of natural forest area; b) Evidence indicates that degradation of natural forests is occurring on a widespread or systematic basis. c) There are projects that allow for conversion of natural forest in areas containing environmental values, and evidence indicates that conversion is happening.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	The Romanian Forest Code (L18/2008) prevents conversion from natural forest to land uses other than agriculture and the legislation is enforced.
Long description of issues/risk	All management measures carried out in Romanian forests are part of FMPs and mandatory to all forests estates larger than 10 ha, regardless the ownership type. For forest areas below 10 ha only cutting up to 5m ³ /year/ha are allowed (below the annual average increment of 7,2 m ³ /year/ha) based on a contract for silvicultural services, thus preventing conversion from natural forest to land uses other than agriculture. In terms of regeneration methods/systems in Romanian forests, they are imposed by the Forest Law (Codul silvic 2008) through FMPs and consist of high forest, which should be applied to all forests (over 90 per cent currently, compared to 70 per cent in 1948), as well as of coppice (only for native poplars, willows, black locust stands; currently it is used on 5% of national forestland, compared to 30% in 1948). The coppice-with-standards system was forbidden in 1948 and never applied afterwards. The dominant silvicultural systems are those specific to high forests: group and uniform shelterwood cuttings, applied on over 60 per cent of annual logging area, single-tree and group selection cuttings (on 5-7 per cent of annual logging area), and clear-felling, on 4-5 per cent of annual logging area and used only in even-aged stands of Norway spruce, pines, hybrid poplars, and willows. The maximum size of clear-felled areas is 3 ha and can be up to 5 ha only in hybrid poplar and willow stands, when site preparation is carried out mechanically. In stands fulfilling production and protection functions, the rotation age is above 100 years and can reach values up to 140 years (target wood assortment: sawn timber) or up to 200 years (target wood assortment: veneer wood).

	<p>In terms of artificial regeneration, if natural regeneration does not occur, all specific issues (e.g. species composition, planting schemes, stocking/density, etc.) are imposed through the FMPs, based on the current Technical Norms. Those provisions promote exclusive use of native trees species and are compulsory regardless of the ownership type. In conclusion, Romania has performed a close-to-nature forestry, based on establishment and management of mixed stands, predominantly with native tree species, natural regeneration of forests using silvicultural systems specific to high forest system, long rotation ages, and a small-scale use of clear-cuttings. The illegal logging is not initiating conversion of natural forests, as currently it mainly originates from discrepancies between recorded documents for standing volume identification and the reality in the field. The areas affected by illegal logging on a larger scale were specific for private properties during the 1990s and were left to regenerate naturally. Therefore, due to the restrictions and obligations imposed on the owners through the application of the forestry regime, it is considered that for these forests the risk of conversion from natural forest to land uses other than agriculture is negligible. This has been endorsed by other independent risk evaluation (WWF, 2024) and by all the experts consulted in the working group.</p>
References	FSC (2017), WWF (2024)
Legislation	The FOREST CODE of March 19, 2008 (republished), Ministerial Order No. 2.536 of September 28, 2022, for the approval of the Technical Norms for Forest Management and the Guide to Best Practices for Forest Management
Description of legal requirements	<p>According to the Forest Code, the high forest system is applied to the regeneration of forests (general way of managing a forest based on regeneration from the seed), aiming at the conservation of the gene pool and the eco pool, the creation of high quality stands, as well as the continuous exercise by them of protection functions, with the exception of existing stands of indigenous poplars, willows and acacias, in which the coppice regime is allowed (general way of managing a forest, based on vegetative regeneration). Therefore, it is legally forbidden to change the management of forest from high forest to the coppice system.</p> <p>Natural forest regeneration is the practice in most of the stands. In the case the this is not successful, artificial regeneration may be used but only based on natural species composition. The works of artificial regeneration and completion of natural regenerations have to be executed within two vegetation seasons at the most from the single/definitive cutting/after cutting of accidental products or illegal cutting on compact areas of more than 0.5 ha. In the situation where the owners do not carry out the forest regeneration works for imputable reasons, the regeneration obligation is transmitted to the specialized territorial structure of the central public authority responsible for forestry (i.e. the Forest Guard), the cost of these works being borne by the owner. Where appropriate, the claim from the owner is recovered through forced execution.</p>
Limitations of Sources	<p>There are different interpretations of the definition of natural forest provided by the FSC-PRO-60-006b V2-0 EN in the context of the legal Romanian system, which considers forest vegetation outside the National Forest Fund as de jure not forest (see indicator 55). The interpretation of experts from the working group refers to the clarification made in the FSC-PRO-60-006b V2-0 EN that natural forest does not include land that is not dominated by trees, was previously not forest, and that does not yet contain many of the characteristics and elements of native ecosystems. Forest vegetation outside the National Forest Fund has always had an agricultural use and has been traditionally managed by local communities as agro-silvo-pastoral systems.</p>
Risk mitigation	-

Risk indicator	57. There is no degradation of natural forests since 31 December 2020.
Thresholds	<p>57. 1. The applicable legislation for the area under assessment covers laws that prevent total natural forest degradation to 0.02% of the total natural forest area, but the risk assessment for relevant indicators on legal compliance confirms a designation of 'non-negligible risk'; or</p> <p>57. 2. Any of the following are true: a) The degradation since 31 December 2020 in the area under assessment is more than 0.02% of the total natural forest area on average per year; b) Evidence indicates that forest degradation is occurring on a widespread or systematic basis.</p>
Risk conclusion	Non-negligible risk
Source types	all sources types

