



PROGRAMUL DE COOPERARE ELVEȚIANO-ROMÂN
SWISS-ROMANIAN COOPERATION PROGRAMME

Title of the project: “Strengthening the capacities of forest owners associations for sustainable forest management”

Activity 1.1.3. In-depth analysis of the „pilot” forest owners association from Suceava county

Association name: <i>Obstea Negrisoara</i>
Identification details:
ID in the national register of associations: 1109/A/2001
Commune Negrisoara, Suceava county
Contact person: <i>president Roman Irimescu</i>
Phone / e-mail: <i>0720323124</i>
Establishment date: 24/01/2001
Stated goal upon establishment: The association stands for the interests of forest owners in their relations with local and central authorities. The association defends the members’ interests when the provisions of Law 229/1990 referring to administrative conflicts and Procedural Code, when it applies.
Administation and management planning
Forest is administrated by: <i>PFD Dorna Candreni RA (private forest district)</i>
Forest management plan: YES
Management plan valid until: 2015
Forest area: <i>599 ha</i>
Association analysis
<p>The new association took over the rights of the former Obstea Negresti, as it had been recorded prior to forest nationalisation, in 1948.</p> <p>As for now, although the juridical statute refers to a joint ownership, in fact the forest area owned by association’s members has been divided between the families who has owned the forest before 1948. According the president’s statement, when the forest was nationalized each family was having its own forest but lacking cadastral references, the forest remained a joint ownership. The forest area was restituted according to the law 1/2000.</p>

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Întărirea capacității asociațiilor proprietarilor de păduri pentru un management forestier durabil

Strengthening the capacities of forest owners associations for sustainable forest management





PROGRAMUL DE COOPERARE ELVEȚIANO-ROMÂN
SWISS-ROMANIAN COOPERATION PROGRAMME

Afterwards the association made the decision to divide the ownership between families, although, technically speaking, it has been impossible to delineate each property from the cadastral point of view.

Main problems with forest management

The joint ownership encompasses 599 ha out of which 188 ha are located in as strictly protected area (Geological reserve Cheile Zugreni) and any harvesting activity is banned by the law. Because the forest owner were not inquired or consulted prior to this decision, forest owners are very discontent because they are not compensated for the revenue they have to give up, in spite of an article of the Forest Act which says that the ecosystem services provided by private forest shall be paid. In addition to that, due to the manner in which the forest is shared by the association members some conflicts had occur in the past and may occur in the future.

The association have sued the state who has not paid the compensations stated by the law. From the managerial point of view there are no other problem worth rising.

Problems identified with respect to forest administration

The forest are managed from technical and legal point of view by PFD Dorna Candreni RA,, which has been set up by the municipalities Dorna Candreni, Poiana Stampei, and Cosna. Although the private forest has a small share of the whole forest managed by the forest district the forest owners are having a good cooperation with the forest district. So, no problem identified and no potential conflict with the forest administration.

Timber selling

According to the statute, timber selling is up to forest owners and a great deal of timber is used by the forest owners themselves. The option to organize common auctions was also discussed by for the time being the association's members are not willing to do so.

Directions to improve the management through the project

The following strategic items can be supported by the project team, as discussed with the association members:

1. Technical assistance from USV to produce the new forest management plans.
2. Juridical conciliation to get the compensation for the foregone revenue from forests, due to harvesting ban – service provided by Nostra Silva
3. Willingness to get certified provided that forest district will also go for PEFC certification within the project

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Întărirea capacității asociațiilor proprietarilor de păduri
pentru un management forestier durabil

Strengthening the capacities of forest owners associations
for sustainable forest management





PROGRAMUL DE COOPERARE ELVEȚIANO-ROMÂN
SWISS-ROMANIAN COOPERATION PROGRAMME

Visiting program for improving the strategy

A regular visiting plan is being envisaged to monitor the key performance indicators and improve management strategy:

- August 2015: Nichiforel Liviu
- November 2015: Istvan Toke

Association name: *Obstea Cozanesti – Ortoaia*

Identification data

ID in the national register of associations: 148/A/2000

Commune Ortoaia, Suceava county

Contact person: *president Rusu Constantin*

Phone / e-mail: 0743150712

Establishment date: 05/05/2000

Stated goal upon establishment: the association was created in order to stand for the members' interests against local and forest authorities according the provisions of Law 29/1990 on administrative conflicts and the Procedural Civil Code.

