

Comments on the Romanian Forestry Development Program (Loan No. RO-P067367, World Bank)¹

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1. Executive Summary

The Forestry Development Project under preparation by the World Bank and Romanian authorities raised serious concerns for civil society organizations. The current document conveys the preliminary assessment of the project by various actors who learned about the project in late October 2001. It will be followed with a more elaborated assessment.

The project has three main components and two of them are critical from an ecological point:

- administrative reform of the Romanian Forestry sector
- reconstruction and construction of 600 kilometers of new forestry roads.

Contributors to this document raise concerns regarding the foreseen failure of the institutional reform component to prevent illegal logging and eliminate corruption which plagues the Romanian forestry sector.

The forestry road component of the project can have significant negative environmental and social consequences. However, the Environmental Assessment of the project does not appear to be suitable to fulfill the requirements of Operational Procedure 4.01 of the World Bank which delineates the rules for environmental assessment and fails to show the potential environmental impacts of the project. It is too limited in scope, addresses issues on the level of generalities and omits potential impacts. It contains environmental assessment of two of the proposed 91 roads and even these assessments are problematic.

The public participation process of the project involved only 4 NGOs and several of the NGOs in the area of the project were not aware of it until recently. Project related information is difficult to obtain because of several reasons.

This document contains detailed comments on the executive summary of the Environmental Assessment of the Project and the appendix analyzes the relevance of OP 4.01 to the project document inappropriately called Environmental Assessment.

2. Introduction

The Forestry Development Project under preparation by the World Bank and Romanian authorities raised serious concerns for civil society organizations. The current document conveys the preliminary assessment of the project by various actors who learned about the project in late October 2001. It will be followed with a more elaborated assessment.

The Forestry Development Program (FDP) in Romania is a proposed World Bank loan worth USD 32.65 million, as of November 16, 2001. Total project cost is USD 43 million and is planned to be implemented in five years.

The declared objective of the project is: *"To increase the contribution to the national economy from the sustainable management of Romanian forest resources."*² Although the main aims of the project are institutional strengthening and capacity building, approximately 70 percent of the loan is planned for forestry road rehabilitation and reconstruction. According to the Environmental Assessment (EA), the road component will have significant negative impacts.³ In spite of that, only nine out of 91 forest roads were selected to be a subject of the EA. Although the study itself recommended EAs for all roads, including a cumulative effect, it stated *"EAs are burden in terms of money and time"* and gives inadequate assessment of only two roads.

Apart from the road component, the FDP should address the difficult institutional situation in the Romanian forestry sector. Currently, all the responsible bodies are under one, centralized authority which does not operate in a transparent manner. According to the EA, the Forest Inspectorate is the best to carry on the environmental management function. However, the Inspectorate does not have sufficient capacity and resources for this task.

A significant portion of the loan is planned for public participation, USD 1.21 million.⁴ The PID says, *"Public involvement and support of the FDP is critical for the success of the project."* However, there was only one NGO representative at three out of eleven public consultation meetings.

The NGO concern is that the way in which the project is currently designed it will have more negative than positive effects. Firstly, by keeping all the responsible bodies under one, centralized authority, it is not likely that all stakeholders will benefit from the project. Secondly, the public has not been involved in a proper way, which would be a crucial precondition for project success. Finally, there is a need to increase the efficiency of forest management and harvesting and to solve the problem of illegal logging before expansion of the forestry road network. A lot of institutional and legal improvements are needed prior to the project implementation to ensure its success.

² *Project Information Document*, World Bank, December 15, 1999.

³ *Environmental Assessment*, World Bank, October 2001.

⁴ *Environmental Assessment*, p.11, World Bank, October 2001.

3. Wider Framework of the proposed loan

3.1 National Forest Administration and Corruption

The main aims of the project are institutional strengthening and capacity building. Therefore, the EA recommended extensive training programs and measures which would support the Department of Forestry to carry out its responsibility for integration of environmental and social issues. However, there is a lack of expertise and money within responsible institutions and extensive reforms are needed prior to the project implementation.

