



REFORESTATION PROVISIONS AND OBLIGATIONS 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 (NRPs) 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 NRPs 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 provisions and obligations **reforestation** following final harvests and sanitary cuttings.

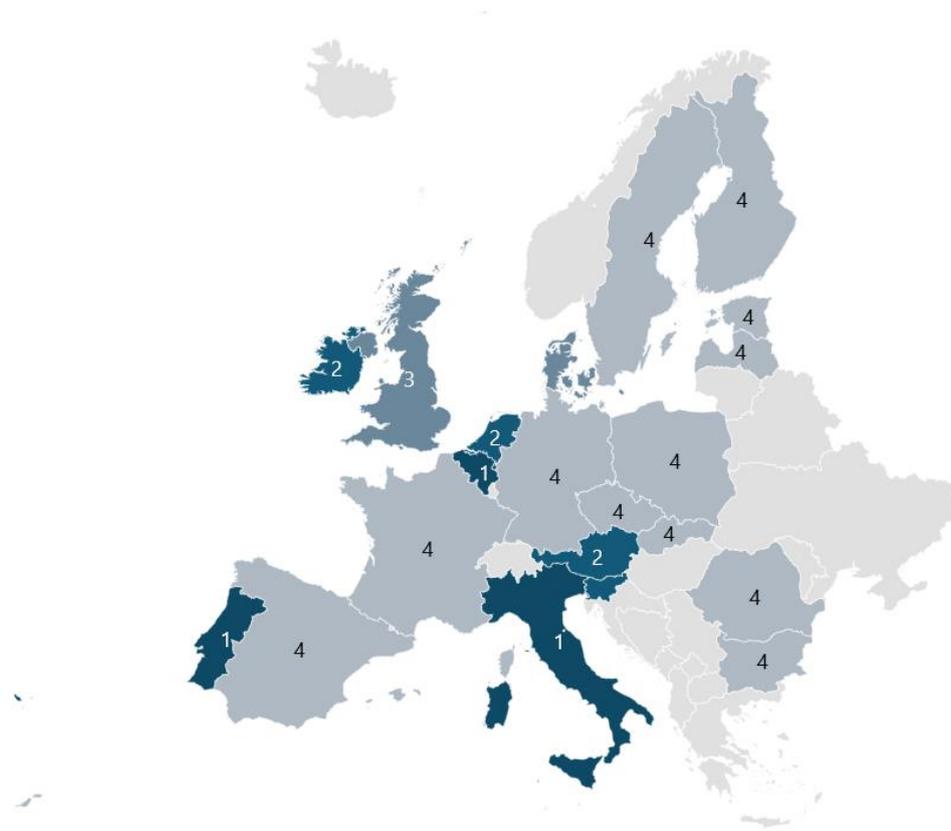


KEY FINDINGS

Mandatory reforestation obligations following final harvests, especially within a short time frame, are likely to influence the achievement of critical forest biodiversity restoration indicators as outlined in the EU-NRL (e.g. the share of forests with an uneven age structure, the share of forests dominated by native tree species) and tree species diversity in general. For example, it can be assumed that longer and more flexible time frames for mandatory reforestation obligations may favor natural regeneration processes, which could ultimately result in a more uneven-aged and mixed-species stand structure, at least in the short to medium term (Meli et al., 2017). Mandatory short-term reforestation obligations on the other hand may require active reforestation measures (e.g., soil preparation, tree planting) which may favor single species and rotational age structures at least in the short to medium term.

Categorizing EU-MS according to mandatory regulations on reforestation obligations also revealed four different country categories. Category 1 includes countries where regulatory frameworks do not stipulate a mandatory reforestation obligation or provide specific time frames. Category 2 includes countries whose regulatory frameworks require mandatory reforestation after final harvest but do not specify time frame obligations. Category 3 countries have regulatory frameworks that mandate reforestation of harvested sites within 10 years following the harvest, whereas Category 4 countries require reforestation to occur within 1 to 5 years after the final harvest. Most of the EU-MS can be categorized into the latter category type.

To achieve the enhancement of forest restoration indicators, including the creation of uneven aged forest structure and tree species diversity to support forest biodiversity and foster climate adaptation, the NRR suggests the diversification of forest structure in terms of species composition and age and through natural regeneration and succession of tree species as a concrete forest restoration measure. However, while short reforestation obligations pursue good intentions, namely the maintenance of forest cover with all related benefits including carbon sequestration and timber provision, they may restrict possibilities for a diversification of forest structures through natural regeneration and tree species succession. This is because they may require active reforestation measures, as natural regeneration can take time that appears to be not accounted for in some regulatory frameworks. Against this backdrop, and to enhance the scope for reforestation management which can promote forest biodiversity restoration and respective indicators, a loosening of short-term reforestation obligations may promote natural regeneration processes and the establishment of diverse forest stands both in terms of age structure and species composition. In this context, however, it is important to highlight that maintaining mixed-species and uneven-aged forest structures over the long term often requires active management practices due to variations in light demand and competition between tree species.



Identified country categories regarding reforestation obligations.

Description of country categories regarding reforestation obligations and identified country groups.

Category 1: (Sub)National forest laws do not comprise mandatory nor time frame obligations for reforestation.	Category 2: (Sub)National forest laws provide mandatory obligation for forest restoration yet do not specify concrete time frames.	Category 3: (Sub)National forest laws provide mandatory, medium-term obligations for reforestation within 10 years (<10 years).	Category 4: (Sub)National forest laws provide mandatory, short-term obligations for reforestation within 1-5 years (<5 years).
Belgium, Italy, Portugal	Austria, Ireland, the Netherlands, Slovenia	Denmark, the UK	Bulgaria, Czech Republic, Estonia, Finland, France, Germany (Federal level), Latvia, Poland, Romania, Slovakia, Spain, Sweden



REFERENCES

Meli, P., Holl, K. D., Rey Benayas, J. M., Jones, H. P., Jones, P. C., Montoya, D., & Moreno Mateos, D. (2017). A global review of past land use, climate, and active vs. passive restoration effects on forest recovery. *Plos one*, 12(2), e0171368.