Steering structure

Odochianu Petrea - president, Lesanu Ioan – vicepresident, Vleju Ioan – secretary

Steering committee:

President - Rosu Constantin; Vice president - Pintea Toader;

Members: Cimbru Vasile Dan, Vleju Mihai, Mustea Marinela, Apetri Mihai, Popa Valentin

Administration and forest management

Administration contract: *PDF Dorna Candreni RA (private forest district)*

Forest management plan: YES

Forest management valid until: 2015

Forest area: 290 ha

www.romontana.org

Întărirea capacității asociațiilor proprietarilor de păduri
pentru un management forestier durabil

Strengthening the capacities of forest owners associations
for sustainable forest management





PROGRAMUL DE COOPERARE ELVEȚIANO-ROMÂN
SWISS-ROMANIAN COOPERATION PROGRAMME

Association analysis

Obstea Cozanesti Ortoaia is an association made up of a joint ownership structure, which is obstea and some individual forest owners. The forests were restituted according the three laws of restitution 18/1991, 1/2000 and 247/2005.

Main problems with forest management

The main problem is the forest located in National Reserve Cheile Zugreni, which brings no compensation for the foregone revenue: 120 ha out of 290 ha which is the total area. The problem is major for two reasons:

1. no public consultation prior to the decision to ban the harvesting operations
2. no compensation paid in spite of the legal provision

The association have sued the state for not being compensated according to the legal provisions.

There are no other major problems with respect to forest management.

Problems identified with respect to forest administration

The forest are managed from technical and legal point of view by PFD Dorna Candreni RA,, which has been set up by the municipalities Dorna Candreni, Poiana Stampei and Cosna. Although the private forest has a small share of the whole forest managed by the forest district the forest owners are having a good cooperation with the forest district. So, no problem identified and no potential conflict with the forest administration.

Timber selling

Harvesting operations are carried out by a logging company owned by the association and the timber is being sold at the roadside, which is the most professional and effective way to get the forest rent.

Directions to improve the management through the project

The steering committee express the willingness and availability to imply the association in a deeper cooperation with the project team, as follows:

1. Technical assistance to draft the terms of reference for the new management plans from USV partner
2. Juridical conciliation to get the compensation according to the law - Nostra Silva
3. Willingness to get certified provided that the forest district will be doing so.
4. To use the opportunity to get compensation for environmental silvicultural measures as provided by PNDR 2014-2020 (Voluntary main yield harvesting ban for 5 years)

www.romontana.org

Întărirea capacității asociațiilor proprietarilor de păduri
pentru un management forestier durabil

Strengthening the capacities of forest owners associations
for sustainable forest management





PROGRAMUL DE COOPERARE ELVEȚIANO-ROMÂN
SWISS-ROMANIAN COOPERATION PROGRAMME

Visiting program for improving the strategy

A regular visiting plan is being envisaged to monitor the key performance indicators and improve management strategy:

- August 2015: Nichiforel Liviu
- October 2015: Istvan Toke

Association name: Asociația Unităților de Cult Ortodoxe Proprietare de Pădure din Protopopiatul Suceava (AUCOPPPSV)

Identification data

ID in the national register of associations: 3874/A/2006

Suceava, Zamca street, Suceava county

Contact person: secretary Horga Dimitrie

Phone / e-mail: 0745516067 / dimitrie_horga@yahoo.com

Establishment date: 05/05/2000

Stated goal upon establishment: to stand for the forest-related, commercial juridical and social interest of the orthodox churches endowed with forests; to produce and implement forestry strategy at regional level, to manage the forest obeying the legal provisions.

