

## **Romania's National Plan against Illegal Logging: An Analysis of the Public Proposal**

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### **ABSTRACT**

*This study analyses the extent to which the Romanian National Plan Against Illegal Logging (Planul Național de Combatere a Tăierilor Ilegale de Arbori (PNCTIA) fulfils the conditions of a functional public policy proposal; the degree of knowledge specialists (forestry staff, policemen, prosecutors); and the general public have about it; what efficiency they attribute to it; and the need for a new strategy. The main limitations of PNCTIA with respect to defining and formulating the public policy issue were identified using the document analysis technique. Moreover, the questionnaire technique was employed to evaluate the specialists and the public view towards the plan. Over 40% of the interviewees consider PNCTIA to be inefficient, while 33% were undecided. 77% wished for the adoption of a new public policy; 85% highlighted the matter as urgent. The low level of efficiency of PNCTIA was correlated with the need to have another intervention plan and with high urgency to implement the measures. The perspective of having a new programme correlates positively both with institutional involvement and with urgency level of the actions. The study highlights the importance of participatory processes in the development of public policies.*

**Keywords:** Forestry policies, illegal logging, documentary analysis, intervention programme.

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## 1. INTRODUCTION

Public policies against illegal logging are developed via complex, dynamic, two-way processes between scientific research and governance. In order to analyse to which extent a document fulfils the conditions of a functional public policy proposal at a national level, one has to know the progress the two communities have made internationally and at the country level. This paper introduces the main agreements the governance actors committed to; which are the responsible institutions for developing and monitoring public policies (in particular, against illegal logging); and on the other hand, the contributions of the research community. The latter includes how the issue of illegal logging has been defined; the frameworks developed to evaluate public policies; and what attributes a public policy against illegal logging has to satisfy.

In 2005, the Europe and North Asia Forest Law Enforcement and Governance (ENA FLEG) Ministerial Conference in St. Petersburg formulated a framework for action to reduce the magnitude and impact of illegal logging for the countries of Eastern Europe and North Asia (ENA). The preliminary report of the conference noted that:

*Since the 1990s, ENA countries have largely shed the forest policies of the previous socialist model (...). Yet, policy implementation has been generally slow, except in those countries that receive external support in policy formulation and implementation(...) Forest policies seldom explicitly and comprehensively address illegal logging. If at all, illegal logging is covered under the general term “forest protection” (FLEG 2005).*

The statement of this Conference underlines:

*The fundamental role of governments to ensure effective governance through laws and policies and their institutional capacity to enforce these laws to eliminate illegal logging, associated trade and corruption in the forestry sector (Ibid.).*

Researchers from Chatham House, the Royal Institute for International Affairs, focused their studies on evaluating the public policies of several governments against illegal logging and related trade. Their monitoring started in 2006 and covers 19 countries. In Europe, the studies included France, the Netherlands and Great Britain. By defining a methodological framework in the evaluation of public policies against illegal logging, Hoare, Lawson and MacFaul established a set of indicators which were slightly adapted for each category of country - producer, processor and consumer (Hoare 2014a; Hoare 2014b; Hoare and Wellesley 2014; Hoare 2015; Lawson 2007; Lawson 2014; Lawson and MacFaul 2010). These indicators correspond to four areas: media attention, policy

framework, expert perceptions and third-party certification (e.g. the Forest Stewardship Council – FSC, Chain of Custody – CoC certification). For assessment of the policies against illegal logging, the Chatham House experts used a standard list of questions, which they continuously revised (the last update was made in 2018). The answers were scored against three criteria: if the policy exists (0-2), how well designed it is (0-5) and how well implemented it is (0-5) (Chatham House 2008).

Researchers were also interested to clarify the attributes that a public policy against illegal logging has to satisfy. Goncalves et al. (2012) recommended the development of an integrated criminal justice strategy against illegal logging that adopts and implements clear and comprehensive policies:

To be effective, the strategy must target high-level corruption and the companies that pay bribes. It must aim for successful investigations, prosecutions, and the confiscation of the proceeds of crime. The strategy should include clear objectives and an assessment process for tracking progress. Policies should prioritize major illegal logging cases and should devote the necessary resources to ensure that competent practitioners with the required tools and expertise can take on these cases (Ibid., p. viii). Blaser and Zabel concluded that there are five crucial elements in assessing forest law enforcement and governance. Two of them are about the way the policies against illegal logging are formulated: ‘Ensuring that forest-related laws and policies are rational, equitable, transparent and streamlined;’ and ‘Formulating policies in the forest and other sectors that consider the economic and social dynamics that underlie illegal activities’ (Blaser and Zabel 2015, pp. 10-11).

Romania is located in Eastern Europe with forest area covering 30.12 % of the land. From a political point-of-view, the country returned to democracy in 1989 after 45 years of communism; and in 2007, it joined the European Union (EU). With respect to public policies, there has been a shift in the pre-accession period of Romania to the EU. Romanian academia assimilated the concept of ‘public policy’ (issue, process, variants, public policy proposal, etc.). Then, it quickly managed to promote the concept and corresponding working procedures at the governing level: several methodological guidelines on defining and stating a public policy issue were proposed to the government (Bondar 2009, pp. 15-22).

In 2003, a Public Policy Unit was established at the level of the General Secretariat of the government in order to set unitary frameworks for solving the social, economic or ecological situations that required the intervention of specialised central public administration. This process received EU’s attention, which was interested in the emergence of such programmatic tools capable of managing structural funds.

Subsequently, specialised units in the field of public policies were established within ministries and other bodies of the central public administration. The role of the technical teams in these structures had to be (at least theoretically) monitoring critical issues claimed by society or which were identified by the structure itself and that have the potential to qualify as ‘public policy problems.’ Moreover, the units had to define these issues, to propose alternative solutions to solve them, to implement the chosen measures and of course, to evaluate their impact. The lever of action was their competence to initiate draft normative acts by the institution’s head order.

The conditions and content for a public policy document are regulated by law in Romania: Government Decision 775/2005 establishes the regulation on the procedures for elaboration, monitoring and evaluation of public policies at the central level (G.D. 775/2005).

The National Plan Against Illegal Logging (*Planul Național de Combatere a Tăierilor Ilegale de Arbori- PNCTIA*) is the first public policy proposal made to combat this issue. This proposal was formulated to fulfil the commitments made by Romania in the pre-accession period. Several actions were taken in this regard from 2003: adoption of Forest Law Enforcement, Governance and Trade [FLEGT] Action Plan by the European Commission; Vienna Declaration at the Fourth Ministerial Conference on Forest Protection in Europe (MCPFE 2003); and Agreement at St. Petersburg (ENA FLEG 2005), the latter two being decisive. Romania committed to ‘take effective measures to promote good governance and forest law enforcement, and to combat illegal harvesting of forest products and related trade, and contribute to international efforts to this end’ under the Vienna Declaration (MCPFE 2003). The country also committed to ‘provide and analyze information about the impact and underlying causes of illegal harvesting of forest products and related trade on forest biological diversity; take effective measures to combat illegal harvesting of forest products and related trade, and build capacity to ensure effective forest law enforcement’ under Resolution 4(7) of the Vienna Declaration (Ibid.).

In a recent study (Bălăcescu and Negruțiu 2019), the issue of illegal logging in Romania was discussed, proving through content analysis of the media agenda<sup>1</sup> that

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<sup>1</sup> Public policy theory defines three types of agendas: 1. the public agenda - comprising all the issues perceived by community members; 2. the institutional agenda - gathers the issues that the decision makers intend to solve in between a time period; 3. the media agenda - which acts as a facilitator between the public and institutional agendas, but may also advance its own priorities (Profiroiu and Iorga 2009). References on the influence of the media agenda over the other agenda types are made by. (Cook et al. 1983).

illegal logging fulfilled the characteristics to be transferred from the public to the institutional agenda. According to Gerston (2008), an issue can be transferred from the public to the institutional agenda when it fulfils three characteristics:

- a. its impact has a large magnitude (**intensity**);
- b. a significant number of persons or communities are affected; and,
- c. **the issue is time persistent** (the issue developed systemically, as the land laws from 1991, 2000 and 2005, regarding forestry land were applied as well) (Ibid., pp. 31-37).

