

NORMATIVE AND INSTITUTIONAL ANALYSIS OF THE REORGANIZATION PROCESS OF THE NATIONAL FORESTRY ADMINISTRATION – ROMSILVA

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RESEARCH ARTICLE

Abstract

This paper analyzes the reorganization process of the National Forest Administration – Romsilva, as provided in the draft Government Decision and the related Explanatory Memorandum (Nota de fundamentare). The reorganization is part of the implementation of the National Recovery and Resilience Plan (NRRP), Component C2 – "Forest and biodiversity protection," Reform 1 – "Reform of the forest management and governance system." The study examines the legal basis of this reform, the proposed institutional modus operandi, as well as the anticipated administrative, economic, and ecological effects. The analysis demonstrates that the reorganization aims to modernize forest governance through digitalization, the streamlining of territorial structures, and the consolidation of transparency, with the final goal of ensuring the sustainable management of state public-owned forests and aligning the national forest administration with European standards of sustainability and control.

Keywords: legislation, reorganization, administration

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INTRODUCTION

The reorganization of the National Forest Administration – Romsilva, proposed through the draft **Government Decision approving the organizational, operational, and reorganization measures for Romsilva**, represents one of the most significant administrative reforms in the forestry sector in the last 15 years. This legislative initiative is grounded in **Law no. 331/2024 concerning the Forestry Code**, published in the *Official Gazette of Romania*, Part I, no. 21 of January 12, 2025, and derives from the obligations assumed by Romania through **Regulation (EU) 2021/241** of the European Parliament and of the Council establishing the Recovery and Resilience Facility.

MATERIAL AND METHOD

The materials used in writing this paper are composed of legislation, web sites and specialized law courses. The methods used are legal, namely the formal method, the comparative method, the logical and sociological method, the analytical method. The use of these methods has the role of performing a systematic analysis of the information from the studied sources in order to elaborate the points of view and the conclusions.

RESULTS AND DISCUSSIONS

According to the **Explanatory Memorandum**, the draft decision addresses the requirements of **Milestone 24** of the *National Recovery and Resilience Plan (NRRP)*, Component C2 – *Forest and biodiversity protection*, Reform 1 – *Reform of the forest management and governance system*, through which the Ministry of Environment, Waters and Forests is obliged to adopt and bring into force a coherent set of legislative acts to rationalize the legal framework, combat illegal logging, and improve forest management: "Entry into force of the following legislative acts, which aim to rationalize the legal framework, combat illegal logging and improve forest management: (i) The New Forestry Code [...] (iv) Other governmental decisions for combating illegal logging and improving forest management, including amendments to Government Decision no. 229/2009 regarding Romsilva." (Explanatory Memorandum, Section 2.1)

The purpose of the reorganization, formulated in Art. 4 para. (1) of the draft Decision, is "the administration of the state's public and private national forest estate for the sustainable management of forests, the consolidation of their resilience, and the increase of their contribution to limiting the effects of climate change." This formulation expresses the orientation of the new forestry

policy toward an integrated environmental vision, where the forest is treated as a strategic ecological infrastructure.

Chapter 1. Motivation for the Reorganization of the National Forest Administration - Romsilva

The necessity for the reorganization of Romsilva derives from legal, political, and administrative factors. The reform aims to align the agency's mode of governance with the requirements of the NRRP, the Forestry Code (Law no. 331/2024), and the principles of corporate governance regulated by Government Emergency Ordinance no. 109/2011, published in the Official Gazette of Romania, Part I, no. 883 of December 14, 2011, approved by Law no. 111/2016 (Official Gazette, Part I, no. 409 of May 30, 2016). According to the Explanatory Memorandum (Section 2.1), the draft Government Decision is elaborated "pursuant to Art. 108 of the Constitution of Romania and Art. 32 para. (2) of Law no. 331/2024," which stipulates that Romsilva's reorganization is approved by a Government Decision. The document also invokes the Government Program 2025-2028, which provides for: "Romsilva reform that should include the reduction of the number of forest directorates, the separation of activities based on their efficiency, and the provision of supplementary control over timber transports to reduce fiscal evasion."

In Section 3.1 of the Explanatory Memorandum, it is shown that the act "takes into account the creation of an efficient, flexible, and responsible forest administration [...] by establishing competencies for each structure and its head within Romsilva." The reform introduces a **performance-based management system**, correlated with economic objectives and measurable indicators. *In Section 3.4.1*, it is mentioned that the reorganization "will lead to a decrease in permanent expenditure by reducing the number of Romsilva units and subunits," contributing to the observance of budget deficit conditions.

From an ecological perspective, Sections 3.6 and 3.8 affirm that the decision "creates the premises for the sustainable management of the state public-owned national forest estate," consolidating the institutional capacity of the agency to apply the National Forest Strategy - 2030 (Government Decision no. 1227/2022, *Official Gazette*, Part I, no. 1240/23.12.2022).

Summary: The reform responds to the problems of territorial fragmentation, managerial inefficiency, and lack of transparency, transforming Romsilva into a modern instrument of **forestry governance**.