The association is being engaged with other associations, with the state authorities in a constructive dialogue. The association supports the Church Private forest District Ilișești, which is the structure in charge with forest management (in a broader sense, including hunting), tourism and timber marketing. The association is also involved in any measure meant to discourage unfair competition, according to the system of values promoted by the Church, even though the state forest districts have monopolistic tendencies.

According to its state, the association supports the forest certification.

Steering body

New steering committee: Priest Viorel Mihoc - presedint, Priest Viorel Ilisoi – vicepresident and Priest. Dimitrie Dorinel Horga – secretary

Administration and management planning

Forest is administrated by: PFD Bisericesc Ilisesti SRL (private forest district)

Forest management plan: YES

Management plan valid until: 2015

www.romontana.org

Întărirea capacității asociațiilor proprietarilor de păduri pentru un management forestier durabil

Strengthening the capacities of forest owners associations for sustainable forest management





PROGRAMUL DE COOPERARE ELVEȚIANO-ROMÂN
SWISS-ROMANIAN COOPERATION PROGRAMME

Forest area: 4770 ha

Association analysis

According to Law 12000 each church has been endowed with 30 ha of forests and, in many cases, these areas were restituted in a compact forest patch in order to be managed as whole, by churches' associations, as happened in Suceava. On 24.10.2006, due to the initiative of Suceava churches, represented by the Bishop, priests and monasteries, according to the Ordinance 26 din 30.01.2000 referring to associations and NGOs, it was decided to set up the association of Churches and Monasteries from Suceava Archpriestship. The association has gathered so far 159 members, each with 30 ha of forest.

The ruling body is the general assembly and the executive body is the Administration Council, elected each 4 years and formed of 7 persons. The President, vice president and the secretary makes the steering committee. The private forest district Ilisesti is owned by the association and it has been created in 2006.

Main problems with forest management

No major problems have popped up during the analysis. But a broader discussion has been made with respect to technical standards and the private ownership, because the owner's voice cannot be heard in the actual context. Specifically, it is needed to give to the forest owner the decision to be made with respect to the targeted grade of the timber, because this decision has been taken for granted by the public authority, which may convey a major interference in the ownership rights.

Another issue was more oriented to ecology, because the beach trees are replacing the Norway spruce ones in natural regeneration, and the forest owners don't understand why this process has occurred and why they have to pay more for the effort to get rid of the beach trees.

Problems identified with respect to forest administration

No major problems have been raised except the juridical statute of forest roads. The forest land was restituted but not the forest roads built upon because those roads are still considered assets in which the state invested after forest nationalization. The legal framework of land restitution has brought forth this deadlock because neither the state, nor the private forest owners has the right to invest or to maintain these forest roads. The state still owns them, but they bring no money because they open now private forests, and the private owner cannot invest in improving or maintaining an asset which is a public one – the forest owner owns the land beneath the road, not the road itself.

Another important aspect is the restriction to haul the trees along the rivulets, which creates a lot of technical constraints for logging companies and comes along with forest certification.

www.romontana.org

Întărirea capacității asociațiilor proprietarilor de păduri
pentru un management forestier durabil

Strengthening the capacities of forest owners associations
for sustainable forest management





PROGRAMUL DE COOPERARE ELVEȚIANO-ROMÂN
SWISS-ROMANIAN COOPERATION PROGRAMME

Timber selling

The association has its own strategy when it comes to timber selling but an important part of the timber goes to local communities, as fuelwood for churches. There is a special web site where the members are informed about timber procurement procedures.

Directions to improve the management through the project

The steering committee has been committed to get involved in the project in two respects: technical assistance from USV for the next forest management plan (drafting the right terms of reference is crucial because all measurements and decisions are based on this document) and the availability to join the certification scheme, provided that logging companies will understand the requirements to avoid timber hauling along the brooks in mountainous areas. This constraint is important for the Church because it has to operate in a narrow margin of profit, due to social activities in which it is involved.