Once, the Romanian National Forest Administration (NFA) had significant organizational capacity with excellent specialists, detailed management plans and sufficient funds. Now, the picture is completely different. Since 1990, the system has been very chaotic and corrupted. According to the media, NFA is one of the most corrupted authorities in Romania. As long as the problem of corruption is not properly addressed, the project has hardly any chances to be successful. The most effective way to increase income from the forestry sector would be to combat the corruption, not to increase harvesting. The project does not address this issue despite the fact that Romania is ranked 69 on Transparency International's corruption perceptions index out of 91 countries, with a 2.8 score out of 10.⁵

Another serious problem is illegal logging. It became a mass phenomenon and very often forestry guards were threatened, beaten or even killed. None of the criminals were ever caught. Yet, forestry guards were not allowed to have arms. Illegal logging was tolerated by the NFA, and later on it was allegedly promoted by the same authority.

3.2 Institutional Set-up

In the past, the NFA was a state in a state, without any accountability toward the public. All the data, including maps and plans were kept within the Administration. For decades, this authority has been saying that Romania was rich in forestry. Recently, it was officially admitted that forests account only for 25 percent of the country's surface, which is under the European average of 31 percent. However, details are not available to the public.

There have been some changes in forest management and the control/survey/protection department was separated from administration and exploitation department. The Department of Forests, which is a public company with a commercial structure, was separated from the Department of Forests and placed under the Ministry of Environment. It had local branches in each county with the role to control both, the NFA and private forest owners.

The Forestry Administration was moved from the Ministry of Water and Environmental Protection (MWEP) to the Ministry of Agriculture and Food, which then became the Ministry of Agriculture, Food and Forests (MAFF). But, the Department of Forests has been also moved to MAFF. Now, we are back to where we were ten years ago: the administration and exploitation departments are under the same roof with controlling institution, the Department of Forests.

The MAFF holds all the information about forestry in Romania and there is no independent body that could perform evaluation of the data published by the Ministry.

⁵ <http://www.transparency.org/documents/cpi/2001/cpi2001.html>

Year after year, the Ministry is promising to take measures that would stop corruption and illegal logging. Nothing has happened yet.

3.3 Wood Industry

Furniture industry was one of the most valuable sources of hard currency in Romania. Wood was not exploited as a raw material and value-added products were the best way to bring hard currency into the country. Over the last ten years, most of the furniture factories were closed down and export of raw wood became a new trend. As a result, Romania now imports the furniture.

One of the FDP's aims is to revive Romanian wood processing industry. However, the portion of the loan dedicated for that purpose is not enough considering the present situation.

3.4 Restitution

Before the collapse of the communist regime, forests were almost entirely owned by the state. Now, approximately 50 percent of the forestland is in the process of restitution to its former owners. However, the process has not been clearly planned and defined yet. Therefore, it is impossible to predict i.e. traffic intensity.

Additionally, previous experience has shown that inadequate restitution measures led to immediate harvesting with serious environmental consequences. Without clear rules and procedures, the danger of clear cutting remains. Another *“major issue of concern is the possibility that some mature tracks may be harvested by NFA under the existing management plan schedules prior to restitution, resulting in a potential loss of revenues to the future owner.”* It is true that that some of private owners clear-cut their land, but it was not because they did not acknowledge the importance of the forests, it was mainly because of fear that they would lose their property again or because they did not have possibilities to preserve the forests. The main conclusion is that institutional reforms should be completed prior to the project implementation to avoid confusion and potential negative effects.

3.5 Protected Areas

A new Law on Natural Protected Areas has entered into force in 2001. Local authorities have designed hundreds of new protected areas of local and regional importance. However, boundaries of many new protected areas have not been established yet. Management plans do not exist and impact studies for different human activities have not been conducted as well. The Commission of Natural Monuments of the Romanian Academy is currently working on collecting data about new protected areas.

