

## 2017 Performance Audit Report – The Administration of Protected Natural Areas Summary

The main objective of the audit mission was to evaluate the performance of the administration of natural protected areas, for 2015-2017, having as specific objectives the analysis of the legal framework applicable to the audited field and the evaluation of the institutional and organizational capacity, the analysis of the way in which the programming, assurance and distribution of financial resources for the administration of protected natural areas is performed, evaluating also the degree of achievement of the objectives.  
Controlled entity – The Ministry of Environment, as the central public authority for environment protection.

In Romania protected areas are natural or built areas, delimited geographically and / or topographically, which include natural and / or cultural heritage values and are declared as such to achieve specific objectives of heritage conservation. In order to ensure special measures for the protection and conservation "in situ" of natural heritage assets, a differentiated regime of protection, conservation and use is established.

### Main findings and vulnerabilities

Regarding the legal framework applicable to the audited field and the institutional and organizational capacity, it was found that although the National Agency for Protected Natural Areas was established, with specific attributions in the management of protected natural areas network, it was not functional at a territorial level.

In the field of biodiversity conservation, the specialized human resource was insufficient and the lack of expertise in this field was felt at the level of all institutions with attributions in the audited field.

Regarding the legal framework, this is a complex one, with frequent changes, sometimes uncorrelated and not updated, in which sanctions for non-compliance with some legal provisions already established have been omitted.

There are currently 725 protected natural areas that have neither a Management Plan nor a Regulation (for the ones under administration or custody the explanation was based on the lack of funds).

Regarding the control and enforcement of legislation in the field of environmental protection, the National Environmental Guard undertaken in the period 2015-2017, a number of 394 actions in protected natural areas, based on thematic controls, planned controls or notifications received, through which it ordered measures to improve the management of some natural parks and the restoration of some meadows, also notifying the criminal investigation bodies, in case of illegal constructions outside the sustainable development area.

On the basis of audit findings, Romanian SAI has developed the following recommendations addressed to the National Agency for Protected Natural Areas and to the Ministry of Environment:

- Strengthening the institutional capacity of the entities involved in the management of protected natural areas, by improving and consolidating the existing general legislative and institutional framework;
- Regarding the management of protected natural areas activity financing, the elaboration, development and application of additional and efficient financial instruments and mechanisms for biodiversity conservation will be analyzed and ordered;
- The Ministry of Environment as the coordinating authority which regulates, monitors and controls the way the National Strategy and the Action Plan for Biodiversity Conservation 2014-2020 works, should collaborate with the Ministry of Waters and Forests in order to implement the General Guides for the conservation of forests at European level (Helsinki Conference - Resolution H2) and the recommendations of the Intergovernmental Forum on Forests (IPF), so that they can be put into practice;
- The Ministry of Environment will analyze and initiate together with the Ministry of Waters and Forests normative acts at the Government level regarding the reforestation of protected natural areas affected voluntarily or involuntarily due to human / nature intervention (illegal logging, sanitation works, etc.) so that these actions will lead to the restoration of the ecosystem in the protected natural areas;

- The Ministry of Environment will analyze the aspects that have not been reached, in terms of agriculture, and in collaboration with the specialized ministry, will work to implement the objectives mentioned in the National Strategy and Action Plan for Biodiversity Conservation 2014-2020. At the same time, it will be analyzed whether the conditions for the implementation of the Addis Ababa Principles and the Guidelines on Sustainable Use are met, taking the appropriate measures;
- The Ministry of Environment will analyze the aspects that have not been reached, regarding the ex-situ conservation, in order to apply the objectives mentioned in the National Strategy and the Action Plan for biodiversity conservation 2014-2020.