Bălăcescu and Negruțiu (2019) listed some stakeholders involved in the problem of illegal logging and what priorities they had declared. It was shown which of these stakeholders tried or even managed to include this issue from the public agenda into the governmental working agenda.

In this context, the present study aims to evaluate the content of the PNCTIA (MAPDR 2007) to determine whether it meets the conditions and content for a public policy document (public programme). The purpose is to:

1. find out how illegal logging as a public policy problem is defined in PNCTIA;
2. identify areas that the proposed public policy had to operate in;
3. establish the objectives, intervention alternatives and activities to be undertaken; and,
4. estimate results and set of indicators for the monitoring and evaluation process (Objective A).

Moreover, it is investigated to which extent PNCTIA is understood by specialists (forestry staff, policemen, prosecutors) and by the general public interested in illegal logging and how efficient it is perceived (Objective B). The study also intends to quantify, at the individual perceptual level, the need to develop a new public policy programme and the urgency of implementing measures in this direction.

In this regard, elaborating a customised methodology is essential: the guidelines on elaboration, monitoring and evaluation of public policies need to fit this specific issue and the national context. The present study is a premiere in terms of employing Social Sciences tools to analyse a public policy proposal against illegal logging in Romania and can also serve as a methodological model to evaluate other public policy proposals developed at a national level.

## **2. METHODOLOGY**

For objective A of the research, the method of content analysis was employed. It is a qualitative, non-reactive method, which limits the effects of the analyst distortion, studying the content of official public documents (Chelcea 2007, pp. 509-525), in this case the PNCTIA (2007). Based on the guidelines provided by Bondar (2009) and Kusek and Rist (2004, p. 26) on elaboration, monitoring and evaluation of public policies, the study formulated a set of content criteria (with 12 dimensions and seven sub-dimensions, on five levels, see Table 2), following phases of the public policy process: from its definition to its monitoring and evaluation phase. This framework allows a systematic evaluation of the document.

Objective B of this research was achieved using the questionnaire technique (Chelcea 2007, p. 290), because on the speed of data collection, its low cost and its higher levels of objectivity compared to many alternative methods of primary data collection. The categories of respondents were chosen from a stakeholder checklist – a methodological step specified by Weimer and Vining (1992, p. 466-470). The study chose to realise the stakeholder hierarchy following the checklist model, structured on various levels, because this model is frequently used by researchers (Grimble and Wellard 1997).

### **2.1. Stakeholder Identification: Checklist and Interview Methods**

The first version of the checklist was obtained through an inventory of the national, central and local media agenda.<sup>2</sup> Using keywords like ‘illegal logging’, ‘illegal forestry activities’, ‘tree cutting’ etc. on the Internet search engine Google, 1219 hits (news, articles, comments, releases, public positions) were found online for the timeframe 1 January 2006 - 8 August 2019 regarding ‘illegal logging’ or related aspects. The information sources were recorded. The technique is similar to snowball sampling. The investigation field proposed an easily accessible segment of the media as specified by Dunn (2010, p. 129).

Following a methodological principle also used by other stakeholder analysts (Schmeer 2001), a working group consisting of four specialists in forest management was established: a senior advisor from the Ministry of Environment – the Minister’s Control Body and three inspectors of the Brasov Forest Guard. Their identity is protected on request and they are marked by the indications I.1- I.4. The working group synthesised

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<sup>2</sup> Hoare (2015) investigates by quantitative and qualitative methods the occurrence of the issue of illegal logging and the related trade in mass media. The author calls it ‘the level of attention paid by domestic and international media.’

the final version of the stakeholder list and the questionnaire items. The asked questions are presented in Appendix 1.

The responses were recorded on 5-point Likert scales with verbal descriptions: 1=not at all/ almost nothing; 2= a bit; 3=somewhat; 4= significantly; 5= totally. Moreover, expert I.2 was interviewed about how PNCTIA was developed.

## **2.2. Investigating Stakeholder Opinion**

1098 questionnaires were sent to the respondents. Romanian Post was the main channel used (942 requests, 85.8%), the other requests were performed via e-mail and as a Google form. In total, 505 filled up questionnaires and 30 negations to fill up the questionnaire were received. Table 1 presents the questionnaire response rate, according to the different categories of respondents. The response rate is the sum of the number of received questionnaires and received negations divided by the number of sent requests. The negations were added as well, because they are a form of answer, out of which scientific conclusions can be drawn: the stated purpose of the questionnaire was not in all cases understood or sometimes answering to the questionnaire was avoided by invoking reasons, e.g. reduced number of registered cases.

To validate the questionnaire, a few conditions were set. If several identically filled out questionnaires returned from the same institution, suggesting that they were filled out by the same person, only one copy was taken into consideration. Moreover, if the questionnaire was not completely filled out i.e., a whole section was left blank, the questionnaire was not considered valid.

After validation, from the 505 received questionnaires, 492 responses were obtained and they constituted the sample on which the analysis and the interpretation was performed. The structure of the sample by professional categories is presented in Figure 1.

The category of ‘forestry staff’ includes the following:

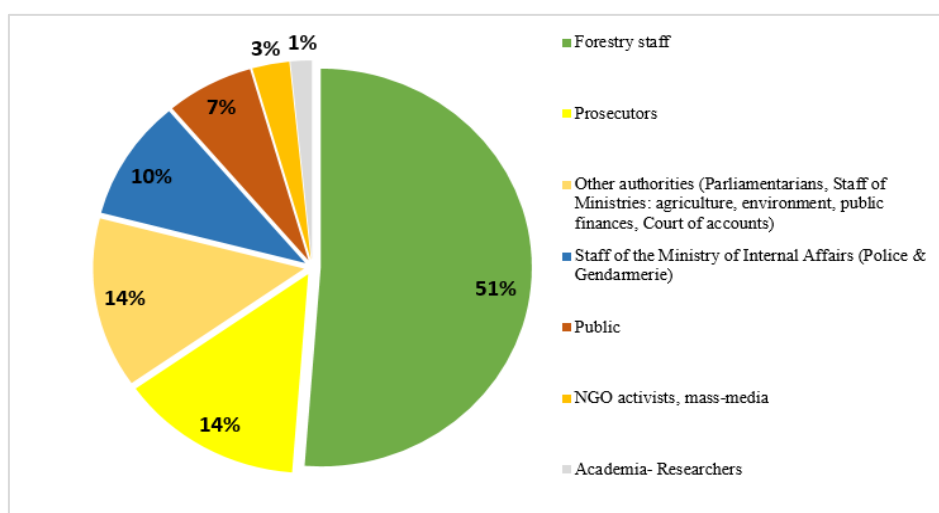
- employees of the Ministry of Waters and Forests (MAP<sup>3</sup>) and of the directly subordinated structures, including territorial forestry guards;

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<sup>3</sup> The former Ministry which the central forestry authority was a part of.

- employees of NRP Romsilva<sup>4</sup> and of its subordinate structures, county state departments and offices, including staff of the national parks;
- staff of the forestry territorial offices (private forest offices, autonomous forestry districts and local public divisions);
- members of hunting associations, specialised unions, professional organisations, producer and trade associations;
- specialists from the units certified for forest management works;
- staff of logging companies;
- owners and administrators of large, medium and small-sized forests not belonging to the state.

**Figure 1: Structure of the Analysed Sample by Professional Categories**



Source: Author's own.

<sup>4</sup> NRP Romsilva is the administrator of the forest land public property of the Romanian state, but it also manages and provides forestry services for other beneficiaries (forest owners, natural or legal persons); the state forest districts are subordinate to RNP-Romsilva.