Risk threshold	57. 2. Any of the following are true: a) The degradation since 31 December 2020 in the area under assessment is more than 0.02% of the total natural forest area on average per year;
Short description of risks	The Romanian Forest Code (L18/2008) and subsequent legislation prevents degradation of natural forest and the legislation is in general enforced. However, considering the first results of the risk degradation map provided for the assessment of the indicator (FSC Forest Degradation Dashboard Beta), be using a precautionary principle the risk is considered non-negligible.
Long description of issues/risk	As described for indicator 56, all management measures carried out in Romanian forests are part of FMPs and mandatory to all forest estates larger than 10 ha, regardless the ownership type. Romanian forest management practices promote close-to-nature forestry, based on establishment and management of mixed stands, predominantly with native tree species, natural regeneration of forests using silvicultural systems specific to high forest systems, long rotation ages, and a small-scale use of clear-cuttings. Therefore, due to the restrictions and obligations imposed on the owners through the application of the forestry regime, it is considered that the legal system preventing natural forest degradation is in place and it is largely enforced. This has been endorsed by other independent risk evaluation (WWF, 2024) and by all the experts consulted in the working group. However, difficulties in natural forest regeneration due to changing climate conditions and the large incidence of windstorm or bark-beetle damages to forests can contribute to forest degradation if they are not followed consistently by appropriate management measures. FSC Forest Degradation Dashboard provides a demo tool that allows users to explore degradation dynamics at the local, sub-national and national levels. The tool attempts to calculate degradation using percent conversion of natural forest (inclusive of primary and naturally regenerating forest) to plantation, planted and other wooded lands between the years 2020 and 2023. FSC's degradation analysis shows that some regions in Romania are well-beyond the .02% threshold for degradation even though the scale and the distribution of these areas raise questions on the methodology used (e.g. if forest stands in natural regeneration phase, thinned forest or forests affected by windstorms are identified as degraded forests). However, using a precautionary approach system, a 'non-negligible' risk designation has been concluded considering the information from FSC Forest Degradation Dashboard.
References	FSC (2017), WWF Romania (2024), FSC Forest Degradation Dashboard Beta
Legislation	The FOREST CODE of March 19, 2008 (republished), Ministerial Order No. 2,536 of September 28, 2022
Description of legal requirements	According to the Forest Code, the high forest system is applied to the regeneration of forests (general way of managing a forest based on regeneration from the seed), aiming at the conservation of the gene pool and the eco pool, the creation of high quality stands, as well as the continuous exercise by them of protection functions, with the exception of existing stands of indigenous poplars, willows and acacias, in which the coppice regime is allowed (general way of managing a forest, based on vegetative regeneration). Therefore, it is legally forbidden to change the management of forest from high forest to the coppice system. Natural forest regeneration is the practice in most of the stands. In the case the this is not successful, artificial regeneration may be used but only based on natural species composition. The works of artificial regeneration and completion of natural regenerations have to be executed within two vegetation seasons at the most from the single/definitive cutting/after cutting of accidental products or illegal cutting on compact areas of more than 0.5 ha. In the situation where the owners do not carry out the forest regeneration works for imputable reasons, the regeneration obligation is transmitted to the specialized territorial structure of the central public authority responsible for forestry (i.e. the Forest Guard), the cost of these works being borne by the owner. Where appropriate, the claim from the owner is recovered through forced execution.
Limitations of Sources	A clarification is needed on the methodology used by FSC Forest Degradation Dashboard regarding the situation of forest stands in natural regeneration, thinned forest or forests affected by abiotic and biotic factors and of the forest vegetation outside NFF.
Risk mitigation	<ol style="list-style-type: none"> 1. Document Verification: Risk Maps <ul style="list-style-type: none"> - A risk analysis is to be performed in the administrative counties being assessed beyond the .02% threshold for degradation in the FSC Forest Degradation Dashboard. For those counties a supplementary analysis based on APV verification should conclude if the type of proposed silvicultural work can lead to forest degradation (e.g. reduce risks in the case of thinning and regeneration cuts, higher risks on large scale windstorms)

Indicator category: High Conservation Values

Risk indicator	58. Concentrations of biological diversity including endemic species, and rare, threatened, or endangered species that are significant at global, regional or national levels are identified and protected, maintained or enhanced (HCV1).
Thresholds	58. 1. HCV 1 is identified, or its occurrence is likely in the area under assessment and is threatened by management activities.
Risk conclusion	Non-negligible risk
Source types	Non-FSC certified forest areas in nature protected areas without management plans
Risk threshold	58. 1. HCV 1 is identified, or its occurrence is likely in the area under assessment and is threatened by management activities.
Short description of risks	HCV 1 is identified, or its occurrence is likely in the area under assessment and is threatened by management activities in non-certified forests located in Natura 2000 areas without a management plan
Long description of issues/risk	<p>The identification and mapping of HCVs in Romania, as an integrated activity has been performed in FSC certified forests. The basis for identification and mapping is the Forest Stewardship Standard for Romania <FSC-STD-ROU-01-2017>, particularly Annex G. According to this annex, HCVF1.1 are identified in Nature protected areas and correspond to a specific functional category in FMPs (1.6) which is translated in strictly protected forest areas. Thus, for the HCVF 1.1 subcategory there are no identified risks. The same Annex G provides as the source of identification for sub-categories HCVF1.2 and HCVF 1.3. the nature protection areas (i.e. Natura 2000 areas) where concentrations of biological diversity are located. These areas cover more than 40% of the forest ecosystems. According to the information provided by the Authority in charge with the administration of Nature Protected Sites, only 313 protected nature protected areas have approved management plans (ANANP 2024). For the protected areas without the management plan the authorities provide general conservation objectives, according to which forestry work should be planned (ANANP, 2014-2020). All forestry work, even in Natura 2000 areas without management plans, requires approval from the nature protection agency. Despite these efforts, experts from working group (E4 and E10) expressed concern that HCVF 1.2 and HCVF 1.3 might be jeopardized by management activities in nature protected areas without a management plan and specific location maps. For FSC certified forest HCVF 1 are identified and mapped even in the absence of Natura 2000 management plans.</p> <p>Consequently, the source type for this non-negligible risk is represented by non-certified forests located in nature protected areas without a management plan. Therefore, the first distinction is between protected areas with management plans (negligible risk) and protected areas without a management plan (non-negligible). However, considering that FSC certification involves the identification of HCVF 1, it is considered that only in non-FSC certified forest in protected areas without a management plan the risk is non-negligible.</p>
References	FSC-STD-ROU-01-2017, ANANP (2024), ANANP (2014-2020)
Legislation	Ministerial Order No. 2,536 of September 28, 2022, for the approval of the Technical Norms for Forest Management and the Guide to Best Practices for Forest Management, Ministerial Order No. 1,682 of June 14, 2023, for the approval of the Methodological Guide on the Adequate Assessment of Potential Effects of Plans or Projects on Natura 2000 Protected Areas
Description of legal requirements	<p>The nature protection system in Romania includes one biosphere reserve, 12 National Parks, 13 Natural Parks, 916 natural reserves, 383 Sites of Community Importance (SCI) and 148 Special Protection Areas (SPA). The management of protected areas is based on a specific management plan. Its provisions have to be integrated in the FMPs of the forests located in the nature protected areas. FMPs designed inside a nature protected area are subject to environmental impact assessment conducted by the Environmental Agency.</p> <p>Romania has a forest functional zoning system used for FMPs that was implemented in 1954 (Government Decision 114/1954) and improved since. The different functions have been divided into two Groups: I Forests with special protection functions with six sub-groups (1.1 to 1.5; sub-group 1.6 was defined only in 2018), and II Forests with production and protection functions. For</p>

	Group I, sub-group 1.5., the most relevant components are forests part of the Natura 2000 sites (both Sites of Community Importance SCI - cover 16.80 percent of national land -, and Special Protection Areas SPA - 14.89 percent of national land), as well as primary virgin forests (8,579.8 ha) and secondary virgin forests (61,489.2 ha as of December 15, 2021). The most important components of Group I, sub-group 1.6. are national parks, natural parks, scientific reserves, reserves and nature monuments, as well as Biosphere reserves - MAB/UNESCO Committee.
Limitations of Sources	
Risk mitigation	<ol style="list-style-type: none"> 1. Buy certified: sourcing from FSC certified forest mitigates the risk that HCVF1 are threatened by management activities 2. Database verification: <ul style="list-style-type: none"> - for non-FSC sources verification of the origin of APV in relation to the Natura 2000 protected areas is possible by activating the layer Nature protected areas in SUMAL 2.0 - Inspectorul Pădurii (https://inspectorulpadurii.ro/#/) - the status of the management plans of Nature protected areas can be verified using the database of the governmental agency: https://ananp.gov.ro/pm-aprobate-tabel-sinoptic/. The sources from nature protected areas with a management plan are considered negligible risk if there are no evidences that the plan is not implemented properly. 3. Document verification: Conservation measures records <ul style="list-style-type: none"> - for products sourced in non-FSC forest located in nature protected areas without a management plan, evidences of the implementation of general conservation measures need to be provided.