Chapter 22 of the new Law says: *“The management of protected areas of conservation and of special avifaunistic protection areas will be carried out on the basis of specific and adequate plans. Any plan of project that may significantly affect protected areas will be a subject to EIA which will take into account the objectives of conservation. Plans or projects, which will affect protected areas, are not to be accepted and any activity in these areas will be performed after proper public consultation. Management plans are elaborated by established administrations and are approved by the Central Public Authority, with the previous consent of Romanian Academy.”* Nevertheless, the FDP

proposes new roads without knowing, and at this moment it is not possible to know, if the proposed new roads or roads to be rehabilitated would go through protected area.

4. Environmental Assessment

4.1 General comments

The environmental assessment of the project suggests to be both sectoral environmental assessment and project level environmental assessment. In mixing two assessment types the document fails to fulfill quality requirements for both. A separate sectoral environmental assessment is needed to focus on the impacts of institutional reforms in the Romanian forestry sector and a project level environmental assessment is needed for the forestry road component.

Prima facie, the forest road component seems the most critical. However other project elements as administrative adjustment/capacity building as well as stimulation of business can multiply the impact of forest road construction - either in a negative or positive direction. From information publicly available it is hard to see how an effective and independent (from the Ministry of Agriculture) Forest Inspectorate will emerge from the process. Without having the rules enforced in the area of forest policy, it is hard to foresee better management of forest resources. I am afraid that there would be just more access to it and consequently more exploitation.

The World Bank estimated that illegal logging accounts between 5 and 20 percent of all logging, but public perception in Romania seems to estimate it higher.

The Environmental Assessment says: *"...given the sectoral and strategic nature of FDP, a Sectoral Environmental Assessment has been considered relevant."* However, the current document considers only the impact of the road component, notably only nine out of 91 forest roads, which is not sufficient due to the "nature" of the project. Although EAs are recommended for all road constructions, including a cumulative effect, the document says: *"EAs are burden in terms of money and time."* Therefore, *"EAs for forest roads should be very focused, streamlined and reduced in scope...the EAs need not to present the information on legal and regulatory framework or alternative analysis."*

There is a need to assess cumulative environmental damage. Moreover, an EA without alternatives including a no-construction scenario is not a proper EA. If the World Bank accepts such a limited and "streamlined" EA, it would violate its own procedures.

The current EA is trying to assure mitigation of potential impacts with the Best Practice Manual for the forest road component of the project. The assessment does not deal with the impacts of the road use (logging, hunting, poaching etc) or that an environmentally friendly built road can cause wide-scale ecological damage.

Another question is on what data will the Manual be based if only two assessments have been done so far and have serious problems in terms of description of baseline conditions, main alternatives and main reasons for the chosen route.

No EAs for new road constructions are made, in spite of their greater impact on the environment.

Overall, the EA did not raise concerns that denser road infrastructure would lead to increased harvesting. The National strategy for nature protection has not been taken into account. In addition, quantitative data must be added too, considering the large surface of Romanian forests, together with regional synergic and cumulative effects.

Romania's forests are internationally important in terms of their biological diversity. Therefore, the EA study must include biodiversity as an important component, which is not the case in the current study. Additionally, the EA is based on the FDP which is still under preparation

4.2 Lack of Proper Data

Most of the forest roads in Romania are located in the mountains. There is an extraordinarily dense network of these roads. However, the official data are omitting the fact that there are dozens of tractor roads spreading deep into the forests like a web. Forestry roads are wider and less steep than tractor roads. The network of tractor roads changes a lot without plan and very often these roads are not registered on the map, not even on the military maps. The total length of tractor roads exceeds hundred of thousands of kilometers.

Therefore, mentioning only the length and density of "forest roads", does not give a real picture of the situation on the ground. In reality, only a few, out of thousands of valleys in the Carpathian Mountains have no motor vehicle access. These are the last wild corners of the virgin forests in Romania and Europe. Opening them to motor vehicles would mean a sacrifice of last resorts of unique ecosystems.

