



FOREST BIRD PROTECTION AND CONSERVATION IN THE EU

REGULATORY COUNTRY CLUSTERS



SUPERB
Upscaling Forest Restoration



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EXECUTIVE SUMMARY

National forest legislation has a long history in many European Member States (EU-MS) and has had a significant impact on the governance of forests across Europe over time. The EU Nature Restoration Regulation (NRR) stipulates directly applicable and legally binding forest restoration targets and indicators, making a transposition into national legislation redundant. Nevertheless, it can be assumed that a certain degree of compatibility with national forest legislation will be crucial to ensure a successful and coherent implementation of National Forest Restoration Plans (NFRPs) and progress towards the selected forest ecosystem restoration indicators. Incoherencies between the NRR forest ecosystem restoration targets and indicators and national legal forest frameworks on the other hand are likely to pose a challenge to a successful implementation in the years to come.

Against this backdrop, we conducted in-depth analyses of national forest laws and related legislation and, based on that, create forest restoration policy maps to provide an overview on how certain forest ecosystem indicators and respective management practices included in the NRR are currently regulated or promoted in different EU countries. These policy maps summarize if and to what extent national forest laws and related legislation refer to the forest ecosystem indicators stipulated by the NRR by building country categories based on the findings from the legal analysis. Based on this, conclusions are drawn on the status of vertical coherence of EU forest restoration policy, particularly as stipulated under the NRR, and the national forest regulatory frameworks of the EU-MS. This policy coherence assessment is expected to inform the development of supportive forest policy and legal frameworks both at the EU and national levels, thereby supporting the development and implementation of the NFRPs in the years to come.

This report presents the key findings from the analysis of regulatory provisions across the 27 EU Member States (plus the United Kingdom) regarding the **protection and conservation of forest birds**, whose populations have largely remained stable over time, in contrast to farmland species (Cours et al., 2025).



RESULTS

Forest management practices and its impact on the diversity of forest structures from closed high forests to open woodlands areas is a critical influencing factor on the abundance and diversity of forest fauna, including forest birds (Basile et al., 2021). Therefore, the occurrence of common breeding forest bird species is frequently used as an important indicator to assess forest habitat structure and diversity such as under the regular reporting mechanism under the State of Forest Europe under Criterion 4: Maintenance, Conservation and Appropriate Enhancement of Biological Diversity in Forest Ecosystems – Indicator 4.10). The latest report published in 2020 (Forest Europe, 2020) suggests stable developments of common forest bird species during the last 37 years yet highlights a limited knowledge on the influencing factors on bird species abundance apart from forest management practices.

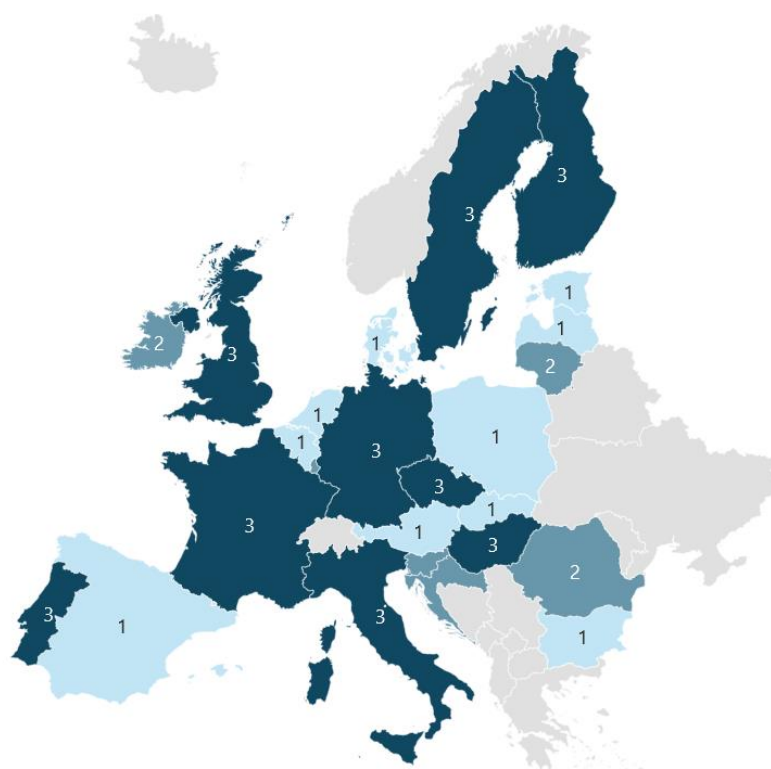
The NRR requires Member States to achieve increasing trends on the common forest bird index, which includes several common European forest bird species. Member States are required to monitor and report on the developments from the enactment of the regulation until the end of 2030, and every six years thereafter. While the initial proposal from the European Commission included increasing trends for all forest ecosystem restoration indicators, the final regulation specifies the forest bird index as the sole mandatory indicator.

The forest regulatory frameworks of the European Member States were analyzed according to the existing provisions on forest fauna, in particular forest birds, to assess potential regulatory gaps and synergies with EU legislation. This analysis revealed three overarching categories of EU Member States. Category 1 comprises Member States whose forest regulatory frameworks provide concrete provisions on the protection and conservation of forest bird species. In this context, some forest laws even make direct reference to lists of endangered species such as the IUCN Red List of European Birds and EU legislation, in particular the EU Birds Directive adopted in 2009. Countries falling under this category include Spain (national), Poland, Denmark, Bulgaria and the Netherlands, among others. Category 2 includes countries whose national forest laws implicitly address the protection and conservation of endangered forest bird species through regulations and recommendations for forest fauna in general. Countries in this category include, but are not limited to, France, Slovenia, Romania, and Croatia. The forest regulatory frameworks of countries included under Category 3 do not explicitly nor implicitly refer to the protection and conservation of forests birds.

As outlined above, the abundance of common forest birds in forest ecosystems depends on a range of factors including the forest stand and landscape connectivity and diversity which are governed by national forest regulatory frameworks and promoted management practices. Moreover, a range of ecosystem indicators promoted under the EU-NRL, such as the increase in standing and lying deadwood and the creation of uneven-aged forest structures, may indirectly promote the conservation and enhancement of forest birds.



Therefore, a lack of concrete provisions on the protection and conservation of common forest birds in national forest laws do not automatically mean that there are no other mechanisms in place that directly or indirectly favor or even hamper increasing trends of the common forest bird index. In addition, animal species protection might be regulated in related policy areas such nature and species protection policy, which were not covered in the present analysis.



Identified country categories regarding forest bird conservation.

Description of country categories for forest bird conservation provisions and recommendations and identified country groups.

Category 1: National forest laws explicitly refer to the protection and conservation of (endangered) forest bird species.	Category 2: National forest laws implicitly address the protection of (endangered) forest birds by stipulating the protection of forest fauna in general.	Category 3: National forest laws do not refer to the protection and conservation of (endangered) forest bird species not explicitly nor implicitly.
Bulgaria, Cyprus, Denmark, Estonia, Latvia, the Netherlands, Poland, Spain	Croatia, Ireland, Lithuania, Luxembourg, Malta, Romania, Slovenia	Czech Republic, Finland, France, Germany (Federal level), Italy, Latvia, Portugal, Scotland, Sweden

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