Risk indicator	59. Intact forest landscapes and large landscape-level ecosystems and ecosystem mosaics that are significant at global, regional, or national levels, and which contain viable populations of the great majority of the naturally-occurring species in natural patterns of distribution and abundance, are identified and protected, maintained or enhanced (HCV2).
Thresholds	59. 1. HCV 2 is identified, or its occurrence is likely in the area under assessment and is threatened by management activities.
Risk conclusion	Negligible risks
Source types	all sources types
Risk threshold	
Short description of risks	HCVF2 was not identified as present in the national scale assessment based on the thresholds provided by the Forest Stewardship Standard for Romania <FSC-STD-ROU-01-2017>
Long description of issues/risk	<p>According to the Forest Stewardship Standard for Romania <FSC-STD-ROU-01-2017>, the following thresholds has to be met cumulatively for HCVF2 identification.</p> <ul style="list-style-type: none"> - Presence of a compact forest landscape (which can include a circle with a diameter of minimum 10 Km and any narrow marginal parts are at least 2 km wide) with an area of at least 50,000 ha, of which at least 70% ha are forested areas. Out of the total area, at least 10% are primary forests. Out of the total forest area no more than 10% are artificial forest. The remaining part of the forest area up to 100% can be represented by secondary forests - Non-forest habitats represent a maximum of 30% and have a high natural structure: (i) at least 50% are 1- primary scrubs, primary sparse woodlands, and 2 -grasslands, screes and rocks and water eco-systems with a favorable conservation status; (ii) there are no permanent human settlements; out of the total areas of non-forest habitats, no more than 1% can be occupied by courtyards and buildings of temporary use (such as – shepherd camps, buildings for administration, isolated houses, lodges which are not meant for mass tourism); (iii) there are no lands used for industrial extraction of minerals - The boundaries of the landscape are natural (valleys, ridges) or artificial of permanent use. There should be no permanent human settlements closer than 1 km.

	<ul style="list-style-type: none"> - The presence of a great majority of the species which can naturally occur in this ecosystem type and in which the abundance, distribution and reproductive capacity is similar to natural patterns. - Existing constructions and infrastructure does not affect connectivity of the species and of the habitats <p>To qualify as HCVF 2, all thresholds must be met simultaneously. Therefore, HCVF 2 should be identified at the regional or national level by relevant institutions, organizations, and stakeholders (FSC-STD-ROU-01-2017). HCVF2 was not identified as present in the national scale assessment presented by the Controlled Wood Romanian site (HCVF maps). Based on the current assessment, there is no evidence of HCVF 2. However, future assessments with additional data could identify HCVF 2. Therefore, we consider this indicator applicable with a negligible risk.</p>
References	FSC-STD-ROU-01-2017, HCVF maps
Legislation	
Description of legal requirements	
Limitations of Sources	
Risk mitigation	

Risk indicator	60. Rare, threatened, or endangered ecosystems, habitats or refugia are identified and protected, maintained, or enhanced (HCV3).
Thresholds	60. 1. HCV 3 is identified, or its occurrence is likely in the area under assessment and is threatened by management activities.
Risk conclusion	Non-negligible risk
Source types	Non-FSC certified forest areas in nature protected areas without management plans
Risk threshold	60. 1. HCV 3 is identified, or its occurrence is likely in the area under assessment and is threatened by management activities.
Short description of risks	HCV 3 is either present or likely to be present in the assessed area and is at risk due to management activities in non-certified FSC forests within Natura 2000 areas without management plans.
Long description of issues/risk	The Forest Stewardship Standard for Romania <FSC-STD-ROU-01-2017>, particularly Annex G, provides a list of equivalences between forest types (recorded in the forest management plan stand description) and rare or threatened ecosystems. This represents a basis for identifying potential HCV 3, as long as the forest type inventory is done properly and based on a thorough site condition analysis. Such an inventory is contained in the management plan for protected areas and can be used as a proxy for identifying RTE (rare threatened or endangered) ecosystems. For the case of RTE identified in the FMP – an assessment by specialist of the management measures required is needed, as in many cases there is little awareness on the conservation status needed in such cases (e.g. Forests of <i>Alnus incana</i> , <i>Alnus glutinosa</i> , <i>Populus nigra</i> on river banks). Moreover, the primary forests identification and strict protection is addressed legally since 2012 (MO3397/2012) and enforced. The protected areas management plans of parks and Natura 2000 sites include lists of RTE ecosystems, their location, equivalence to forest types and management measures. The forest management plans of the areas included in the mentioned sites have to be updated to these requirements within one year from the approval of the protected areas management plan. This measure reduces the threat to HCVF3 in national, natural parks and Natura 2000 sites, as long as they have an approved management plan and an updated forest management plan for the forest areas included. Therefore, it is considered that HCVF 3 may be threatened by management activities in nature protected areas without a management plan mapping their location. If the forest is FSC certified, HCVF3 are identified and map regardless their adherence to a nature protected area. Consequently, the