4.3 Comments on the Executive Summary of the EA

1.1 INTRODUCTION AND BACKGROUND⁶

"the project will be implemented in six year period by the ministry of Agriculture" – on other places the length of the project is referred to be 5 years

1.2. SCOPE OF EA

Scope of EA: the TOR for the EA required a comprehensive evaluation of the impacts and environmental costs associated with the project – the EA failed on the following.

POINT 3 – assessment of proposed FPD activities and proposal of mitigation measures.

The document fails to address:

- the impacts of sectoral changes including forest restitution and forestry road development (World Bank and SAPARD funding) with potential risk
- the impacts of specific forestry road reconstruction and construction on the specific route (including use of these roads for logging)
- the cumulative environmental impacts of the forest road development and use (e.g. biodiversity is not addressed)
- it does not address the forestry rail component of the project

POINT 4 - the public disclosure is questionable as per stakeholders involved, information distributed (EA was not made available in the local language, only its summary).

⁶ Numbering in this part refers to the numbering of parts in the Executive Summary of the EA for Loan No. RO-P067367

1.3 METHODOLOGY

Development of the environmental screening system is not presented in a thorough way in the EA

- why were only two roads selected for EA while at least 9 have serious environmental impacts according to the EA itself (from the ones to be reconstructed – there is no information on the proposed new roads from this aspect)

1.4 SUMMARY OF FINDINGS AND RECOMMENDATIONS

The main mitigation measure for the environmental impacts of the project is the development of a Forest Roads Best Practice Manual for the design and construction, maintenance (?) of roads.

- it is not mitigation from the sense of legal and illegal logging activities that the road construction will trigger, not to mention the relevant ecosystem disturbance and increased forest accessibility for poaching
- there is no guarantee that the Best Practice Guide will be used as legal enforcement is weak in the country (not mentioning a non-binding document like this)– the project implementation unit has little capacity to do it in case of 500 kms of roads and has no lifespan for monitoring the maintenance of roads on long term.

1.4.1 INVOLVEMENT OF THE PUBLIC AND PRIVATE BUSINESS SECTOR

Public involvement in the development of National Forest Policy and Strategy does not constitute public participation for the project preparation. The two processes are separate and the former can't give public participation in the preparation and realization of the later.

1.4.2. INSTITUTIONAL RECOMMENDATIONS

The institutional recommendations contain some weak elements such as awareness raising and training on best practices, study tour etc. Such elements would not ensure changes in current practices if there are no new mechanisms to enforce/promote the application of outcomes of trainings, awareness raising etc. Concrete motivation systems and triggers should be developed for this – otherwise the institutional component has a high probability to fail.

Also, if there are other factors in the institutional set up – i.e. pressure for increased logging, such issues should be addressed (i.e. separation of Forest Inspectorate from Ministry of Agriculture)

The role of the Forest Inspectorate is key in the implementation of forest sector restructuring and the loan. Its institutional capacity and mandate should be enhanced. Adding a responsibility to its overstretched capacity on public awareness raising (box 1, point 5) is overly ambitious and unrealistic without serious capacity building of the institution.

BOX 2, POINT 4

It refers to an enhanced knowledge base for the Forest Inspectorate on environmental issues – guarantees and motivation should be built into the system to use this enhanced knowledge on environmental issues

POINT 8

It refers to the application of regulatory framework for private forest management companies. Law and regulation enforcement is a key issue and the wording of this point will remain wishful thinking without specific measures for monitoring, sanctioning and enforcement of rules and law.

1.4.3 THE FOREST ROADING COMPONENT OF THE FDP

BOX 3

It mentions that there will be 596.6 km of road works implemented in the project. It appears to be erroneous because the information from the project preparation team⁷ is that the Waser forest railway (64 km in length) will be also reconstructed from this component. This is not mentioned in the whole EA.

BOX3 POINT 2

It does not make clear if the roads planned to be reconstructed/constructed are in Production forest only or also in Protection Forests

POINT 3.