**Table 1: Response Rate to the ‘Illegal Logging in Romania’ Questionnaire**

Category		Sent Requests	Response Rate (%)
Specialists	Forestry staff	580	44.14
	Prosecutors	184	50.00
	Staff of the Ministry of Internal Affairs (Police & Gendarmerie)	86	87.21
	Academia- Researchers	38	92.11
Non-specialists	Public	46	100.00
	NGO activists, mass-media	44	18.18
	Other authorities (parliamentarians, staff of Ministries of Agriculture, Environment, Public Finances and Court of Accounts)	120	19.17
Grand Total		1098	48.72

*Source:* Author’s own.

### 3. RESULTS AND DISCUSSION

#### 3.1. Emergence and Publication of PNCTIA

The PNCTIA was drafted by a group of specialists from the Directorate of Forestry and Hunting in 2007 (MAPDR 2007) and became public only the next year when it was posted on the website of the Ministry of Agriculture and Rural Development (MAPDR). A detailed description of the institutional actors involved in its elaboration is presented in Appendix 2.

The contents of PNCTIA show that the two preliminary stages of identifying and formulating the problem were completed as follows:

1. The public agenda, i.e., the problems which were at that time in public discussion, was consulted.
2. The problem of illegal logging was sorted out, meaning that an analysis was carried out on the different problems and it was a choice of the decision-makers to place it on the governmental agenda.

The plan analysis shows that there were two entities that, according to the authors of PNCTIA, took actions at this level: the **media** intervention and the commitments made in front of the **European institutions** in the pre-accession phase by Romania, considered as strategic and political priorities by the Government and by MAPDR.

Other stakeholders did not have a decisive role in the elaboration of PNCTIA. At that time, environmental Non-Government Organisations (NGOs) did not exert pressure to develop a strategy focused on combating illegal logging. The stakes of their actions, which were mostly launched in the media, were complementary, but different. The environmentalists were interested in the functioning of the already constituted protected areas and in privileges granting their administration.<sup>5</sup> Until the appearance of PNCTIA, only one organisation showed its specific interest in fighting against illegal logging in the report 'Illegal logging in Romania' (WWF 2005), which had an echo at the Ministerial Conference on Protection of Forests in Europe (MCPFE) in 2005 held in Madrid, Spain.

### **3.2. Classification of PNCTIA: Goal of the Public Policy Proposal**

The authors of PNCTIA registered the programme as 'part of the public policies for reducing crime and fighting corruption.' However, PNCTIA was not classified in compliance with the Government Decision no. 1361/2006 regarding the content of the instrument for presenting and motivating the draft normative acts submitted for government's approval (G.D. 1361/2006).

Classifying the public policy is relevant because it determines the way we 'see' the problem and who are responsible for its elaboration. We think that it is important to find out which category PNCTIA could have been assigned to.<sup>6</sup> PNCTIA could have been registered in the category *public policies on natural resources, agricultural*

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<sup>5</sup> For example, in 2007, a representative coalition of these organisations discussed at a general assembly, the intention to notify the European Commission about the 'total disinterest of the authorities regarding the conservation of Romania's natural values.' They were referring to the 'alarming cases of illegalities in the protected areas of Romania, such as the illegal constructions in Ceahlău, the destruction of Tau Stiol, the cuts and the constructions in Piatra Craiului, the illegal construction of the DN 66A road in Retezat' (Nature 2000 Coalition, 2007). The boycott towards the establishment of the Administration of the Environment Funds and the appeal made on the 'Superski in the Carpathians' project were two other targets of these organisations related to the same problem of protected areas (Olivotto 2006).

<sup>6</sup> In Romania, the professionalisation of public policies development started in 2005, once the Government Decision no. 775/2005 was approved. This G.D. included a standard for presenting public policy proposals. In this context, the Institute for Public Policies Bucharest, a NGO which promotes improvement of the quality of public policies elaboration in Romania, published a guide on the method and techniques which can be employed in elaborating, monitoring and evaluating public policies. This guide follows the items of G.D. 775/2005 and introduces a classification of the public policies in 19 types and 49 subtypes, based on the socioeconomic life: 1. public policies on budget and finances; 2. industrial public policies; 3. service-related public policies, [...] 6. public policies on natural resources, agricultural production and processing, [...] 19. public policies on internal affairs.

*production and processing*, under the subtype ‘sustainable development in the field of forest management’ because a problem of forestry management affects sustainable development. It could have also been registered in the category *public policies on internal affairs*, in the subtype ‘crime fighting, public order and protection ensuring’, given that it is directed to combat illegal actions.

Choosing one of these two options could have clarified the programme goal: do we want a public policy in which the state intervenes (supposedly malfunctioning) in the natural resource management or do we initiate a public policy to strengthen the state’s capacity to fight a criminal act? The central authority responsible for forestry in Romania took over the responsibility of formulating the public policy by elaborating PNCTIA, even though it does not have competencies to investigate criminal offences, but only in reporting criminal offences.

### **3.3. The Problem Definition Phase of PNCTIA**

Even from the title, the public policy statement is likely to fall into a common trap: ‘defining the solution in defining the problem’ (Bardach 2009, p. 8-13). The public policy proposal accepts unconditionally that there is a problem of illegal logging, that the problem is real and that the solution would be ‘combating it.’ However, this solution is not sufficient, because the interventions that propose the solution of the criminal problems, unconditionally suppose other actions, i.e. ‘prevention’, distinct from ‘combatting.’

In PNCTIA, the term ‘illegal logging’ is defined in the narrow sense of the phrase ‘illegal forest exploitation’, although the concept is assimilated into ‘illegal forestry activities’ which is a much more comprehensive concept. Specifically, the authors of PNCTIA do not make a clear distinction between the two concepts: they obviously refer to the first ones which they define using the second phrase.

There is a lack of clarity in the problem definition phase, which indicates that the rhetoric of the problem has not been overcome, and the statements, objections, discussions and other such messages have not undergone conceptualisation. Public policy problem analysts recommend to think about the problem in terms of ‘deficit’ or ‘surplus.’ Moreover, it should be evaluative and go beyond the mere idea of a ‘problem’ that ‘makes people believe that something is wrong with the world’ (Ibid.).

In this study, based on the existing evidence, there were two options to define the problem:

- a. If the public policy considers the forest management segment, then it should have aimed at a quantification of uncontrolled exploitation, specifying its magnitude.

Consequently, the argument for definition would have been: ‘A lot of the wood extracted from Romania’s forests is illegally cut’ or ‘The illegality rate regarding activities in the forestry sector is high.’

- b. If public policy had been a matter of internal affairs due to the increase in criminal activities in this field and considers the interest of the structures for combating illegalities, the argument for definition would have been: ‘There is a lack of efficiency of the structures of protection and defence of the forest heritage in the prevention and combating the illegal acts in this sector.’

At first glance, these seem simple formulations (hypothetical situations), but they must be based on a rational process that starts from the perceived situation and from the available data about the issue. The authors of PNCTIA did not formulate the problem this way.

### **3.4. Causes of Illegal Logging Identified by PNCTIA**

Regarding the collection of relevant information on the state of the issue, PNCTIA provides only two sets of data, without indicating their source and how the estimates/ evaluations/ measurements were made in 2007:

1. ‘area of logged forests (felled) through illegal logging is estimated at 95,077 ha;
2. area of forest cut down by illegal logging is evaluated at 32,524 ha’ (MAPDR 2007).

If one considers the fact that, according to the same report, the forest area in Romania in 2007 had been 6.38 million ha, the total area affected by illegal logging would have represented about 0.02%. This percentage does not show the magnitude of the issue.

PNCTIA does not provide any data on this hypothetical situation, but in the chapter ‘Causes of Illegal Logging’ it is stated, among the 16 factors that ‘influenced the magnitude of the phenomenon of illegal logging’, the following are important:

1. ‘Degradation of the organizational culture at the level of forest administration.
2. Lack of proper forest fund safeguard.
3. Insufficiency of forestry control staff.
4. Inappropriate involvement of local authorities with control functions’ (MAPDR 2007).

