



# FOREST RESTORATION POLICY IN SPAIN

## POLICY COHERENCE ACROSS FOREST-RELATED POLICY AREAS AND POLITICAL LEVELS



**SUPERB**  
Upscaling Forest Restoration



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## **Author(s)**

**Simon Fleckenstein and Metodi Sotirov**

## Affiliations

University of Freiburg, Chair of Forest and  
Environmental Policy

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# EXECUTIVE SUMMARY

Forest policy in Europe operates within a complex, multi-sectoral and multi-level policy framework. To effectively implement and scale up forest restoration efforts—such as those outlined in the EU Nature Restoration Law (EU-NRL)—achieving a certain level of coherence across forest-related policy areas (e.g., nature conservation, climate, agriculture, and rural development) and political levels (EU and national/subnational) is essential.

As part of the EU Horizon 2020 SUPERB project, Task 5.1 of Work Package 5 offers valuable insights into the issue of forest restoration policy coherence. Specifically, it examines coherence at the national level across forest-related policy areas (horizontal coherence) and across national and EU levels (vertical coherence). The analysis of horizontal coherence is based on a survey of national forest policy experts in the relevant countries, while the vertical coherence analysis involves a detailed review of EU forest restoration policies and regulations, as well as national forest regulatory frameworks.

This report briefly presents the key findings for **Spain**, a country with a long history of forest restoration, where ongoing rural abandonment can serve as both an opportunity and a challenge for forest restoration efforts.



# HORIZONTAL FOREST RESTORATION POLICY COHERENCE IN SPAIN

Spain has a highly decentralized system of government, with significant responsibilities and decision-making powers devolved to the country's regions, known as autonomous communities (Comunidades autónomas), while always complying with state law. As a result, there is a wide variety of national and subnational restoration-related policies and forest management practices in Spain, which are implemented by regional governments and local communities. The following provides a more detailed description of the role of some of the key policies in governing forest restoration practices.

Spain has a common basic Forest Law (Ley de Montes), which was initially passed in 2003 and last amended in 2022. The purpose of this law is to ensure the conservation and protection of Spanish mountains, promoting their restoration, improvement, sustainability, and rational use based on collective solidarity and territorial cohesion (Article 1). The law's key objectives related to forest restoration include sustainable forest management, the multifunctionality of forests in terms of their environmental, economic, social, and cultural values, the conservation, improvement, and restoration of forest ecosystems' biodiversity and species, and the integration of international environmental protection objectives, particularly those concerning desertification, climate change, and biodiversity. To achieve these objectives, the law establishes a policy instrument mix, including regulatory requirements to develop forest management plans that consider reforestation and afforestation goals, the promotion of financial incentives for reforestation and afforestation activities (e.g., tax breaks for investments in forestry activities), and the encouragement of public participation in forest management decision-making. The law addresses various practices relevant to forest (biodiversity) restoration, such as clearcutting, which is only allowed under specific conditions and with prior authorization from the relevant authorities, as well as close-to-nature forest management practices (e.g., selective logging and the promotion of natural regeneration) for which the law provides general guidelines. Autonomous communities and their provinces, such as the Provincial Regulations of the Basque Country and the Law 3/2009 of April 6 on Castilla y León forests, further develop and implement the law.

In the field of nature conservation, the Law 42/2007 on Natural Heritage and Biodiversity (Ley 42/2007 del Patrimonio Natural y de la Biodiversidad) constitutes a key national policy. The primary objective of this law is to conserve, sustainably use, improve, and protect Spain's natural heritage and biodiversity. It regulates a range of forest restoration-related practices, including the control of invasive species through the establishment of penalties for non-compliance with control measures and the introduction of invasive species. This is done in accordance with the National Strategy on Invasive Alien Species (Estrategia Nacional sobre Especies Exóticas Invasoras) and the Spanish Catalogue of Invasive Alien Species (Catálogo Español de Especies Exóticas Invasoras), which lists the most problematic invasive species in the country. The Spanish Law on Natural Heritage and



Biodiversity also mandates the development of management plans for protected forest areas, specific to each site or integrated into other development plans, which include conservation objectives and appropriate (restoration) measures to maintain and improve the areas in a favorable state of conservation.