The text refers to excellent forest management practices – this was true up until the fall of the Ceausescu regime (socialism) a decade ago. Since then the forestry regime is falling apart and greatly disadvantaged because of wide scale corruption, reluctance towards law enforcement and insufficient funding of state agencies to perform their role efficiently.

BOX 4

POINT 1. Alternative routings/modality and no road option should be considered as part of EA (it is one of the basic principles of EA). The point gives a misleading picture that proper EA should be done on the roads. It is problematic on two instances:

A, these EAs that the point refers to should be part of the EA – otherwise there is no meaningful picture available about the environmental impacts of the Forestry Roading Component.

B, later on the document explains that the “EA” planned for roads is highly streamlined and partial – which does not qualify for the term ‘environmental assessment’ on methodological ground.

POINT 2.

The screening system mentioned was applied to only 62 rehabilitation road projects and there is no mentioning of the new forestry road construction part (68.3 kilometers)

The point wants to show mitigation of the EA burden not the environmental impacts of the project. As it states the streamlining of the EA for roads (only 9 of all roads!) in the procedure in environmental assessment. The described process of ‘environmental assessment’ does not meet any standards for environmental assessment.⁸

⁷ E-mail message of Ioan Vasile Abrudan, Ministry of Agriculture, Romania - dated 30 November 2001

⁸ Description of the EA procedure in the document: *"The EAs for forest roads should be very focused, streamlined and reduced in scope relative to World Bank OP 4.01 guidelines, with the main purpose to objectively review the proposed road project design in light of the specific field conditions and the potential*

POINT 4.

The 'EA procedure' should be the responsibility of the Road Specialist within the Project Coordination Team and not an environmental specialist. Meaningful oversight of the environmental assessment of this size can not be anticipated from one specialist who has other priority duties as well and should have a road engineering background primarily.

POINT 5.

The supervision function of the Forestry Inspectorate is questioned on two grounds:

1. it is dependent on the Ministry of Agriculture –interested in increased revenues from forestry operations. There is a conflict of interest and financial imperatives are likely to prevail over environmental enforcement and supervision
2. one person designated for having environmental responsibilities in relation with logging roads is merely symbolic especially if it is part time task

TABLE 1. SCHEDULE OF PUBLIC CONSULTATIONS

Three informal consultations are mentioned on the list of public consultations – it is hard to find the claim of these consultations be classified as public consultations as they were interactions of the project preparation.

Participant lists, minutes and other documents of public consultations are not attached to the EA (except two final ones in Brasov – where seemingly only representatives of government and business interests were present)

5. Project preparation process related issues

MISLEADING PID

The project information document (prepared in 1999, but still in effect) mentions only once the forestry road component as “improving of forestry infrastructure” while this will be major part of the project.

NO ENVIRONMENTAL ASSESSMENT IN LOCAL LANGUAGES

Environmental Assessment was not made available on local language, only a summary of it.

LACK OF ADEQUATE PARTICIPATION PROCESS

During 11 public consultations there are only four NGOs mentioned:⁹

- ANTREC Piatra Neamt (interest group of owners of pensions/rural tourism)
- APSR Arad

significant environmental and social impacts. The EA should largely be based on two detailed field reconnaissance visits to the site or corridor of the road: one without and one with the road design engineer. Specific problem areas should be identified in the field and studied. The main output of the EA should be recommendations to avoid, minimize and mitigate potential impacts during both construction and operation. The EAs need not present information on legal and regulatory framework or alternatives analysis (other than recommended design alternatives)."

⁹ Flora and Fauna International can not be considered as independent NGO because of its close contractual affiliation ('operational NGO') with member institutions of the World Bank Group worldwide, including in Romania.

- Pro Natura,
- TER

Knowing the current interest from the NGO side in the process this number is questionable and the low level of public participation points to a problem with outreach to the public.

6. Preliminary Set of Demands

The institutional component of the project requires fundamental restructuring in order to enable the rule of law to be enforceable. The role of Forest Inspectorate is to be strengthened both in resources and in mandate and should be fully independent from the National Forest Administration (the main beneficiary of the World Bank project).