PNCTIA’s structure is based on causal modelling, trying to provide a projection of illegal logging on the cause-effect relationship. PNCTIA distinguishes between ‘causes’ and ‘factors that influence the phenomenon’, without clarifying whether there is a determination report (directly/indirectly), whether there is a hierarchy of the causal

elements that should be prioritised (primary, secondary, tertiary, etc.) or to whom they may be assigned. The document states that there would be two main causes:

1. 'The desire to obtain immediate or illegal incomes;
2. The low level of the income of the inhabitants of the areas identified with abusive cuts and the lack of work opportunities, which determined the choice as a source of income, the illegal exploitation and exploitation of the wood.'

From the criminological point-of-view, based on this consideration no counter measures leading to solving the problem can be designed. First of all, causality cannot focus on the criminogenic factors of economic nature, even though most of the crimes subscribed to the problem of illegal cuts are of patrimonial nature. This idea is based on the sophism that economic relations are the primary cause of crime, as they determine social inequity (due to the different ratio of people to the means of production, to the way in which social goods are distributed); and the latter leads to contradictions and conflicts between social groups that often manifest themselves through different socially dangerous facts (Oancea 1998, pp. 66-70). Both the 'abusive tendency to become rich' and the 'state of poverty' are, in fact, personal traits (individual psychological contents) that arise in a context. This context is generated by the disequilibrium between the objectives declared by the society ('the social projection of wealth') and the real possibilities of a social group (the individual belongs to) to realise the wealth objectives.

The Belgian criminologist and positivist sociologist Adolphe Quetelet solved this problem in 1820, concluding that the individual does not commit crimes due to poverty, but as a consequence of the rapid transition from a state of relative comfort to one of misery (Beirne 1987). Thus, economic transformations with social echoes (economic crisis, industrialisation, etc.) and with an impact on the living standard and on the rate of unemployment have a stronger criminogenic content, but are by no means determinants. Romanian authors, such as (Bouriaud 2005), have proven the link between illegal logging and indicators such as poverty or the share of agriculture in GDP. However, this link is correlational and not causal. Crime, and in this case, forest crime as a whole, is characteristic for both economically underdeveloped and prosperous regions.

The two causes stated in PNCTIA are not sufficient. A sectoral programme, such as the one regarding forestry crime, cannot propose based on this kind of causation to fight against poverty or to reduce the unemployment rate. Such objectives of general interest are targets of macro-strategies, designed at a different level and for a different timeframe. The authors of PNCTIA could have considered that timber thefts are located

more in the private forests than in the ones owned by the state. The data supporting this statement is discussed in detail in Section 4.3.

### **3.5. Intervention Areas and Measurements against Illegal Logging under PNCTIA**

The list of the intervention areas is not clearly indicated and it is incomplete, because PNCTIA did not initiate any consultative process and did not conduct any stakeholder analysis. However, four intervention areas could be deduced from the set of stated measures:

1. legislative framework (changes, updates, simplifications of procedures, correlations between the type of facts and penalties, developments of the secondary legislation - regulations);
2. own institutional structure (facilities and prerogatives to make control structures functional);
3. inter-institutional cooperation;
4. know-how of the control structures (procedures, intervention points).

The problem-solving phase of PNCTIA is limited to the set of measures structured on the logistic chain of wood exploitation and it is a direct consequence of the restricted manner of defining the problem. Thus, interventions are envisaged for:

- a. illegal logging
- b. non-observance of the legal provisions (NPL) regarding wood exploitation
- c. NPL regarding transport, processing and marketing of wood materials.

Even though the determinants are listed (PNCTIA mentions 16 influencing factors), they are not proposed to be solved and there are no allocated targeted counter-interventions. Moreover, the public policy proposal does not provide alternatives for solving each problem separately and does not foresee scenarios to estimate the expected interventions impact on the problem/target groups. There was no impact study.

Some of the proposed activities in PNCTIA can be validated (and therefore, the document can be useful), but since no source of financing for these activities is identified or specified, the implementation phase of the whole plan perished. The deadlines for the actions (the first and second semesters of 2007) were unrealistic.

The plan did not set objectives (to state measures/actions is not the same as setting objectives for public policy). In any public policy, the system of indicators has to consider the fulfilment degree of some objectives.

*In the evaluation process, the evaluating agent (usually, it must be different from the implementing agent) uses performance indicators. These indicators are closely related to the objectives of the policy and contribute to measuring their achievement and can be classified into several categories: a) indicators of results and impact, b) indicators of effectiveness, c) indicators of activity and process and d) efficiency indicators (Profiroiu and Iorga 2009).*

Without specifying the objectives, the proposed indicators do not have a reference element. Quantifying the results was reduced to following six indicators that exclusively target the control activity and the frequency of their collection:

1. 'Number of performed actions/ number of proposed actions – semi-annual;
2. Volume of illegally cut timber (cm) - semi-annual;
3. The volume of timber confiscated (cm) – semi-annual;
4. Area taken over in administration (ha) – semi-annual;
5. Surfaces of illegally cut trees (ha) – annually;
6. Surfaces with less trees because of illegal logging - 0.3-0.1 (ha)' (MAPDR 2007).

Without describing how to collect relevant information for measuring policy progress, without linking it to the objectives, because the latter are not defined, the proposed outcome indicator system may not have the capacity to give consistency to the policy monitoring process directed against illegal logging. Ideally, relevant and measurable statistical data and indicators should show how the allocated resources and the provided services reached their target and lead to the identification of possible deviations from the initially set goals.

### **3.6. Overall Evaluation of PNCTIA**

The study summarises the result of the PNCTIA evaluation by assigning the ratings 'minimal' – 'insufficient' – 'partial' – 'sufficient' – 'maximal' to indicate the extent to which certain content criteria of the Plan was met (Table 2). Sections 3.1-3.5 point out the arguments that justify the level of the granted qualification.

**Table 2: Degree of Fulfilment for the Content Criteria of PNCTIA as a Public Policy Proposal**

No.	Criterion	Fulfilment Degree
<b>Phase of Problem Formulation</b>		
1.	Defining the illegal logging problem	partial
1.1	Stating illegal forestry activities types	partial
1.2	Identifying the causes of illegal logging	partial
2.	Collecting the relevant data for the state of art regarding illegal logging <sup>7</sup>	minimal
2.1	Stakeholder identification	minimal
2.2	Setting the fields of intervention	insufficient
3.	Starting the consulting process	minimal
<b>The Solution Phase</b>		
4.	Defining the solution options. Suggesting alternatives	minimal
4.1.	Resources (financial, human, time) estimation for each option	minimal
4.2.	Estimation the expected impact on the problems/ target groups	minimal
4.3.	Choosing the appropriate solution option. Set the measurements	insufficient
5.	Conducting an <i>ex-ante</i> study/ impact study	minimal
<b>Public Policy Implementation Phase</b>		
6.	Set activities for implementing the public policy	insufficient
7.	Identifying the financial sources	minimal

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<sup>7</sup> Such as scale of the phenomenon, its extent and location, nature of the illegal forestry activities, the actors involved and any other data that describe the problem and may lead to a good definition of it.



Monitoring & Evaluation Phase		
8.	Setting the public policy objectives. Quantifying the results	minimal
9.	Setting the means and methods to collect the relevant data	minimal
10.	Choosing the performance indicators to measure the policy's progress	insufficient
11.	Setting the deadlines to accomplish the objectives	insufficient
12.	Updating the public policy	minimal

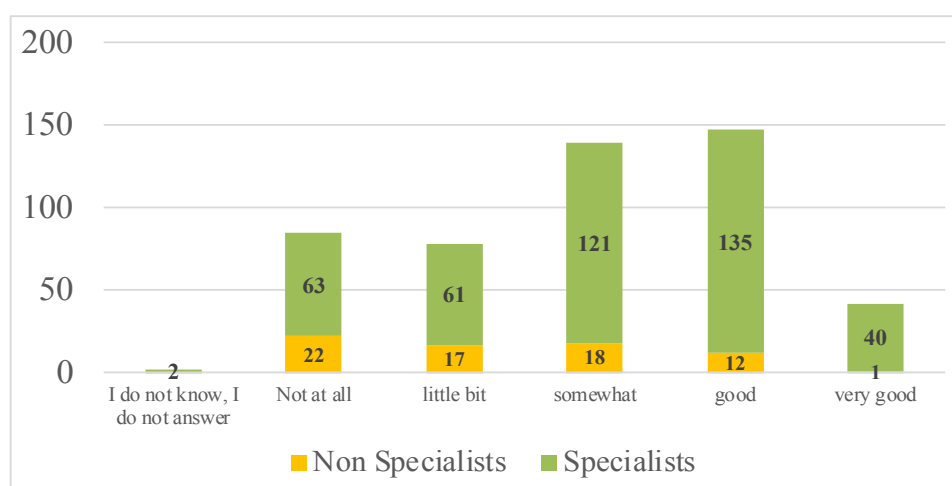
Source: Author's own.

