February 11, 2026
European Commission
Directorate-General for Environment
1049 Brussels

Re: Urgent appeal to prevent Romania from undermining the strict protection of its high biodiversity value areas, including primary and old-growth forests

Dear Mr. Mamer,

We would like to draw your attention to the amendments proposed by the Romanian Ministry of Environment to OUG 57/2007, the main act transposing the Habitats Directive in Romania, amendments to be soon adopted by the Government with immediate legal effects.

The proposed new rules make the designation of strict protection zones – weakened by the proposal as "biodiversity priority zones" **– conditional on the explicit agreement of landowners or administrators, regardless of whether such areas meet the scientific criteria for strict protection.** For biodiversity priority zones located outside a protected area, the right of administration is granted to landowners.

This approach creates a private veto power over a public interest objective and a major risk that the resulting protection network will be strongly reduced and fragmented, with areas of exceptional ecological value excluded from strict protection. Estimates indicate that approximately 80% of the territory identified for strict protection (1.8 million hectares) may not be designated for such protection due to lack of agreement from private owners or administrators (e.g. national forest administration Romsilva, private forestry associations).

Crucially, the amendments to OUG 57/2007, proposed without consultation with the Romanian Academy, would also apply to strict protection zones within already designated Natura 2000 sites, thereby likely affecting the integrity of those sites. If strict protection zones within a Natura 2000 area lack the agreement of owners or administrators, the government can no longer implement the mandatory conservation measures required under the Habitats Directive. Therefore, enforcing the new rules would lead to numerous breaches of the Habitats Directive, in particular:

- Article 6(1), which requires the establishment of necessary conservation measures;
- Article 6(2), which prohibits deterioration of habitats and significant disturbance of species once sites are designated.

Moreover, relevant CJEU case law establishes that any measurable regression in the level of protection of Natura 2000 sites may constitute a breach of EU law and that opposition from owners cannot justify the failure to adopt the necessary conservation measures.

The Romanian Ministry of Environment justifies the proposed amendments as necessary to fulfill Romania's commitments under the National Recovery and Resilience Plan (PNRR), Milestone 13.2, specifically to placing at least 10% of the national territory under strict protection in line with the EU Biodiversity Strategy for 2030. However, paradoxically, the proposed OUG 57/2007 modifications are expected to produce the opposite outcome. There are credible sources that indicate that the process of designating 10% strict protection of land

area is opposed by the Romanian Ministry of Agriculture and the political establishment, especially by the Social Democrats who want to appease their base of power, that is the local political authorities (mayors, county council presidents etc.).

In the scientific mapping process for achieving 10% strict protection (a project financed with EU funds, contract no. 100395787), initial assessments identified approximately 2.3 million hectares as eligible, broadly aligning with Romania's commitments under Milestone 13.2 of the PNRR. **However, repeated and non-transparent changes to the selection methodology, combined with other political interventions, led to drastic reductions in the initially identified areas. The requirement for "owner agreement" may reduce the final designation to below 5-600,000 hectares, representing only 2-3% of Romania's territory.** The resulting area would mainly cover strictly protected areas already included in National Parks and unproductive alpine land, leaving large areas of valuable and productive primary and old-growth forests completely exposed to commercial exploitation.

The correct implementation of the National Recovery and Resilience Plan (PNRR) requires not only mapping based on scientific criteria but also the **establishment of sustainable financing mechanisms to compensate landowners subject to exploitation restrictions, thereby balancing biodiversity conservation with local economic interests – a step the Romanian government has failed to take.** In 2025, the Environmental Fund Administration (AFM) managed a budget of approximately €3.2 billion (~1% of GDP). Despite this substantial funding, biodiversity spending has been systematically neglected, amounting to only around 0.2% of the AFM's total budget.

In light of the situation outlined, we respectfully call upon you to consider issuing an urgent warning to the Romanian Government to prevent the adoption of the proposed amendments to OUG 57/2007, before irreversible legal and ecological damage occurs. We believe that swift intervention by the European Commission can still prevent structural non-compliance with EU law with long-term effects on biodiversity protection in Romania.

We thank you for your consideration and look forward to hearing from you.

Sincerely,

Signatories:

Adi Dohotaru, Asociația Societatea Organizată Sustenabil, Romania

Alexandru Teleagă, Asociația Altitudine, Romania

Alina Chiriac, Romanian Environmental Defender

Attila Marton, Mișcarea pentru Transilvania Egalitară, România

Bogdan Stroe, Grupul de Initiativa Civica IOR-Titan, Romania

Camelia Gui, Asociația Clujul Sustenabil, România

Ciprian Galusca, Platforma pentru Adaptare Climatică, Romania

Cristina Lapis, Asociația de Protecție a Animalelor Milioane de Prieteni, România

Claudiu Olenici, Organizația pentru Protecția Mediului și Combaterea Braconajului, Romania

Dan Trifu, Fundația Eco-Civica, Romania

Dorina Milea, AER Muntenia Sud, Romania

Dragoș Tuță Mihaylov, Ambasada Sustenabilității în România

Gabriel Paun, Agent Green, Romania

Gabriela Cotaru, Hosman Durabil, Romania

Hans Hedrich, Verein Neuer Weg, Romania

Mihai Goțiu, România Curată, Verde Curat, Romania

Mihai Constantinescu, Asociația Natura Transilvania, Romania

Roxana Pencea Brădățan, Declic, Romania

Valentin Sălăgeanu, Greenpeace CEE Romania

Viktoria Luft, Federația Peisaj Deschis, Romania

Almuth Ernsting, Biofuelwatch, Europe/USA

Artur Milewski, Forests NOW, Poland

Comité Schone Lucht, Netherlands

Evelyn Schoenheit, Forum Ökologie & Papier, Germany

Faristamo Eller, Save Estonia's Forests

Focus Association for Sustainable Development, Slovenia

Ines Gavrilut, Bruno Manser Fonds, Switzerland

International Commission for the Protection of the Alps

Jana Ballenthien, ROBIN WOOD, Germany

Hannah Mowat, Fern, EU

Hermann Edelmann, Pro REGENWALD, Germany

Maarten Visschers, Leefmilieu, Netherlands

Lina Burnelius, Protect the Forest, Sweden

Dr. Lutz Fähser, Forester and Scientist, Germany

REVIVO, Institute for ichthyological and ecological research

Sergiy Moroz, European Environmental Bureau (EEB), EU

Umanotera, The Slovenian Foundation for Sustainable Development

Zoe Lujic, Earth Thrive, UK/Serbia and Balkan Centre for the Rights of Nature, Serbia/Balkans

Annexes:

Technical briefing of Agent Green, Declic, Greenpeace and PAC, Romania: https://www.greenpeace.org/static/planet4-romania-stateless/2026/01/e7210cdf-fisa-tehnica-10.pdf

Press release of Agent Green, Declic, Greenpeace and PAC, Romania: https://www.agentgreen.ro/ministerul-mediului-incalca-legea-si-blocheaza-protectia-naturii/

Technical annex to the communication regarding the major risk of non-compliance with the PNRR Milestone and the "Do No Significant Harm" (DNSH) Principle as a result of the Draft Emergency Ordinance amending and supplementing OUG No. 57/2007 regarding the regime of protected natural areas in Romania (enclosed).