The issue of widespread corruption should be addressed within the project – otherwise its institutional component is deemed to fail and forest resource exploitation will happen without control.

The forestry road component which is claimed to be a pilot project to elaborate environmentally friendly road building standard should be reduced to pilot project size (not 600 kms of roads needed) and should be conditional of successful implementation of institutional reforms.

The forestry road component should be redesigned to accommodate environmental legislation in progress (new nature protected areas).

The forestry road component of the project can only go ahead if environmental impacts are properly assessed with acceptable quality public participation. If the environmental impacts of the assessments find significant harm to environment given component of the project should not go ahead. If cumulative impacts of the forestry road component prove to be harmful for the environment to significant extent then the project component should not proceed.

A separate sectoral environmental assessment is needed to focus on the impacts of institutional reforms in the Romanian forestry sector and a project level environmental assessment is needed for the forestry road component.

BASELINE DEMAND:

NEW, PROPER ENVIRONMENTAL ASSESSMENT IS NEEDED

- New approach, based on reliable data, in design and building, which will consider all environmental and social impacts.
- General standard for data collecting
- Include detail specific biodiversity component
- Assessment of all roads with maps and Geographical Information System impact study
- Cumulative effects to be addressed including planned logging and estimated illegal logging
- No roads in protected areas

- Control/monitoring measures are needed, no reducing staff, one of the WB requirements.
- Protected areas to be clearly defined with management plans
- Although there is no coordinated national strategy for the conservation for key habitats in Romania, it does not mean that this issue can be simply avoided. Institutions and persons responsible for biodiversity management and conservation must be identified.

7. Appendix

Comparison of the EA with World Bank OP 4.01 (Environmental Assessment)

Text in italic is the text of Operational Procedure 4.01 of the World Bank.

2. *EA is a process whose breadth, depth, and type of analysis depend on the nature, scale, and potential environmental impact of the proposed project. EA evaluates a project's potential environmental risks and impacts in its area of influence; 2 examines project alternatives; identifies ways of improving project selection, siting, planning, design, and implementation by preventing, minimizing, mitigating, or compensating for adverse environmental impacts and enhancing positive impacts; and includes the process of mitigating and managing adverse environmental impacts throughout project implementation. The Bank favors preventive measures over mitigatory or compensatory measures, whenever feasible.*

The EA fails to address the possible ecological impacts of the project (cumulative impacts of road construction, impacts of road usage for logging/hunting/poaching and impacts on ecosystems including biodiversity)¹⁰. The study only recommends the use of Geographical Information Systems for cumulative impact mapping of the forestry road component of the project, but does not employ it.

There is no serious discussion of project alternatives in the EA document (four mentioned alternatives take up 2 pages with wide margins)

The road site selection should be done in a way that no roads with high negative environmental impacts would be selected. According to the screening of the EA document from the roads to be reconstructed 79 % involved some issues and 15 percent would require EA. There is no similar information about new roads to be constructed (13 % of the total road length).

4. *The borrower is responsible for carrying out the EA. For Category A projects, 5 the borrower retains independent EA experts not affiliated with the project to carry out the EA.[...]*

The EA document contains the “Initial Report on Environmental Aspects of Forest Roads Component, Romanian Forest Development Project” prepared by FORTECH (UK) and Project Management (Ireland) in March 2001. This initial report reviews two of the proposed forestry roads from environmental aspects (inadequately for classifying it as environmental assessment, but it was made originally to be *initial* report). FORTECH is not an independent expert as it is the project preparation consultancy firm. Their report can not be considered as part of the EA due to conflict of interest and violation of par. 4 of OP 4.01.

6. *The Pollution Prevention and Abatement Handbook describes pollution prevention and abatement measures and emission levels that are normally acceptable*

¹⁰ The study only recommends the use of Geographical Information Systems for cumulative impact mapping of the forestry road component of the project, but does not employ it.

to the Bank. However, taking into account borrower country legislation and local conditions, the EA may recommend alternative emission levels and approaches to pollution prevention and abatement for the project. The EA report must provide full and detailed justification for the levels and approaches chosen for the particular project or site.