	source type for this non-negligible risk is represented by non-certified forests located in nature protected areas without a management plan.
References	FSC-STD-ROU-01-2017, ANANP (2024), ANANP (2014-2020), GIS - NP, HCVF maps, Virgin forests (2024)
Legislation	Emergency Ordinance no. 57/2007 regarding the regime of the Protected areas, habitats, flora and fauna conservation, Government Decision No. 1,076 of July 8, 2004, on establishing the procedure for conducting environmental assessments for plans and programs
Description of legal requirements	The criteria for primary forests identification have been included in the Ministerial Order no. 3397/2012 and are mandatory for any forest management plan to include them as strictly protected areas. The ministerial Order 1417/2016 created the basis for the inclusion of forests with primary structure in the National Catalogue of Virgine and Quasivirgine Forests in Romania, according to the details specified in the OM 3397/2012. The start point for the verification and inclusion of these forests is the PIN-MATRA layer, but is not restricted to this data set (any other forest area that meets the criteria can be included in the catalogue by authorized specialists). Once included in the Catalogue, the forest areas are included in type I of functional categories – total exclusion from any intervention.
Limitations of Sources	
Risk mitigation	<ol style="list-style-type: none"> 1. Buy certified: sourcing from FSC certified forest mitigates the risk that HCVF1 are threatened by management activities 2. Database verification: <ul style="list-style-type: none"> - for non-FSC sources verification of the origin of APV in relation to the Natura 2000 protected areas is possible by activating the layer Nature protected areas in SUMAL 2.0 - Inspectorul Pădurii (https://inspectorulpadurii.ro/#/) - the status of the management plans of Nature protected areas can be verified using the database of the governmental agency: https://ananp.gov.ro/pm-aprobate-tabel-sinoptic/. The sources from nature protected areas with a management plan are considered negligible risk if there are no evidences that the plan is not implemented properly. 3. Document verification: Conservation measures records <ul style="list-style-type: none"> - for products sourced in non-FSC forest located in nature protected areas without a management plan, evidences of the implementation of general conservation measures need to be provided.

Risk indicator	61. Basic ecosystem services in critical situations, including the protection of water catchments and control of erosion of vulnerable soils and slopes, are identified and protected (HCV4).
Thresholds	61. 1. HCV 4 is identified, or its occurrence is likely in the area under assessment and is threatened by management activities.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	HCV 4 is identified in correspondence with Forest Management Planning and is not threatened by management activities.
Long description of issues/risk	<p>The category 4 of HCV is well represented in Romania. The functional zoning system used in forest management planning (MO 2536/2022) separates distinctly the forests with ecosystem protective functions falling under group 1, corresponding to HCV 4:</p> <ul style="list-style-type: none"> - HCV4.1 – corresponds to functional subgroup I.1: Forests Protecting Water Sources - HCV4.2 - corresponds to functional subgroup I.2: Forests for soil protection and erosion mitigation - HCV4.3 - corresponds to functional subgroup I.3: Forests for protection against climatic and industrial threats

	<p>The Forest Stewardship Standard for Romania (FSC-STD-ROU-01-2017), particularly Annex G, recognizes this correspondence. Additionally, Nichiforel et al. (2021) conducted a large-scale scientific assessment proving this correspondence. Thus, the identification and mapping of HCVF4 is done within the forest management plans and are further corroborated with hydrological, geological, agricultural and soil erosion maps. The forest management plans include special measures for each type of functional category that is related to HCV4. The restrictions to the appliance of silvicultural measures refer both to regeneration cuts and thinning (MO 2536/2022). Some functional categories limit commercial thinning or require low-intensity thinning, especially in areas with steep slopes, erosion-prone geology, or important water sources. For private forest areas under 10 hectares without a forest management plan, owners can harvest a maximum of 5 cubic meters per year per hectare, which is below the annual growth rate. This small harvest amount is not considered as threatening HCVF 4.</p> <p>Thus, the overall opinion of the experts consulted in the working group was that the forest areas where HCV4 is present are properly mapped during the forest management plans drafting and sufficient maintenance measures are set.</p>
References	FSC-STD-ROU-01-2017, Nichiforel et al., (2021)
Legislation	MO 2536/2022
Description of legal requirements	Romania has a forest functional zoning system used for FMPs that was implemented in 1954 (Government Decision 114/1954) and improved since. The different functions have been divided into two Groups: I Forests with special protection functions with six sub-groups (1.1 to 1.5; sub-group 1.6 was defined only in 2018), and II Forests with production and protection functions. The area of forests in Group I has increased from 12.7 percent of national forestland in 1954 to 66 percent at present. Forests in sub-groups 1.1 (water protection role) and 1.2 (soil protection role) and 1.3 (climatic and industrial threats) represent ca. 80% of Group I and address HCVF4.
Limitations of Sources	
Risk mitigation	

Risk indicator	62. Sites and resources fundamental for satisfying the basic needs of local communities or Indigenous Peoples are identified and protected (HCV5).
Thresholds	62. 1. HCV 5 is identified, or its occurrence is likely in the area under assessment and is threatened by management activities.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	Resources fundamental for satisfying the basic needs of local communities are identified and provided
Long description of issues/risk	<p>The Forest Stewardship Standard for Romania (FSC-STD-ROU-01-2017), particularly Annex G, established the criteria for identifying and mapping of HCV 5 as fundamental for satisfying the basic needs of the communities. The common basic needs identified in the FSC-STD-ROU-01-2017 included wood for energy (heating and cooking), construction and craftsmanship. The method suggested for identification of HCV 5 values within a forest area is public consultation of local communities and socio-economic studies done in the area. For communities that depend on forest resources for their traditional activities e.g Apuseni Mountains there are two distinct laws that assure special access to the forest resource (L144/200 and L33/2019). Community forests (11% of the total national forests) and municipal forests (16% of the total forest) assure an important share of resources to the community needs. The policy of National Forest Administration and certain private Forest management Enterprises (FMEs) (mostly managing community and municipal forests) is to provide limited quantities of firewood and even construction wood at prices lower than the free market. Firewood is mainly assured from harvesting activities resulting in timber that does not have industrial use. The overall opinion of</p>

	the experts consulted in the working group was that the needs of communities where HCV5 is present are more often fulfilled by FMEs.
References	FSC-STD-ROU-01-2017
Legislation	Law No. 144 of July 26, 2000; Law No. 33 of January 16, 2019, for the amendment of Law No. 33/1996 regarding the rights of Apuseni Mountains inhabitants
Description of legal requirements	L 144/2000 refers to the rights of the inhabitants of rural mountain areas to have access to wood for continuing their traditional wood manufacturing activities. Also, the inhabitants of the area of Apuseni Mountains have gain special rights in terms of forest resources access for their needs (L33/2019). The regulation for public forest wood trading (GD 715/2017) as well as the Forest code (L46/2008, art. 59) include the possibility to trade firewood to local rural communities' members with special prices. The National Forest Strategy (GD 1227/2022) includes a more detailed identification of forest dependent communities.
Limitations of Sources	
Risk mitigation	