### 3.7. Perception of PNCTIA by Specialists and Non-specialists

Hereby the results obtained on the sample (492 responses to the questionnaire - extensively discussed in the Methodology section) are presented.

To the question 'Do you know the content of the *National Plan Against Illegal Logging* (PNCTIA), a public document...?', the respondents belong in three categories, which are relatively equal in weight: those who declared that they do not know or know less about PNCTIA were 33.1%; those who knew it somewhat were 28.3%; and those who said they have good and very good knowledge about PNCTIA were 38.2% of total respondents. There were very few respondents who did not want or did not know how to respond to this item (0.4%). Figure 2 presents these results:

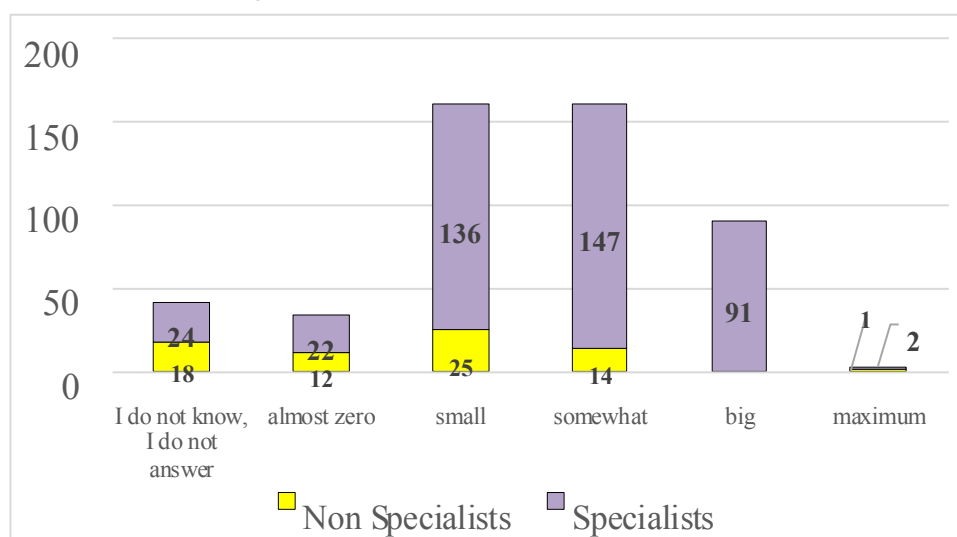
**Figure 2: Level of Knowledge of PNCTIA Respondents**



Source: Author's own.

When the questionnaire was constructed, the possibility of desirable answers was anticipated, because of the so-called ‘logical coherence’ of the respondent who assumes the position of the plan connoisseur, even under the protection of anonymity. As mentioned, PNCTIA was officially accessible for 7 years (it was posted on the official website of the dedicated ministry until 2015). Five years have passed since its ‘disappearance.’ Therefore, these levels of ‘knowledge’ were not targeted - the item was considered a ‘blind’ question. It was designed to find out if the respondents were aware that there was a ‘trace’ of the fact that there is a strategy, a set of government concerns in this regard, whose efficiency can be evaluated. In conclusion, the majority had the awareness that ‘there is a plan.’

**Figure 3: Perceived Effectiveness of PNCTIA**



*Source: Author's own.*

In terms of effectiveness, 39.6% of the respondents considered that the result of PNCTIA measures is rather low than high (19.1%). More importantly, the share of the undecided and the share of those who did not know or did not want to comment on this topic is high - 32.7% and 15.4%, respectively. More importantly, the share of the undecided and the share of those who did not know or did not want to comment on this topic is high - 32.7% and 15.4%, respectively. The lack of appreciation regarding the effectiveness of PNCTIA measures is correlated with the declared need to develop a new programme. A substantial majority (77%) shared this view. The institutional commitment (79%) stated by the respondents is also decisive and so is the great

urgency of a desired intervention (84.8%). However, it is very important to note that the share of those who did not chose a direction of the rating scale, i.e. those who answer ‘somewhat’ and could be undecided, is high: 32.7%. In this category, we include respondents who did not know or did not want to comment (8.6%). The group of those who ‘do not know’ or ‘cannot decide’ is represented by the population that lacks information about the actions that have been taken by the authorities or that have not been able to consolidate their attitude regarding the effectiveness of counter-measures against illegal logging. In this context, we can discuss the *topicality*<sup>8</sup> of the question and, related to this indicator, the concept of *horizon*<sup>9</sup> of a person or of a group.

The formulae<sup>10</sup> for the topicality of the question is  $T = \sqrt{\frac{(p_+ \times p_-)}{p_0^2}}$ , and

for the majority opinion is  $MO = \frac{(p_+ - p_-) \times (100 - p_0)}{100}$

where

$p_+$ ,  $p_-$  and  $p_0$  represent the percentage of positive, of negative answers and of respondents without an opinion, respectively.

**Table 3: Topicality (T) and Majority Opinion (MO) calculated for the Trichotomic Question**

*How effective do you think the actions have been undertaken so far?*

	<b>PNCTIA efficient (<math>p_+</math>) %</b>	<b>PNCTIA irresolute, I don't know (<math>p_0</math>) %</b>	<b>PNCTIA inefficient (<math>p_-</math>) %</b>	<b>MO</b>	<b>T</b>
Specialists	22.0	40.5	37.5	-9.22	0.71
Non-specialists	1.4	45.7	52.9	-27.97	0.19
Whole sample	19.1	41.3	39.6	-12.03	0.67

Source: Author's own.

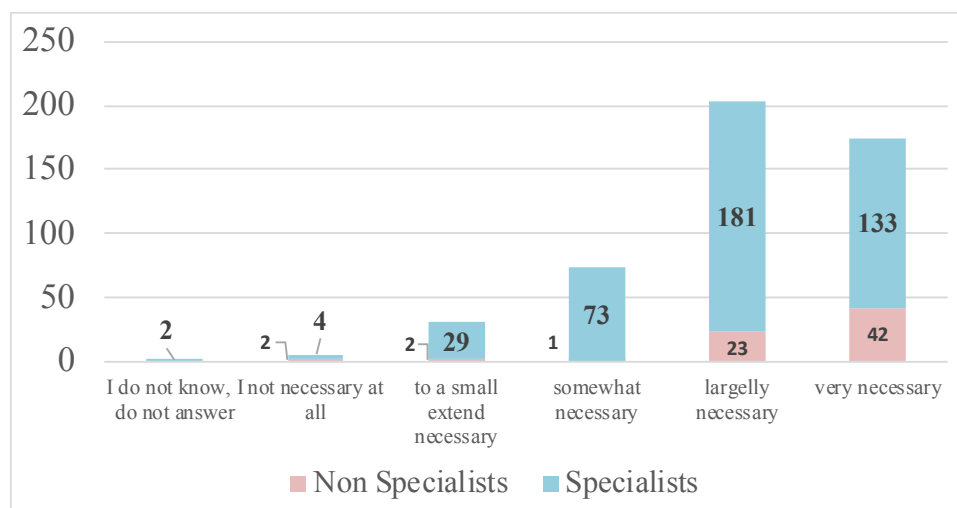
<sup>8</sup> The attribute of being of interest at the present time (Chelcea 2007, p. 274).

<sup>9</sup> As introduced by Hofstätter (1966) ‘A person’s horizon can be determined by the number of questions that are current to him.’

