



PROVISIONS ON FOREST SET-ASIDES 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 **strict forest protection and forest set-asides**.



KEY FINDINGS

Strict forest protection and forest set-asides (including primary, natural and non-intervention management forests) have long been a cornerstone of biodiversity conservation and restoration efforts worldwide. The concept of preserving forests in their natural state dates back to the late 19th and early 20th centuries when the first protected areas, such as national parks and nature reserves, were established to safeguard critical habitats from human exploitation. Early scientific work highlighted the importance of undisturbed forests for maintaining ecological balance. As environmental science advanced, the recognition of forests as essential ecosystems for biodiversity conservation deepened.

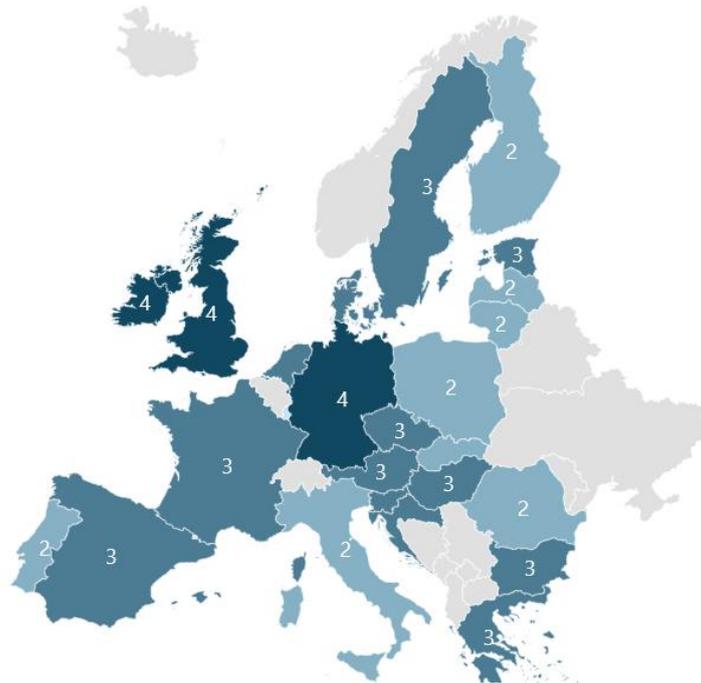
The introduction of more formal conservation policies, including the establishment of the International Union for Conservation of Nature (IUCN) in the 1940s and the adoption of the Convention on Biological Diversity (CBD) in 1992, further cemented the role of strict protection as a critical strategy. Over time, forest protection measures have shifted from a purely preservationist approach to more integrated models of conservation and restoration, emphasizing the restoration of degraded forests alongside the protection of intact ecosystems. This evolution reflects growing scientific consensus on the need for holistic, long-term approaches to biodiversity conservation. To date, forest set-asides and strict forest protection remain crucial methods for biodiversity protection and restoration and the area of forest national parks has increased substantially in Europe during the last decades.

The EU Biodiversity Strategy for 2030 calls for the expansion of forest protection and restoration by ensuring that at least 30% of the forested land in the EU is protected by 2030, with at least 10% designated as strictly protected areas of high biodiversity and climate value. It further advocates for the strict protection of remaining primary and old-growth forests in the European Union, supported by guidelines published by the European Commission in 2023 on how to define, map, monitor, and strictly protect these forest areas. However, while the area reported as protected has steadily increased by 1.8% since 2011, no signs of further growth have been observed in recent years, making the achievement of the 30% target by 2030 uncertain.

While protected areas are often regulated by national conservation laws, it can be assumed that strong provisions and concrete targets for strictly protected forest areas in forestry law can provide a solid framework for increasing protected forest areas, as called for by the EU Biodiversity Strategy for 2030. The analysis of provisions and recommendations for forest set-asides in (sub)national forest laws of the EU-MS revealed 4 Categories. However, it must be emphasized once again that the focus of the analysis was solely on forestry laws, and the categories might differ if nature conservation laws and their respective by-laws, etc., are considered. Category 1 comprises EU-MS and subnational jurisdictions whose forest(ry) laws make direct reference to forest set-asides and formulate quantifiable protection targets. Only Luxembourg and Belgium (Wallonia) fall into this category. Category 2 comprises EU-



MS whose forest laws specifically reference different forest types for set-aside, such as ancient forests in Italy or riparian forests in Finland, without providing quantitative protection targets. Category 3 comprises EU-MS whose forest laws refer to forest set-asides under different protected area types, particularly under EU and national nature protection law, without providing quantitative protection targets. Category 4 comprises EU-MS whose forest laws do not refer to forest set-asides or the strict protection of forest areas. This category includes Germany (federal level), Ireland and the UK.



Identified country categories regarding provisions and recommendations on strict forest protection and forest set-asides.

Description of country categories for strict forest protection and forest set-aside provisions and recommendations and identified country groups.

Category 1: (Sub-)National forest laws with specific reference to forest set-asides with quantitative thresholds (% of area, to be set-aside).	Category 2: (Sub-)National forest laws with specific reference to different types of forest set-asides without quantitative targets (% of area, or ha to be set-aside).	Category 3: (Sub-)National forest laws with reference to forest set-asides under different protected area types (usually under EU and national nature protection law), without quantitative targets (% of area, or ha to be set-aside).	Category 4: (Sub-)National laws without reference to forest set-asides; only implicit general reference possible via EU and national nature protection law.
Belgium (Wallonia, at least 3% forest set-asides in deciduous forest), Luxembourg (at least 5% of public forests as set-asides)	Italy (ancient forests), Finland (riparian forests), Latvia (micro-reserves), Lithuania (reserve forests), Poland (ecological forest complexes), Portugal (high conservation forests), Romania (virgin forests), Slovakia (primary forests)	Austria, Belgium (Brussels and Flanders), Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, France, Greece, Hungary, Malta, the Netherlands, Slovenia, Spain, Sweden	Germany (Federal level), Ireland, United Kingdom