Risk indicator	63. Sites, resources, habitats, and landscapes of global or national cultural, archaeological, or historical significance, and/or of critical cultural, ecological, economic or religious/sacred importance for the traditional cultures of local communities or Indigenous Peoples are identified and protected (HCV6).
Thresholds	63. 1. HCV 6 is identified, or its occurrence is likely in the area under assessment and is threatened by management activities.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	HCVF6 is identified and local communities can contribute in the stakeholder consultation processes in management planning activities
Long description of issues/risk	The Romanian functional zoning system included in MO 2536/2022 sets functional categories of forests with protective functions related to the cultural values. The cultural values taken into account are historical or cultural monuments (1.4.e) as well as the aesthetic functions (1.5.e). The management of forests located near cultural, historical, religious or recreational areas are not always included in the functional categories during management planning. Nevertheless, since the 2017 CNRA the functional categories used in the FMP have changed to address better the forests with social functions. The fact that the FMPs have to be approved by the Environmental Agency allowing for a public consultation process gives voices to the local communities to address cultural ecosystem services. Thus, the risk is considered negligible.
References	
Legislation	Ministerial Order No. 2,536 of September 28, 2022, for the approval of the Technical Norms for Forest Management and the Guide to Best Practices for Forest Management, Ministerial Order No. 1,682 of June 14, 2023, for the approval of the Methodological Guide on the Adequate Assessment of Potential Effects of Plans or Projects on Natura 2000 Protected Areas
Description of legal requirements	The regulatory framework regarding the strategic environment assessment (GD1076/2004 and MO117/2006) introduced the compulsory consultation of communities in the process of Forest Management Planning. Moreover, the process of protected areas management planning also includes compulsory consultations with local communities.
Limitations of Sources	
Risk mitigation	

Risk indicator	64. There is no commercial use of GMO.
Thresholds	64. 1. GMO use is legal, according to applicable legislation of the area under assessment; 64. 2. GMO use is illegal according to applicable legislation of the area under assessment, but any of the following are true: a) Evidence of the implementation of the ban does not exist; b) Evidence indicates a systematic violation of the ban; c) When laws are violated, violations are not efficiently followed up on by relevant entities, d) When laws are violated, identified root causes are not addressed through the implementation of preventive actions by relevant entities. 64. 3. There is evidence of commercial use of GMO species.
Risk conclusion	Negligible risk
Source types	all sources types
Risk threshold	
Short description of risks	There is no evidence of unauthorized use of genetically modified trees.
Long description of issues/risk	L 107/2011 Art. 61. The production and/or commercialization of genetically modified forest reproductive material constitutes a contravention and is punishable by a fine from 3.000 to 10.000 lei, and the forest reproductive material in question shall be confiscated. There is no evidence of unauthorized use of genetically modified trees.
References	
Legislation	Law No. 107 of June 15, 2011, regarding the sale of forest reproductive materials
Description of legal requirements	
Limitations of Sources	All experts consider that this is not an issue for Romanian forestry.
Risk mitigation	

PART 3 – SUPPORTING DOCUMENTS

3.1. Legislation

ID	Reference name	Full title (English)
L1	EUDR	REGULATION (EU) 2023/1115 on the making available on the Union market and the export from the Union of certain commodities and products associated with deforestation and forest degradation and repealing Regulation (EU) No 995/2010
L2	Civil code	The CIVIL CODE of July 17, 2009 (republished)
L3	Forest code	The FOREST CODE of March 19, 2008 (republished)
L4	Ministerial Order 118/2021	Ministerial Order No. 118 of January 27, 2021, for the approval of the Methodology regarding the organization and functioning of the SUMAL 2.0 applications, the obligations of SUMAL 2.0 users, the structure and method of transmitting standardized information, and the costs of issuing accompanying permits for the situations provided for in Article 11 of the Norms concerning the origin, circulation, and marketing of timber, the regime of timber storage spaces and roundwood processing installations, as well as those regarding the origin and circulation of timber intended for the personal consumption of the owner, and some measures for the application of the provisions of Regulation (EU) No. 995/2010 of the European Parliament and of the Council of October 20, 2010, laying down the obligations of operators who place timber and timber products on the market, approved by Government Decision No. 497/2020
L5	Ministerial Order 367/2010	Ministerial Order No. 367 of March 17, 2010 for the approval of the concession value, the method of calculation, and the method of payment of the royalty obtained from the concession of public state-owned forest land, related to the assets sold by the National Forest Administration - Romsilva, as well as the model concession contract
L6	Government Decision 715/2017	Government Decision No. 715 of October 5, 2017, for the approval of the Regulation on the exploitation of timber from public state-owned forest resources
L7	Ministerial Order 767/2018	Ministerial Order No. 767 of July 23, 2018, regarding the approval of the Procedure for the approval, modification, and disposal of timber exploitation documents for timber from the national forest fund and from forest vegetation located on land outside the national forest fund, and the Procedure for the exploitation and harvesting of timber from the forest fund for which the law does not require the preparation of a forestry management plan and from forest vegetation outside the national forest fund
L8	Ministerial Order 766/2018	Ministerial Order No. 766 of July 23, 2018, for the approval of the Technical Norms regarding the development of forest management plans, the modification of their provisions, and the change of land use categories within the forest fund, and the Methodology for approving the exceeding of the annual allowable limit for the harvesting of incidental products I.
L9	Ministerial Order 2536/2022	Ministerial Order No. 2,536 of September 28, 2022, for the approval of the Technical Norms for Forest Management and the Guide to Best Practices for Forest Management
L10	Ministerial Order 460/2010	Ministerial Order No. 460/2010 regarding the approval of the Methodology for certification of specialized units to establish Forest Management Plans
L11	Ministerial Order 1039/2010	Ministerial Order No. 1039/2010 for approval of the Methodology for certification of experts that technically guarantee the quality of Forest Management Planning and the Methodology to certify project responsables for the Forest Management Planning activities
L13	Ministerial Order 3397/2012	Ministerial Order No. 3397/2012 criteria and indicators for identification of virgin forests in Romania
L14	Emergency Ordinance 196/2005	Emergency Ordinance No. 196 of December 22, 2005, regarding the Environmental Fund
L15	Law 56/2010	Law No. 56 of March 19, 2010 (republished) regarding the accessibility of the national forest fund
L16	Fiscal code	Law No. 227 of September 8, 2015 - The Fiscal Code
L17	Law 139/2022	Law No. 139 of May 17, 2022, for the approval of the Government Emergency Ordinance No. 120/2021 regarding the administration, operation, and implementation of the national system for electronic invoicing RO e-Invoice and electronic invoicing in Romania, as well as for the amendment of Government Ordinance No. 78/2000 regarding the homologation, issuance of the vehicle identity card, and certification of the authenticity of road vehicles for their introduction to the market, availability on the market, registration or enrollment in Romania, as well as market surveillance for these vehicles