<sup>10</sup> The formulae are given as means to evaluate the topicality and the majority opinion (Bălaşa and Sebe 1995).

Table 3 shows that the general opinion regarding to PNCTIA is generally negative (-12.03). Interestingly, there are three times more negative answers from non-specialists (-27.97) as from specialists, the ones directly involved in combating illegal logging (-9.22). The topicality of the question is low (0,67). However, Hofstätter (1966) highlights that the topicality of a question is not directly proportional to the importance of the questioned problem. T shows the degree of interest the respondents have on that specific topic. The result shows that the respondents are not interested to evaluate the efficiency of a previously proposed programme. The non-specialists have a low majority opinion MO (0.19), which is 3.7 times lower than the specialist majority opinion.

**Figure 4: Need for a New Intervention Programme**

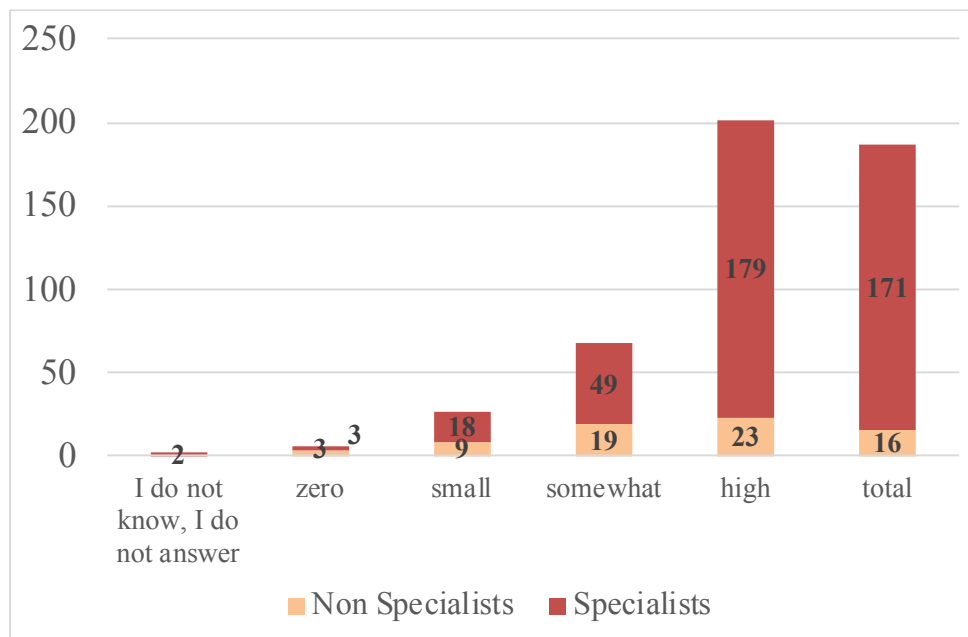


Source: Author's own.

Figure 5 presents the stakeholder willingness to get involved in a new programme with a scenario similar to the one discussed for the need for a new one. It is possible that the way the respondents answer has been determined by the sequence of questions and the fact that the question can be interpreted as a verification question, in a logical sense: 'If you previously said that something needs to be done, are you willing to you do it?' Thus, the subjects re-evaluate their intention to act: 79% state that their institutions will fully engage in the new project. The percentage of the respondents with a reserved attitude decreased slightly compared to the answers given to the previous question (13.8% compared to 15%). Instead, there is a noticeable change in the structure of this segment of respondents: 27% of the non-specialists show a reserved attitude. We can

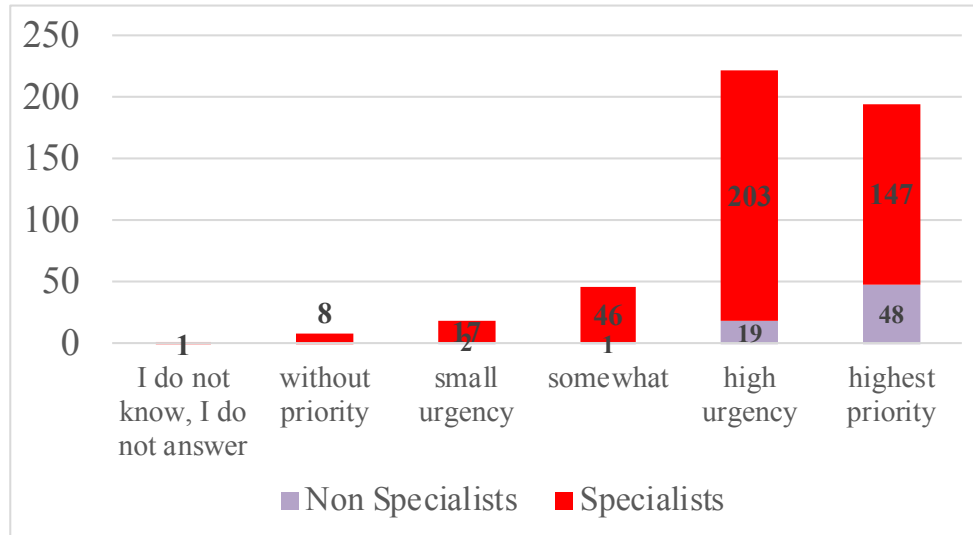
explain the way of judging the availability of the institution where the respondents work based on the competencies that the respective institution has in relation to solving the problem of illegal logging. The general public might not foresee concrete ways on how their institution could be involved in the solution of the problem. However, 5.7% of specialists left the area of uncertainty with respect to the need of a new programme and consider that their institution has to act, following social conformity, i.e., complying with the requirements.

**Figure 5: Stakeholder Willingness to Get Involved in a New Programme**



Source: Author's own.

**Figure 6: Urgency of the Intervention Desired by the Stakeholders**



*Source: Author's own.*

When we consider the urgency that the subjects demand in order to elaborate a new policy on illegal logging (see Fig. 6), the results show a decisive trend. 84.8% of the respondents put pressure on the authority to change their position and engage in new actions. The proportion of non-specialists, who have the outsider perspective to the problem of illegal logging, is even higher (95.7%). This high level of urgency is worrying and will be discussed ahead.

Correlation analysis, which was performed using two nonparametric tests (Kendall's Tau coefficient and Spearman's rank correlation coefficient), highlights that respondents who associate the inefficiency of PNCTIA measures are somewhat reluctant to see the future commitment of their institutions in a new programme. Moreover, a low level of effectiveness, as it is represented at the individual level, is also highly correlated with the need to have another intervention plan and an urgency to implement the measures. The prospect of having a new programme correlates positively with the institutional involvement seen by each interested party and with the urgency of the actions (Table 4):

**Table 4: Correlations between Measured Variables: PNCTIA Efficiency - Need for a New Plan – Institutional Involvement – Urgency**

			Efficiency of PNCTIA	Need for a New Plan	Institutional Involvement	Urgency
Kendall's tau_b	Effectiveness of PNCTIA	Correlation Coefficient	1.000	-.167**	.152**	-.153**
		Sig. (2-tailed)		.000	.000	.000
		N	492	492	492	492
	Need for a New Plan	Correlation Coefficient	-.167**	1.000	.124**	.513**
		Sig. (2-tailed)	.000		.002	.000
		N	492	492	492	492
	Institutional Involvement	Correlation Coefficient	.152**	.124**	1.000	.074
		Sig. (2-tailed)	.000	.002		.066
		N	492	492	492	492
	Urgency	Correlation Coefficient	-.153**	.513**	.074	1.000
		Sig. (2-tailed)	.000	.000	.066	
		N	492	492	492	492
Spearman's rho	Efficiency of PNCTIA	Correlation Coefficient	1.000	-.196**	.175**	-.176**
		Sig. (2-tailed)		.000	.000	.000
		N	492	492	492	492
	Need for a New Plan	Correlation Coefficient	-.196**	1.000	.139**	.557**
		Sig. (2-tailed)	.000		.002	.000
		N	492	492	492	492
	Institutional Involvement	Correlation Coefficient	.175**	.139**	1.000	.082
		Sig. (2-tailed)	.000	.002		.070

		N	492	492	492	492
	Urgency	Correlation Coefficient	-.176**	.557**	.082	1.000
		Sig. (2-tailed)	.000	.000	.070	
		N	492	492	492	492

Source: Author's own.