Other sectoral policies with a direct influence on forest restoration practices in Spain include the Water Framework Directive (Directive 2000/60/EC), transposed into Spanish Law through the "Ley de Aguas 2001," which aims, among other things, to promote the conservation, restoration, and improvement of the ecological condition of rivers, wetlands, and groundwater-dependent ecosystems. Additionally, the Climate Change Adaptation Strategy for Spanish Forests published in 2020 by the Spanish Ministry for Ecological Transition and Demographic Challenge aims to increase the resilience of Spanish forests to the impacts of climate change through improved forest management practices, reduced vulnerability of forests to climate change, and enhanced adaptive capacity of forest ecosystems. The strategy includes policy measures such as guidelines for the restoration of degraded forest ecosystems in Spain and the implementation of monitoring and evaluation frameworks to track progress on adaptation goals.

The numerous national, subnational, and provincial sectoral policies that govern forest restoration practices in Spain offer multiple possibilities for cross-sectoral synergies and trade-offs. For example, Spanish forest and climate policies demonstrate synergy by promoting afforestation, reforestation, and biomass production, which align with energy and climate goals. Agricultural policies and regional rural development programs can support nature protection by promoting agroforestry and sustainable land use practices, as well as climate goals by incentivizing carbon sequestration in soils. There is potential for various sectoral policies to create synergies and reinforce each other in supporting the restoration and sustainable management of forest ecosystems. However, trade-offs may arise between forestry policies focused on increasing timber production, nature protection policies prioritizing biodiversity and ecosystem services preservation, and agricultural policies incentivizing large-scale monoculture farming, which can lead to deforestation and soil degradation, undermining the goals of forest and nature conservation policies.

Spanish forest (biodiversity) restoration policies largely align with European policies. Overarching forest policy demands at the international and EU level have been translated into national legislation over time, as seen in the Spanish forest strategy of 1999 and the new Spanish Forestry Strategy Horizon 2050. Spanish policies demonstrate commitment to achieving EU goals and targets related to forest restoration, biodiversity conservation, and climate change mitigation and adaptation. However, there may be some differences in the implementation and prioritization of specific measures or policies between Spain and the EU. While Spain aligns its forest restoration policies with EU policies, it is important to note that specific implementation strategies and priorities may vary at the national level. National policies and regulations in Spain are tailored to address the country's specific forest challenges, ecosystems, and socio-economic conditions while adhering to overarching EU principles and objectives.

Expert consultations have identified several potential obstacles and enablers for large-scale restoration in Spain. Obstacles include small private property sizes, which make sustainable management and restoration challenging, limited funds for restoration that often overlook long-term maintenance of restored sites, and competing land uses. Enablers include a strong legal framework with numerous policies promoting forest restoration, the formation of collaborative partnerships between private and public actors, and a growing public interest in forest (biodiversity) restoration.

Table 1: Key forest restoration policies and legislation in Spain.