Visiting program for improving the strategy

A regular visiting plan is being envisaged to monitor the key performance indicators and improve management strategy:

- July 2015: Istvan Toke
- November 2015: Marian Dragoi

Name: Asociatia Proprietarilor de Padure Obstea Humoreni

Identification data

ID in the national register of associations: 1122/A/2005

Commune Comanesti, Suceava county

Contact person: Vorobchevici Ioan, vorobchevici_ioan@yahoo.com

Phone / e-mail: 0756 465 190

Establishment date: 01/09/2005

Stated goal upon establishment: n/a

Steering body

Campan Maxim – president, Vorobchevici Ioan – vicepresident

Administration and management planning

Forest is administrated by: *SFD Solca (state forest district)*

www.romontana.org

Întărirea capacității asociațiilor proprietarilor de păduri
pentru un management forestier durabil

Strengthening the capacities of forest owners associations
for sustainable forest management





PROGRAMUL DE COOPERARE ELVEȚIANO-ROMÂN
SWISS-ROMANIAN COOPERATION PROGRAMME

Forest management plan: YES
Management plan valid until: 2016
Forest area: 157, 8 ha
Association analysis
<p>This association was settle down in 2005 by the members who were restituted in a joint ownership according to the law 1/2000.</p> <p>The association is run by a president, vice -president and steering committee.</p> <p>The main problem is the lack of interest in attending the general assemblies (40% of members are attending general assemblies at the most); hence the decision are difficult to be made. About 60% of the association members do not live in the commune, being gone in quite remote cities. The solution undertaken by the steering committee is to make decisions with simple majority of the ones who are attending each general assembly. The statute of active member of the association is lost if the member fails in attending three running meetings.</p>
Main problems with forest management
<p>The association has been harvesting the timber according to its corresponding cutting budget produced by the forest district according to the management plan which will conclude in 2016.</p> <p>Obștea Humoreni kicked off the process of having its owned management plan for 158 hectares but the procedures have somehow been blocked now due to some technical procedures the forest authority has come across, being overwhelmed with other priorities raised by the new forest act. The main problem is the price of having new forest management plan, which is quite high for such a small area. For some reasons, many members have considered the price too high, which really make sense for such a small forest area. Moreover, the members are still referring to the provision of the prior forest code, which had provided some financial support for management plans on small areas. So far nobody told them that provision has never been applied, being considered a sort of state aid, which is banned by the EU legislation.</p>
Problems identified with respect to forest administration
<p>The following problems have been raised:</p> <ul style="list-style-type: none">- The authoritarian approach of the forest district when it comes to sheer communication to the private owners.- Some decision made by eh forest owners have been influenced by the forest district personnel beyond their processional duties (below-the-line communication prevails).- Difficulties in collecting the regeneration fund, i.e. 10% of the income from timber, which shall be collected in a separate fund, use for forest regeneration.
Timber selling
<p>There is no strategy for timber selling because amount of timber to be harvested is too small and is being used by the association members.</p>

www.romontana.org

Întărirea capacității asociațiilor proprietarilor de păduri
pentru un management forestier durabil

Strengthening the capacities of forest owners associations
for sustainable forest management





PROGRAMUL DE COOPERARE ELVEȚIANO-ROMÂN
SWISS-ROMANIAN COOPERATION PROGRAMME

Some of the members came up with the idea to organize common selling procedures because none of the other associations is strong enough to ask the right price from logging companies.

Directions to improve the management through the project

According to the discussions we have had with the steering committee, the association is willing to join the project in the following strategic directions:

1. To attract the absentee - members in the decision making process, mostly in those decisions referring to sustainable forest management.
2. Joint auction for timber, in order to fetch higher prices
3. Support for the certification process in order to get better prices for logs.