L18	Ordinance 6/2013	Ordinance No. 6 of January 22, 2013, regarding the establishment of special measures for the taxation of the exploitation of natural resources, other than natural gas
L19	The Union Customs Code	REGULATION (EU) No. 952/2013 laying down the Union Customs Code
L20	Law 57/2020	Law No. 57 of May 15, 2020, regarding the sustainable management of Romania's forests
L21	Government Decision 599/2018	Government Decision No. 599 of August 2, 2018, for the approval of the Standard Methodology for Risk Assessment of Corruption within Central Public Authorities and Institutions, along with the indicators for estimating the probability of corruption risks materializing, the indicators for estimating the impact in the event of corruption risks materializing, and the format of the Corruption Risk Register, as well as for the approval of the Methodology for Integrity Incident Evaluation within Central Public Authorities and Institutions, along with the format of the Annual Integrity Incident Evaluation Report
L22	Ministerial Order 1106/2018	Ministerial Order No. 1,106 of November 21, 2018, for the approval of the Regulation on the organization, operation, and composition of the Certification Commission for Economic Operators in Forest Exploitation Activities, as well as the certification criteria for forest exploitation activities
L23	Ministerial Order 838/2021	Ministerial Order No. 838 of June 3, 2021, for the amendment and completion of the Regulation on the organization, operation, and composition of the Certification Commission for Economic Operators in Forest Exploitation Activities, as well as the certification criteria for forest exploitation activities, approved by the Order of the Minister of Waters and Forests No. 1,106/2018
L24	Ministerial Order 135/2010	Ministerial Order No. 135 of February 10, 2010, for the approval of the Methodology for applying environmental impact assessments for public and private projects
L25	Ministerial Order 1682/2023	Ministerial Order No. 1,682 of June 14, 2023, for the approval of the Methodological Guide on the Adequate Assessment of Potential Effects of Plans or Projects on Natura 2000 Protected Areas
L26	Government Decision 997/2016	Government Decision No. 997 of December 21, 2016, regarding the organization and functioning of the National Agency for Protected Natural Areas and the amendment and completion of Annex No. 12 to Government Decision No. 1,705/2006 for the approval of the centralized inventory of state public domain assets
L27	Ministerial Order 255/2007	Ministerial Order No. 255 of March 1, 2007 regarding certain measures for the implementation of European Union regulations concerning the trade in wild fauna and flora species
L28	Law 69/1994	Law No. 69 of July 15, 1994, for Romania's accession to the Convention on International Trade in Endangered Species of Wild Fauna and Flora, adopted in Washington on March 3, 1973
L29	Emergency Ordinance 195/2005	Emergency Ordinance No. 195/2005 regarding environmental protection
L30	Ministerial Order 1540/2011	Ministerial Order No. 1,540 of June 3, 2011, regarding the approval of harvesting instructions, dates and technologies
L31	Ministerial Order 487/2021	Ministerial Order No. 487 of March 22, 2021, for the amendment and completion of harvesting instructions, dates and technologies, approved by the Order of the Minister of Environment and Forests No. 1,540/2011
L32	Law 319/2016	Law No. 319/2006, on work safety and health
L33	Government Decision 1425/2006	Government Decision No. 1,425 of October 11, 2006, for the approval of the Methodological Norms for the application of the provisions of Law No. 319/2006 on work safety and health
L34	Government Decision 1051/2006	Government Decision No. 1,051 of August 9, 2006, on minimal requirements for work health and safety during the manual handling of volumes which present risks for workers, especially back injuries
L35	Government Decision 1146/2006	Government Decision No. 1,146 of August 30, 2006, regarding the minimum safety and health requirements for the use of work equipment by workers
L36	Government Decision 1091/2006	Government Decision No. 1,091 of August 16, 2006, regarding the minimum safety and health requirements for the workplace
L37	Government Decision 971/2006	Government Decision No. 971 of July 26, 2006 regarding the minimum requirements for safety and/or health signalling in the workplace
L38	Government Decision 1048/2006	Government Decision No. 1,048 of August 9, 2006 (republished) regarding the minimum safety and health requirements for the use of personal protective equipment by workers in the workplace
L39	Government Decision 300/2006	Government Decision No. 300 of March 2, 2006 regarding the minimum safety and health requirements for temporary or mobile construction sites

L40	Government Decision 493/2006	Government Decision No. 493 of April 12, 2006 regarding the minimum safety and health requirements related to workers' exposure to noise risks
L41	Ministerial Order 3/2007	Ministerial Order No. 3 of January 3, 2007, regarding the approval of the Form for Recording Work Accidents
L42	Government Decision 355/2007	Government Decision No. 355 of April 11, 2007 regarding the surveillance of workers' health
L43	Government Decision 1218/2006	Government Decision No. 1,218 of September 6, 2006, regarding the establishment of minimum safety and health requirements for ensuring protection for workers against risks related to the presence of chemical agents
L44	Regulation (EC) 1907/2006	Regulation (EC) No. 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC
L45	The Constitution of Romania	The CONSTITUTION of Romania of November 21, 1991
L46	The Declaration of Human Rights	The Universal Declaration of Human Rights of December 10, 1948
L47	Convention 138/1973	C138 - Minimum Age Convention, 1973 (No. 138)
L48	Convention 182/1999	C182 - Worst Forms of Child Labour Convention, 1999 (No. 182)
L49	Memorandum - elimination of child labor	The Memorandum of Understanding between the Government of Romania and the International Labour Organization regarding the elimination of child labor, dated June 18, 2002.
L50	Labour Code	The Labour Code of January 24, 2003 (republished)
L51	Convention 029/1930	C029 - Forced Labour Convention, 1930 (No. 29)
L52	Convention 087/1948	C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
L53	Convention 098/1949	C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
L54	Convention 100/1951	C100 - Equal Remuneration Convention, 1951 (No. 100)
L55	Convention 105/1957	C105 - Abolition of Forced Labour Convention, 1957 (No. 105)
L56	Convention 111/1958	C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
L57	Criminal Code	Law No. 286 of July 17, 2009, regarding the Criminal Code
L58	L 367/2022	LAW No. 367 of December 19, 2022, regarding social dialogue
L59	Law 144/2000	Law No. 144 of July 26, 2000, on facilities for montan rural areas inhabitants
L60	Law 33/2019	Law No. 33 of January 16, 2019, for the amendment of Law No. 33/1996 regarding the rights of Apuseni Mountains inhabitants
L61	Government Decision 1076/2004	Government Decision No. 1,076 of July 8, 2004, on establishing the procedure for conducting environmental assessments for plans and programs
L62	Ministerial Order 117/2016	Ministerial Order No. 117 of February 2, 2006, for the approval of the Manual on the Application of the Procedure for Conducting Environmental Assessments for Plans and Programs
L63	Law 171/2010	Law No. 171 of July 16, 2010, on identification and punishment of silvic contraventions
L64	Government Decision 497/2020	Government Decision No. 497 of June 25, 2020, approving the Norms related to the origin, transportation, and commercialization of timber, the regulation of timber storage spaces and roundwood processing facilities, as well as those concerning the origin and transportation of timber intended for the owner's own consumption and certain measures for implementing the provisions of Regulation (EU) No. 995/2010 of the European Parliament and of the Council of October 20, 2010, establishing the obligations of operators who place timber and timber products on the market.
L65	Ordinance 43/1997	Ordinance No. 43 of August 28, 1997 (republished), regarding the roads regime
L66	Ministerial Order 1346/2011	Ministerial Order No. 1,346 of May 2, 2011 for the approval of the Regulation on the shape and use of special marking devices, as well as the means of marking trees and timber