\*\* Correlation is significant at the 0.01 level (2-tailed).

#### 4. DISCUSSION

Because the public policy problem is complex and poorly defined or structured, a preliminary study is necessary to identify policy objectives and their operational facets, in order to reveal the detailed factors causing the problem. This study has presented the arguments why PNCTIA does not meet the criteria for a functional public policy proposal, identifying the weakest areas of the strategy:

- problem formulation phase: lack of information relevant to the state of current issue (a deficient quantification of ‘illegal cuts’), the incomplete list of stakeholders and not initiating the consultative process;
- solution phase: not defining clear alternative solutions, not estimating the costs and resources involved, not conducting an *ex-ante* study;
- implementation phase: not identifying any funding source;
- monitoring and evaluation phase: lack of forest policy objectives, not quantifying the results, absence of a system of indicators to monitor the programme progress and not specifying how to collect the relevant information, not updating the programme.

##### 4.1. Areas of Intervention of a Public Policy against Illegal Logging

Specifying the areas of intervention is important. For example, a policy against illegal logging involves two broad areas of intervention (A. prevention and B. combating), with specific areas, as proposed in Table 5. Of course, a forest policy combatting illegal logging can only address a few areas. Indicating the policy areas is related to the objectives and priorities set by the policy (upstream of the formulation process) and to the measures/ actions to be carried out (downstream of the formulation process).



**Table 5: Possible Areas of Intervention of a Policy against Illegal Logging**

Major Area	Area	Aim of the Area and Possible Tasks
Prevention of Illegal Logging	Information-Communication	<ul style="list-style-type: none"> <li>- Obtaining data from the timber market (quotations, market distortions, etc.)</li> <li>- Establishing a set of relevant indicators that can describe the issue</li> <li>- Unifying the reporting of data and indicators communicated by the institutions involved in the programme</li> <li>- Establishing a responsible for monitoring the evolution of the issue</li> <li>- Sending regular alerts</li> <li>- Establishing circuits and levels of information.</li> </ul>
	Risk Analysis	Generation of risk maps. <sup>11</sup>
	Discouragement Area-Prevention Activities	Setting up the general or specific security and field control actions <sup>12</sup> with Role of discouraging fraudulent actions.
	Certification-Licensing	Labelling and certification.
	Responsibility-Education	<ul style="list-style-type: none"> <li>- Developing professional ethics (including trainings, courses);</li> <li>- Offering good behaviour incentives (e.g. conditional loans and tax offsets).</li> </ul>
	6. Etc.	
Combating Illegal Logging	Legislation	Establishing measures that set a balanced and functional legislative framework.
	Law Application	<ul style="list-style-type: none"> <li>- Containing the measures that follow how the phenomenon that has already occurred is documented and sanctioned by each responsible institution;</li> <li>- Capturing the syncope that can occur in the chain of justice (such as novel enforcement methodologies).</li> </ul>

<sup>11</sup> Illegal logging does not manifest in the same way and with the same intensity. Risk maps allow the proper allocation of forces in areas with a high risk of occurrence of the problem.

<sup>12</sup> These are distinct activities from those involving the management or administration of the forest fund. They include bottom-up initiatives addressing abuse of workers in the illegal sector.

	Institutional Cooperation-Communication	Establishing communication channels and communication registers between the actors involved in combating the phenomenon (incl. written protocols, bi- or multi-lateral working meetings, exchanges of experience, etc.).
	Combating Corruption	Providing separate measures when the phenomenon of illegal logging is associated with corruption.
	Development-Force Specialisation	<ul style="list-style-type: none"> <li>- Providing additional measures and resources (financial, logistical, human resources, know-how)</li> <li>- Determining the establishment of specialised units within law enforcement institutions, e.g. forestry inspectors, prosecutors, judges etc., with advanced knowledge in documenting illegal forestry activities.</li> </ul>

*Source:* Author's own.

## 4.2. Engaging Stakeholders in Designing Public Policies

Globally, there is a concern regarding the way forestry policies are formulated: from the procedural, but also from the content point-of-view. Stakeholder consultation, agreement and participation in this formulation have been largely absent. 'Perhaps because of the prevalence of top-down approaches, policy formulation exercises have seldom adopted multifunctional development targets that may be of relevance to other stakeholders, and thus continue to be based on traditional and narrow forest conservation and timber production approaches.' Thus, forestry policies mostly reflect the views of government officials (Blaser et al. 2005). The concern the experts expressed 15 years ago seems to still be valid.

The consequences of an inconsistent way of working have repercussions on relations between stakeholders and their attitudes towards a programme. The study found a critical core of stakeholders who are dissatisfied with the effectiveness of PNCTIA and a very high interest towards the elaboration of a new policy, as soon as possible. This 'degree of demand from stakeholders requires immediate attention' (Mitchell, Agle and Wood 1997). The latter designed the salience model and also introduced the concept of urgency. In the current example, urgency has two major meanings:

1. 'delay' (time dimension) - the threshold where non-participation (inaction), non-response to the claim, non-entry in the relationship is unacceptable for the interested parties; and,
2. 'importance' (axiological dimension) - where the demand is valued as a symbolic good that marks the relations between the interested parties.

Thus, some stakeholders in the problem might change, depending on other attributes they have: power and legitimacy.

In 2007, there was a significant amount of think-tank<sup>13</sup> knowledge regarding illegal logging which could define it more precisely as a public policy. Several authors (Contreras-Hermosilla 1997; Contreras-Hermosilla 2002; Callister 1999; Brack and Hayman 2001; Rosenbaum 2002; Rosander 2008; Tacconi 2007; Tacconi et al. 2003) proposed several typologies of illegal activities in the forestry sector. Blaser et al. (2005) describe the analysis context of the problem of illegal logging and also suggested a main framework to construct a national action programme.

Specifically, the Romanian studies published shortly after 2000 referred to illegal logging through the concept of ‘sustainable forest management’, and providing comprehensive analysis of the impact generated by the change in forest ownership, as a result of the forest land retrocession (Bouriaud 2001).<sup>14</sup> At a seminar on strategies for the healthy use of wood held in 2003, in Poiana Braşov, Romania, synthesising the nature of the activities involved in illegal logging, Bouriaud and Niskanen (2003) offered a scheme by which they distinguished between criminal offenses (e.g. wood theft) and violations of administrative law (e.g. non-compliance to the rules on exploitation, transport, etc.). Later, the authors published a study on the causes of illegal logging, showing that there is a direct relationship between the size of the forest area with unclear property rights and the incidence of unauthorised logging (Bouriaud 2005). In the same year, in an analysis of the influence of property and property rights on forests, they suggested that an intervention plan should contain measures to facilitate more effective participation of private landowners in political processes (Bouriaud and Schmithüsen 2005).

Therefore, it is important for the public policy unit of the forestry central authority to access think-tank knowledge provided by academics, researchers and consultants,

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<sup>13</sup> Goodman sees think-tanks as ‘idea factories’, organisations that sponsor research on specific problems, encourage the discovery of solutions to those problems, and facilitate interaction among scientists and intellectuals in the pursuit of these goals. Think-tanks are research-driven entities that produce applied knowledge. Policy-oriented think-tanks focus explicitly on governmental policies to improve these policies or generate viable alternatives (Goodman 2005).

<sup>14</sup> In 1948, at the beginning of the communist regime in Romania, the forest land belonging to private owners (23 % of the total) and local communities and other legal entities (49% of the total) was transferred under state property and administration (Poynton et al. 2000). After the return to democracy, a reform of the forest sector was initiated. The first step in this intercession was realised in 1991 by the Romanian Government, which has embarked into the process of privatisation through restitution of forest land (Abrudan 2012).

stakeholders ‘with an essential role in defining social problems’ (Profiroiu and Iorga 2009, p. 24). These ‘independent groups, involved in multidisciplinary research, meant to influence public policies’ (Simon 1993, p. 492) are important. Foucault tells us why ‘... the political, economic, human sciences are undergoing a real rebirth, because the leaders know that they cannot govern without a certain knowledge’ and ‘the quality of this knowledge qualifies the way of governing’ (Foucault 2005, p. 11).