Visiting program for improving the strategy

A regular visiting plan is being envisaged to monitor the key performance indicators and improve management strategy:

- August 2015: Liviu Nichiforel
- December 2015: Istvan Toke

Association name: Asociația "Obstea Padurii Solonetul Nou" Cacica

Identification data

ID in the national register of associations: 2716/A/2000

Commune Cacica, Suceava county

Contact person: Chachula Mecislav

Phone / e-mail: 0740426316

Establishment date: 01/12/2000

Stated goal upon establishment: appropriate forest management applied on the forest restituted according to the law 1/2000.

Steering body

Chachula Mecislav - president , Zielonca Ioachim- vicepresident , Zielonka Anton, Poleacec L.Eugen, Maiac Ion, Maiac Vitent, Coman Iosif - members

Censorship commission: Zielonca V. Ana - president, Vavric Iosif , Chachula Pavel – members

www.romontana.org

Întărirea capacității asociațiilor proprietarilor de păduri
pentru un management forestier durabil

Strengthening the capacities of forest owners associations
for sustainable forest management





PROGRAMUL DE COOPERARE ELVEȚIANO-ROMÂN
SWISS-ROMANIAN COOPERATION PROGRAMME

Administration and management planning

Forest is administrated by: *SFD Solca (state forest district)*

Forest management plan: *YES*

Managemnt plan valid until: *2023*

Forest area: *159,5 ha*

Association analysis

The association "Obstea Padurii Solonetul Nou" Cacica was set up in 2009 on the same structure of the former Obstea Solonețul Nou, and the association was restituted a joint ownership forest, as it has before 1948. In that year the forest was shared by 34 families. Their 100 legatees have joined and set up this association and another 100 members have joined the association, as individual. Due to this situation the legitimacy of the association was questioned for about 8 years, and a series of trials had been initiated.

Main problems with forest management

Up to 2013 the forest were managed according to the general forest management plan produced for the whole forest district. Afterwards the association made its own forest management plan in order to be able to harvest timber.

The main problems are reforestation costs and tending works needed to be applied in the stands seriously disturbed by illegal loggings before restitution and afterwards, due to the long period when the legitimacy of the association was mistrustful.

Another issue was the main timber grade envisaged by the forest management plan which, for the time being is taken for granted to be thick logs for timber, although the forest owners need less valuable timber, for simple construction (like poles) and firewood. Under such circumstances it is quite difficult to convince all members to accept management plan provisions; for many of them to have or not to have a management plan is a Hobson's choice: none of the two options is attractive and therefore the decision to keep on having an updated management plan might be put off for a long time.

Problems identified with respect to forest administration

The individual owners who didn't join the association have handed over a lot of complaints to the forest district and this conflictual situation has affected the forest management. Because the forest district is a public entity, not a private one, many members are suspecting the steering committee for having hidden interests with the personnel of the forest district.

It is also considered that some forest rangers are influencing a series of forest owners to challenge the decision made by the steering committee of the association.

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Întărirea capacității asociațiilor proprietarilor de păduri
pentru un management forestier durabil

Strengthening the capacities of forest owners associations
for sustainable forest management





PROGRAMUL DE COOPERARE ELVEȚIANO-ROMÂN
SWISS-ROMANIAN COOPERATION PROGRAMME

Timber selling

"Obstea Padurii Solonetul Nou" Cacica has no specific strategy when it comes to timber selling because the allowable cut is shared by the association members.

Directions to improve the management through the project

1. Conciliation in getting more members involved in the decision making process
2. Availability for forest certification provided that forest district will agree such a decision
3. How to access the payments for ecosystem services, according to the provisions of PNDR 2014-2020

Visiting program for improving the strategy

A regular visiting plan is being envisaged to monitor the key performance indicators and improve management strategy:

- August 2015: Istvan Toke
- November 2015: Liviu Nichiforel

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Întărirea capacității asociațiilor proprietarilor de păduri
pentru un management forestier durabil

Strengthening the capacities of forest owners associations
for sustainable forest management