L67	Ministerial Order 222/2008	Ministerial Order No. 222 of February 8, 2008, regarding the content of the transfer pricing file
L68	Government Decision 1029/2024	Government Decision No. 1,029 of August 21, 2024, on the establishment of measures for the implementation of Regulation (EU) 2023/1,115 of the European Parliament and of the Council of May 31, 2023, regarding the making available on the Union market and the export from the Union of certain commodities and products associated with deforestation and forest degradation and repealing Regulation (EU) No. 995/2010
L69	Decision 43/2022	Decision No. 43 of April 4, 2022, regarding the proposal for a Regulation of the European Parliament and of the Council on placing certain commodities and products associated with deforestation and forest degradation on the Union market and the export of these from the Union, and repealing Regulation (EU) No. 995/2010 - COM(2021) 706 final
L70	Ministerial Order 534/2001	Ministerial Order No. 534 of October 1, 2001, for the approval of Technical Norms for the introduction of the general cadastre
L71	Law 107/2011	Law No. 107 of June 15, 2011, regarding the sale of forest reproductive materials
L72	Regulation 995/2010	Regulation (EU) No 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market Text with EEA relevance
L73	Emergency Ordinance 57/2007	Emergency Ordinance No. 57 of June 20, 2007, regarding the regime of the Protected areas, habitats, flora and fauna conservation
L74	Regulation (EU) 607/2012	Regulation (EU) 607/2012 detailed rules concerning the due diligence system and the frequency and nature of the checks on monitoring organizations
L75	Ministerial Order 819/2015	Ministerial Order No. 819 of May 14, 2015, methodology regarding exercise of control provided for in art. 2 of Government Decision no. 668/2011 regarding the designation of competent authority for applying Regulation (EU) no. 995/2010 of the European Parliament
L76	Law 234/2019	Law No. 234 of December 9, 2019, for approval of modifications of the status of forestry personnel
L77	Ministerial Order 694/2016	Ministerial Order No. 694 of April 8, 2016, for approval of the Methodology regarding the definitive removal, temporary occupation and land exchange and calculation of financial obligations:
L78	Governmental Decision 1227/2022	Governmental Decision No. 1227 of October 5, 2022, regarding the approval of the National Forest Strategy 2030
L79	Ordinance 27/2011	Ordinance No. 27 of January 11, 2016, regarding the road transportation
L80	Law 2/2016	Law No. 2 of January 11, 2016, for completion of Law 51/1991 regarding national security of Romania

3.2. References

#	Short Name	Link
R1	FSC (2017)	https://connect.fsc.org/document-centre/documents/resource/291
R2	WWF Romania (2024)	https://wwf.ro/wp-content/uploads/2024/06/Evaluarea-riscurilor-privind-recoltarea-ilegala-a-lemnului.pdf
R3	Suceava Forest Guard	https://www.gardaforestierasv.ro/bune-practici
R4	Forest Guard territorial offices	https://gfn.gov.ro
R5	Anghel (2024)	https://www.presshub.ro/cat-de-bolnave-sunt-padurile-si-cat-adevar-este-in-raportarile-privind-taierile-accidentale-343114/
R6	G4MEDIA.RO (2024)	https://www.g4media.ro/ancheta-la-suceava-intr-un-caz-de-infestare-intentionata-a-unei-paduri-cu-nade-feromonale-amplasate-pe-arbori.html
R7	SUMAL 2.0 - The Forest Inspector	https://inspectorulpadurii.ro/#/
R8	Romanian Customs Authority (2023)	https://www.customs.ro/assets/pdf/IIP/Raport_AVR_centralizat_2023_V_site.pdf
R9	Corruption Perceptions Index Rank	https://prosperitydata360.worldbank.org/en/indicator/TI+CPI+Rank?countryCode=ROU
R10	Corruption Perceptions Index	https://www.transparency.org/en/cpi/2023/index/rou
R11	Global Corruption Index (2023)	https://risk-indexes.com/global-corruption-index/
R12	ANANP (2024)	https://ananp.gov.ro/obiective-de-conservare-specifice/
R13	ANANP (2014-2020)	https://ananp.gov.ro/pm-aprobrate-tabel-sinoptic/
R14	CITES, UNEP-WCMC (2016)	https://cites.org/eng/app/appendices.php
R15	Paiu (2024)	https://www.monitorulsv.ro/Local/2024-02-28/Amenzi-mari-pentru-lemne-transportate-si-depozitate-neglijent-in-padure-prin-albia-cursurilor-de-apa
R16	ForestMania (2022)	https://forestmania.ro/accidente-de-munca-in-sectorul-forestier-statistici-si-cauze/
R17	Iftimie and Mușat (2023)	https://revistapadurilor.com/wp-content/uploads/2022/09/Revista-Padurilor-nr.-3_2022_BT.pdf
R18	ASFOR (2023)	https://asfor.ro/wp-content/uploads/2023/06/2207_005_ghid_ssm_a5_BT_proof_pages_editat_compressed.pdf
R19	INSE	http://statistici.insse.ro:8077/tempo-online/#/pages/tables/insse-table
R20	Amnesty International (2023)	https://www.amnesty.org/en/location/europe-and-central-asia/western-central-and-south-eastern-europe/romania/report-romania/
R21	Freedom House (2023)	https://freedomhouse.org/country/romania/freedom-world/2024
R22	Fragile States Index (2024)	https://fragilestatesindex.org/country-data/
R23	IEP (2024)	https://www.economicsandpeace.org/wp-content/uploads/2024/06/GPI-2024-web.pdf
R24	Human Rights Watch	https://www.hrw.org
R25	Global Witness	https://www.globalwitness.org/en/
R26	USAID	https://www.usaid.gov
R27	ILO - child labor	https://www.ilo.org/international-programme-elimination-child-labour-ipecc/regional-and-countries
R28	ILO - ratification of convention	https://normlex.ilo.org/dyn/normlex/en/f?p=1000:11001:0::NO
R29	CEACR (2023a)	https://normlex.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID_P13100_COUNTRY_ID:4379501,102824
R31	ITUC (2024)	https://www.ituc-csi.org/IMG/pdf/2024_ituc_global_rights_index_en.pdf
R32	Regular violations of rights index	https://www.ituc-csi.org/romania
R33	ELA (2023)	https://www.ela.europa.eu/sites/default/files/2023-03/Study-on-the-extent-of-undeclared-work-in-the-EU.pdf
R34	CEACR (2023b)	https://normlex.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID_P13100_COUNTRY_ID:4368663,102824