Chapter 2. Modality of the Reorganization of the National Forest Administration - Romsilva

The reorganization provides for a three-level structure (Government Decision, Art. 2):

- the central structure - management, coordination, and control
- units without legal personality - regional forest directorates and the "Silva" Complex
- units with legal personality - park administrations, the Equine Directorate, the Posada Museum

Romsilva's own patrimony is **459,376,512 lei** (Government Decision, Art. 3), and the assets and liabilities of the reorganized units are taken over in full by the new structures.

The reorganization reduces the number of county-level **forest directorates** to **12 regional directorates** (Annex no. 1), consolidating territorial competencies and control over exploitation.

Corporate Governance and Contractual Management

The application of **Government Emergency Ordinance no. 109/2011** (Official Gazette no. 883/2011, effective January 1, 2012) and **Law no. 111/2016** (Official Gazette no. 409/30.05.2016) to Romsilva aligns the agency with European principles of public governance.

The Board of Administration (Government Decision, Art. 26–27) and the General Director (Government Decision, Art. 29) are appointed through competition and a mandate contract, based on **EC Recommendation 2005/162/EC** and the **OECD Principles 2015**.

Performance evaluation is carried out based on the indicators provided in **Annex no. 3**, covering economic efficiency, professional training, forest control, and adherence to ethics.

Subunits and Digitalization

Pursuant to the Government Decision, Art. 15–18, each directorate may establish subunits (forest districts, sections, centers), with activity permitted only "under conditions of economic efficiency."

Article 36 mandates the Board of Administration to elaborate, within 120 days, a **digitalization and debureaucratization plan**, an **ethics regulation**, and a **plan for the efficientization of forestry tourism**.

These provisions indicate a transition toward data-based, transparent, and integrated governance.

Summary

The reorganization of Romsilva involves:

- **Structural consolidation** – reduction of directorates and centralization of support;
- **Managerial professionalization** – mandate contracts and performance indicators;
- **Transparency and ethics** – salary publicity and code of conduct;
- **Ecological responsibility** – correlation with the National Forest Strategy 2030.

Through these instruments, Romsilva becomes a modern public forest management institution, compliant with European standards.

Chapter 3. Anticipated Effects and Implications of the Reorganization Administrative

According to the Explanatory Memorandum, Section 3.1, the reform creates an "efficient, flexible, and responsible" forest administration.

Mandate contracts and digitalization (Government Decision, Art. 36) professionalize leadership and reduce bureaucracy.

Economic

The Explanatory Memorandum, Section 3.4.1 shows that the reform "will determine a decrease in permanent expenditure," and the Government Decision, Art. 31, mandates the transmission of the revenue and expenditure budget for Government approval, pursuant to Government Ordinance no. 26/2013 (Official Gazette no. 549/29.08.2013).

Result: Financial efficiency, autonomy, and reduction of budgetary pressure.

Social

The Explanatory Memorandum, Section 3.2 mentions the integral takeover of the personnel.

Through the Government Decision, Art. 35, annual evaluation and professional training (minimum 18 hours/year, Annex no. 3) introduce a meritocratic and transparent culture.

Ecological

The Explanatory Memorandum, Sections 3.6 and 3.8, and the Government Decision, Art. 4 para. (1), establish the purpose of "sustainable forest management."

The reform aligns with the **EU Forest Strategy 2030** and the **European Green Deal (COM(2019) 640 final)**, contributing to biodiversity conservation and climate change mitigation.

Chapter 4. General Conclusions

The reorganization of Romsilva has a **triple dimension**: legal, administrative, and ecological.

On the legal plane, it is based on **Law no. 331/2024 (The Forestry Code)** and **Government Emergency Ordinance no. 109/2011**, integrating the standards of **EC Recommendation 2005/162/EC** and the **OECD Principles (2015)** regarding corporate governance.

Administratively, it introduces contractual governance, measurable performance, and decisional transparency.

Economically, it rationalizes expenditure and stimulates internal efficiency. Socially, it maintains personnel but mandates professionalism and continuous training.

Ecologically, it aligns Romania with European policies regarding climate neutrality and sustainable forest management.

CONCLUSIONS

The success of the reorganization will depend on the effective application of the reform, the quality of the leadership, and the capacity of the Ministry of Environment to ensure real and objective control.

If these conditions are met, the reform can become a **model of sustainable public governance**, demonstrating that environmental protection and economic efficiency can coexist in a modern forest administration.

REFERENCES

- EC Recommendation 2005/162/EC and the OECD Principles 2015
- European Green Deal (COM(2019) 640 final
- Government Emergency Ordinance no. 109/2011 Official Gazette no. 883/2011, effective January 1, 2012
- Law no. 111/2016, Official Gazette no. 409/30.05.2016
- Law no. 331/2024 concerning the Forestry Code, published in the *Official Gazette of Romania*, Part I, no. 21 of January 12, 2025
- OECD Principles 2015