#### **4.3. Causes of Illegal Logging**

Understanding both the contexts and the factors that directly or indirectly trigger illegal forestry activities should be ‘a precondition for developing effective counter-measures’ (Contreras-Hermosilla 2002). Hereby, the resources available which suggest another cause for illegal logging are presented. Authors of PNCTIA should have considered that timber thefts are located more in the private forests than in the ones owned by the state.

Uncertainty of forest ownership has been reported as a source of unauthorised logging. The larger the area of forest where the property is unclear within a county/region, the higher is the incidence of this type of illegal logging. These findings were already proven by the Romanian researchers, based on data collected in the Suceava Forestry Directorate for the timeframe 1992-1999 (Bouriaud 2005). The different evolution of the phenomenon of illegal logging with respect to the two types of ownership of forest land is stated explicitly in the Annual Report on the state of forests in Romania (MAP 2013). The total volume of illegally cut timber identified by the authorities was 1117.1 thousand cubic meters (cbm), of which:

- 731.227 cbm were identified during the controls performed by the regional offices of the Forest Guard (FG);
- 144.830 cbm were identified by RNP - Romsilva in the forests that are under their administration or for which RNP - Romsilva provides forestry services;
- 39.574 cbm were identified by state forest districts (SFD) in the forests that they manage or for which they provide forestry services;
- 201.476 cbm were identified by the control staff of the central public authority responsible for forestry.

Regarding the important amount of illegal timber identified by the FG inspectors, the report states:

*This distribution is determined by the very large share of the volume of illegal logging or tree theft identified in the forest properties of natural or legal persons who did not ensure the administration or the forestry services through*

*authorized Forest Districts (707.739 cbm out of the total of 731.227 cbm, corresponding to 85%).*

## **5. CONCLUSION**

PNCTIA was a formal reaction of the Romanian government to the international forums' requests (ENA FLEG, FLEGT, MCPFE) with respect to the problem of illegal logging and it was intended to be a public policy proposal. By the technique of document analysis, this study shows that the definition of the public policy problem, i.e. illegal logging, and the policy formulation are incomplete: essential elements to apply the public policy and evaluate it with proper indicators are still missing in PNCTIA. The central authority responsible for forestry has not updated it, despite the fact that based on PNCTIA further strategies have been continuously developed (e.g. the National Forestry Strategy 2017 which is still pending approval). This study shows that the central authority has all the necessary resources to update the public policy proposal: both the legal and methodological framework for public policies and access to the scientific knowhow with respect to illegal logging.

By employing the questionnaire technique, this study investigated to which extent PNCTIA is currently known by the specialists in fighting illegal logging (forestry staff, policemen, prosecutors) and by the general public interested in illegal logging and how efficient it is perceived and quantified the need and the urgency to develop a new public policy.

Several correlations regarding the perception of the intervention programme have been made on the sample (492 valid answers): those who consider that the measures implemented so far are effective tend not to consider other measures as urgent and necessary but engage their own institution in future actions; and on the other hand, those who do not see the efficiency of the actions already taken, demand the necessity of a new strategy and urgency in intervention. The need for a new intervention programme correlates strongly ( $r = .513$ ,  $r = .557$ ) with the demanded urgency and weakly ( $r = .124$ ,  $r = .139$ ) with the availability to involve the institution's resources in future programmatic actions.

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## APPENDIX I: QUESTIONNAIRE

The expert interviews comprised of the following questions:

1. Do you know the content of the National Program Against Illegal Logging (PNCTIA), the public document elaborated<sup>15</sup> in 2008 by the Romanian Ministry of Agriculture, Forests and Rural Development (MAPDR)?
2. How effective do you think the actions have been undertaken so far?
3. In any economic sector, the state of legality and normality is mainly maintained through appropriate legislation and by the social institutions and actors that constantly apply it within their prerogatives and competences limits. To what extent do you consider that the forestry sector needs a dedicated (specially funded and applied) intervention to reduce the consequences of illegal logging?
4. How much willing would be the institution/ organisation/ community (which you are a member of) to apply effective measures in reducing illicit practices in the forestry sector, in addition to its own objectives?
5. According to the latest National Forestry Strategy (2017) there are ‘difficulties in reducing the volume of illegally cut wood from forests.’ How urgent do you consider the development and implementation of more effective measures?

Questions no. 3 and 5 needed an introductory statement for subjects to a) recognise the differences between the functional attributes of the institutions they belong to and the roles they might have in a public program/ policy; and b) have a reference in assessing the ‘urgency’ in the development and measures implementation.

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<sup>15</sup> Published on the official public channels without any formal elements (registration number, official stamps or signatures).

## APPENDIX II: PATERNITY OF PNCTIA

The National Plan Against Illegal Logging (PNCTIA) was elaborated in 2007 (MAPDR 2007), but became public only the next year when it was posted on the website of the Ministry of Agriculture and Rural Development (MAPDR).<sup>16</sup> The public document had been circulated since its presentation in a draft format, without any formal elements (registration number, official stamps or signatures).

Since 2015, the document was no longer available for access as an official document, although another strategic document of fundamental importance for forestry elaborated by the Ministry of Waters and Forests in 2017 ‘National Forestry Strategy 2018-2027’ mentions and assumes it as active document of public policies along with the ‘National Forestry Program of 2005’ (MAP 2017b). Currently, PNCTIA can be found only online - on an ecology blog<sup>17</sup> and on the platform Scribd.

The paternity of PNCTIA belongs to the central authority responsible for forestry.<sup>18</sup> In 2005, at the central authority level, the Directorate of Strategies, Policies and Programs in Forestry (DSPPS) was established. This structure has had the mission to identify the public policies/problems in forestry; propose technical solutions for solving them; and, propose an action plan for the implementation of the chosen solution. It involved the adoption of more normative acts, since the same unit had both the role of monitoring the public policy implementation and the role of evaluating the implementation results.

However, PNCTIA was drafted by a group of specialists from the Directorate of Forestry and Hunting. As required by the prerogatives of the General Secretariat of the Government, the Plan had to be designed by the Public Policy Unit of the Ministry and/or by the Directorate of Strategies, Policies and Programs in Forestry, because both entities were part in the organisational structure of the Ministry of Agriculture and had functional attributions in this area (G.D., 164/2007):

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<sup>16</sup> Meanwhile, the Ministry has changed its name, becoming the Ministry of Environment and Forests.

<sup>17</sup> Biz News <<https://bizonews.wordpress.com/>>.

<sup>18</sup> This authority has been part of two ministries of the Romanian Government (Ministry of Agriculture or Ministry of Environment). It has been often moved from one ministry to the other every time a new government was installed. For example, in the last 30 years, the central authority responsible for forestry was restructured or re-organised over 15 times and it was passed from one ministry to the other eight times. Moreover, the two ministries changed their name: Romanian Ministry of Agriculture, Forests and Rural Development (MAPDR), Romanian Ministry of Environment and Forests (MMP), Romanian Ministry of Waters and Forests (MAP), etc.

Two arguments could explain why PNCTIA was elaborated by a control structure and not by a structure specialised in designing public policies: a. Inspectors specialised in control, due to the experience in the field gathered during the numerous investigated cases, knew best the problem of illegal logging; and b. [...] the portfolio of the Direction of Forestry and Hunting Control was managed for four years by one of the most capable advisors of the Territorial Inspectorate of Forestry and Hunting Suceava,<sup>19</sup> a person with experience in inspecting and controlling in forestry acquired at the time these structures functioned within the National Environment Guard. In fact, this manager made a decisive contribution to the drafting of this Plan (Interview, I.2, Senior Advisor, MAPDR).

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<sup>19</sup>The county with the highest share of forests in Romania.