The principle of par. 6 can be applied for the siting of proposed road components. There is no justification/selection criteria (e.g. territory of the forest served with the particular road or projected cost of given road by km) for the selection of roads for the Forestry Rooding component of the project in the EA documentation.

9. For sector investment loans (SILs), 12 during the preparation of each proposed subproject, the project coordinating entity or implementing institution carries out appropriate EA according to country requirements and the requirements of this policy.¹³ The Bank appraises and, if necessary, includes in the SIL components to strengthen, the capabilities of the coordinating entity or the implementing institution to (a) screen subprojects, (b) obtain the necessary expertise to carry out EA, (c) review all findings and results of EA for individual subprojects, (d) ensure implementation of mitigation measures (including, where applicable, an EMP), and (e) monitor environmental conditions during project implementation.¹⁴ If the Bank is not satisfied that adequate capacity exists for carrying out EA, all Category A subprojects and, as appropriate, Category B subprojects—including any EA reports—are subject to prior review and approval by the Bank.

The impact of the project's Forestry Rooding subcomponent is assessed on the level of generalities only despite that it has the highest direct social and environmental impact.

The summary table on potential impacts of the project (Table 5.1 of the EA p. 37) is giving arbitrary opinion without detailed justification and discussion of the potential impacts of various components of the project.

15. For all Category A and B projects proposed for IBRD or IDA financing, during the EA process, the borrower consults project-affected groups and local nongovernmental organizations (NGOs) about the project's environmental aspects and takes their views into account.

During 11 public consultations there are only four NGOs mentioned:¹¹

- ANTREC Piatra Neamt (interest group of owners of pensions/rural tourism)
- APSR Arad
- Pro Natura,
- TER

Participant lists, minutes and other documents of public consultations are not attached to the EA (except two final ones in Brasov – where seemingly only representatives of government and business interests were present).

¹¹ Flora and Fauna International can not be considered as independent NGO because of its close contractual affiliation ('operational NGO') with member institutions of the World Bank Group worldwide, including in Romania.

1. *For meaningful consultations between the borrower and project-affected groups and local NGOs on all Category A and B projects proposed for IBRD or IDA financing, the borrower provides relevant material in a timely manner prior to consultation and in a form and language that are understandable and accessible to the groups being consulted.*

The Environmental Assessment is available only in English (only its summary is available on Romanian – which is not sufficient to learn about issues important in the project)¹²

17. *For a Category A project, the borrower provides for the initial consultation a summary of the proposed project's objectives, description, and potential impacts; for consultation after the draft EA report is prepared, the borrower provides a summary of the EA's conclusions. In addition, for a Category A project, the borrower makes the draft EA report available at a public place accessible to project-affected groups and local NGOs.*

The EA is available on the Bank's web-site (in English), but its downloading requires a high quality internet connection, which is cost prohibitive for most of Romanian NGOs and definitely for impacted population. Alternative access to the documentation is in the local office of the World Bank (Bucharest)¹³. It can be time and resource prohibitive for some of interested public/NGOs as it might take a day of travel to get to Bucharest from some parts of the country where the project will be implemented.

Guidance on Environmental Assessment

On timing of EA reports for sector investment loans and financial intermediary operations the guidance makes an exception for EAs of subproject “*not known prior to the Bank's appraisal of the project*” that EAs “*are prepared at the same time as the subprojects are prepared*”. The Forestry Road subcomponent of the FDP can not be categorized as such part of the project as the list of planned roads to be constructed or reconstructed (although the EA does not address their environmental impacts). Also the Forestry Road component takes up 69 percent of finances from the whole project. Not addressing this component prior to Board approval by the Bank would mean that the bank approves a project (not an adaptable loan) without knowing more than half of project in detail.

¹² Communication with Dan Petrescu, World Bank, Romanian Office 14 November 2001.

¹³ Ibid.