R35	WEF (2023)	https://www3.weforum.org/docs/WEF_GGGR_2023.pdf
R36	EC (2022)	https://commission.europa.eu/document/download/61252380-e608-4157-818d-e81619715310_en?filename=equal_pay_day_factsheet_2022_en_1_0.pdf
R37	Lemn controlat (2023)	https://lemncontrolat.ro/actualizari-privind-determinarea-modului-de-operare-si-a-factorilor-de-risc/
R38	ANAF (2023)	https://static.anaf.ro/static/10/Anaf/Informatii_R/Raport_de_performanta_2023.pdf
R39	IFN	https://roifn.ro/site/
R40	Hansen et al. (2013)	https://earthenginepartners.appspot.com/science-2013-global-forest
R41	FRA (2014)	https://openknowledge.fao.org/server/api/core/bitstreams/68db1d68-8979-41ad-8f2b-b590df503f3b/content
R42	ANANP	https://ananp.gov.ro/wp-content/uploads/inventar_arii_PM_site.pdf
R43	Halalisan (2018)	https://www.mdpi.com/1999-4907/9/7/425
R44	Buliga and Nichiforel (2019)	https://www.sciencedirect.com/science/article/abs/pii/S0959652618330294
R45	Labour Ministry (2024)	https://mmuncii.ro/j33/index.php/ro/transparenta/statistici/buletin-statistic/7254
R46	EC's letter of concerns (2020)	https://www.nostrasilva.ro/wp-content/uploads/2020/02/Comisia-Europeana-Paduri-Scrisoare-de-punere-%C3%AEn-%C3%AEnt%C3%A2rziere-%C3%8Enc%C4%83lcarea-nr.-2020-2033.pdf
R47	MoE (2015)	http://www.mmediu.ro/app/webroot/uploads/files/Ghid_DDS.pdf
R48	Europa Libera (2023)	https://romania.europalibera.org/a/inginer-silvic-arest-spaga-drumul-lemnului/32569813.html
R49	ISCTR (2022)	http://www.isctr-mt.ro/files/upload-dir/495-raport-de-activitate-isctr-2022.pdf
R50	ISCTR (2023)	http://www.isctr-mt.ro/files/upload-dir/587-raport-activitate-isctr---2023.pdf
R51	EURES (2024)	https://eures.europa.eu/living-and-working/living-and-working-conditions/living-and-working-conditions-romania_en
R52	Frumosu (2024)	https://www.newsbcovina.ro/actualitate/394358/sanctiune-de-10-000-lei-pentru-exploatare-forestiera-neconforma-in-comuna-frumosu
R53	Nichiforel et al. (2021)	https://www.sciencedirect.com/science/article/abs/pii/S2212041621000346
R54	HCVF - Maps	https://lemncontrolat.ro/harti-interactive/harta-ariilor-naturale-protejate-din-romania/
R55	Virgin forests (2024)	http://www.mmediu.ro/articol/catalogul-padurilor-virgine-si-cvasivirgine-din-romania/4790
R56	GIS - NP (2024)	https://mmediu.ro/categorie/date-gis/205
R57	FSC-STD-ROU-01-2017	https://connect.fsc.org/document-centre/documents/resource/275
R58	CITES, Romania implementation report (2023)	https://cites.org/eng/parties/country-profiles/ro/reports
R59	FSC Forest Degradation Dashboard Beta	https://fsc-int.maps.arcgis.com/apps/dashboards/be04591cbde34c7b96cb772372409818

3.3. Risk mitigation documents

Full title (English)	Full title (original language)	Document issued by	Key considerations when checking the document
Health and Safety Inventory evidence	Inventar privind echipamentele specifice SSM	Forest harvesting companies	The document should include all required H&S equipment enough from quantity and quality perspective
Labor Inspectorate Control evidences	Procese verbale de control efectuat de Inspectoratul Teritorial de Munca	Labor Inspectorates representative s	Did the forest harvesting Company make any violations of the labor and H&S legislation?
Evidence of H&S training done before the start of the harvesting operations	PV privind efectuarea instructajului la locul de muncă	Forest harvesting companies	Did the forest harvesting company representatives trained all the workers that work for the particular site? Is the person in charge with the training in title to do the training? Did the training include all the required information?
Volume evaluation document	Act de punere in valoare	Forest District in SUMAL	The document has to correspond to the one uploaded in the SUMAL system
Criminal record	Cazier judiciar	Romanian Police	The company and the employees should not have criminal records related to corruption, bribery, fraud, conflict of interest
Anti-corruption procedures	Proceduri anti-coruptie	Forest harvesting company	Effectiveness and implementation of the procedure
Documents from the Ministry of Justice portal	Înregistrări privind contravențiile și infracțiunile de pe portalul Ministerului Justiției	Ministry of Justice	Entities with records of violations should be ranked with certain levels of risk. If the records continue to record, then, no buy.
Pictures of the transportation mean, uploaded in SUMAL	Fotografii ale mijlocului de transport incarcate in SUMAL	SUMAL	The pictures should correspond to the transportation mean appearance at the end of the transport. Lack of correspondence - no buy.
Transportation documents from SUMAL	Documente de transport generate de SUMAL	SUMAL	Maintaining a database of such transportation documents for every supplier allow making cross verifications with APV (dimensions, wood assortments), etc. If lack of correspondence observed, then no buy.
Forest Guard APV verification record for accidental products	PV de verificare a taierilor de produse accidentale elaborat de Garda Forestiera	Forest Guard	The document proves the correspondence between data in the APV and the reality in the field.
Harvesting control records	Procese verbale de control al exploatării; PV de reprimire a partizi	Forest District, Forest Guard	The supplier should provide all the harvesting control documents, including the last one. Those documents should contain records regarding the violations of the regulations related to operational activities, pollution (wood waste) water streams crossing, water banks damage.
Records from the REVISAL system	Evidente din platforma REVISAL	the REVISAL portal	REVISAL is a digital system provided by the government and for all companies it is compulsory to have all the employment data recorded in the system (names, wages, contract duration, etc) before any employee starts working
Conservation objectives implementation records	descrierea modului de implementare a obiectivelor de conservare din documentatia ANANP	Forest District	The documents issued by ANANP contain minimal conservation objectives are compulsory for Forest Districts. The document should help checking if for the respective area of harvesting all measures for implementing the designated elaboration objectives have been taken.
Risk maps	Harti de risc	Forest Guards	See if higher risk is signalled for the region of supply
Documents that indicate the qualification of workers	Calificarile angajatilor	Training providers	The workers have job specific qualifications consistent with the legal provisions?
Document that show continuous training at organization level	Plan de instruire	suppling organizations	The training plan is well implemented? What are the topics of Training plan? All the workers participate to training plan? Is the training plan conducted periodically?
Document show the labour inspection results	Control ITM	Labour Inspection	Is any issues identified in Labour Inspection reports?

You are invited to provide comments on this version of CNRA Romania 2024.

The public consultation is open until 19.11.2024, 12.00 CET.

Please see the registration form available at:

<https://evaluarerisc.dialogforestier.ro/>