Name	Year of adoption	Entry into force	URL
Law 43/2003, of 21 November 2003, on Forestry (Ley 43/2003, de 21 de noviembre, de Montes). Last amended in 2022.	2003	2003	<a href="https://www.boe.es/buscar/act.php?id=BOE-A-2003-21339">https://www.boe.es/buscar/act.php?id=BOE-A-2003-21339</a>
Estrategia Forestal Española horizonte 2050 (Spanish Forest Strategy for 2050) and Plan Forestal Español 2022-2032 (Spanish Forestry Plan for 2022-2032)	2022	2022	<a href="https://www.miteco.gob.es/es/biodiversidad/temas/politica-forestal/estrategiaforestalespanolahorizonte2050_tcm30-549806.pdf">https://www.miteco.gob.es/es/biodiversidad/temas/politica-forestal/estrategiaforestalespanolahorizonte2050_tcm30-549806.pdf</a>
"Law 42/2007 of 13 December on Natural Heritage and Biodiversity (Ley 42/2007, de 13 de diciembre, del Patrimonio Natural y de la Biodiversidad). Law 7/2018, of 20 July, amending Law 42/2007	2007	2007	<a href="https://www.boe.es/diario_boe/txt.php?id=BOE-A-2018-10240">https://www.boe.es/diario_boe/txt.php?id=BOE-A-2018-10240</a>
13 December, on Natural Heritage and Biodiversity ("B.O.E." 21 July). Effective: 22 July 2018"	2013	2018	<a href="https://www.miteco.gob.es/es/biodiversidad/temas/conservacion-de-especies/planviasdeentradadeelimpio12julio2021_tcm30-529319.pdf">https://www.miteco.gob.es/es/biodiversidad/temas/conservacion-de-especies/planviasdeentradadeelimpio12julio2021_tcm30-529319.pdf</a>
RD 630/2013, of 2 August, which regulates the Spanish Catalogue of Invasive Exotic Species; (RD 630/2013, de 2 de agosto, por el que se regula el Catálogo español de especies exóticas invasoras).	2013	2013	<a href="https://www.boe.es/buscar/act.php?id=BOE-A-2013-8565">https://www.boe.es/buscar/act.php?id=BOE-A-2013-8565</a>
Real Decreto 216/2019, of 29 March, approving the list of invasive exotic species of concern for the outermost region of the Canary Islands and amending Real Decreto 630/2013, of 2 August, which regulates the Spanish Catalogue of invasive exotic species	2019	2019	<a href="https://www.boe.es/buscar/act.php?id=BOE-A-2001-14276">https://www.boe.es/buscar/act.php?id=BOE-A-2001-14276</a>
Real Decreto Legislativo 1/2001, de 20 de julio, por el que se aprueba el texto refundido de la Ley de Aguas (Legislative Decree 1/2001, of 20 July, approving the rewritten text of the Water Act).	2001	2001	<a href="https://www.boe.es/buscar/act.php?id=BOE-A-2001-14276">https://www.boe.es/buscar/act.php?id=BOE-A-2001-14276</a>
Real Decreto Legislativo 1/2001, de 20 de julio, por el que se aprueba el texto refundido de la Ley de Aguas.	2021	2001	<a href="https://www.boe.es/diario_boe/txt.php?id=BOE-A-2021-8447">https://www.boe.es/diario_boe/txt.php?id=BOE-A-2021-8447</a>
Basic Management and Conservation Plans for the Natura 2000 Network	2015	2015	<a href="https://www.boe.es/buscar/doc.php?id=BOE-A-2015-7730">https://www.boe.es/buscar/doc.php?id=BOE-A-2015-7730</a>
Law 7/2021, of May 20, on climate change and energy transition. (Ley 7/2021, de 20 de mayo, de cambio climático y transición energética.)	2021	2021	<a href="https://www.boe.es/diario_boe/txt.php?id=BOE-A-2021-8447">https://www.boe.es/diario_boe/txt.php?id=BOE-A-2021-8447</a>
Law 17/2015, of 9 July, on Climate Change (Ley 17/2015, de 9 de julio, del Cambio Climático)		2015	<a href="https://www.miteco.gob.es/es/biodiversidad/temas/conservacion-de-la-biodiversidad/valoracion-y-">https://www.miteco.gob.es/es/biodiversidad/temas/conservacion-de-la-biodiversidad/valoracion-y-</a>



			aspectos-economicos-de-la-biodiversidad/cb_vae_plan_estrategico_patrimonio_nat_bio.aspx
Law for the Sustainable Development of the Rural Environment (Law 45/2007, of December 13)	1995		<a href="https://www.boe.es/buscar/doc.php?id=BOE-A-1995-13301">https://www.boe.es/buscar/doc.php?id=BOE-A-1995-13301</a>
Plan Estratégico Estatal del Patrimonio Natural y de la Biodiversidad a 2030.	2022	2023	<a href="https://www.boe.es/buscar/act.php?id=BOE-A-2022-23751">https://www.boe.es/buscar/act.php?id=BOE-A-2022-23751</a>
Ley 4/1989, de 27 de marzo, de Conservación de los Espacios Naturales y de la Flora y Fauna Silvestres.	1989		<a href="https://www.boe.es/buscar/doc.php?id=BOE-A-1989-6881">https://www.boe.es/buscar/doc.php?id=BOE-A-1989-6881</a>
Climate Change Adaptation Strategy for Spanish Forests." ("Estrategia de adaptación al cambio climático para los bosques españoles") published on July 28, 2020, by the Spanish Ministry for Ecological Transition and Demographic Challenge.	2014		<a href="https://www.miteco.gob.es/va/ceneam/recursos/pag-web/buenas-practicas-gestion-forestal.aspx">https://www.miteco.gob.es/va/ceneam/recursos/pag-web/buenas-practicas-gestion-forestal.aspx</a>
Guía para la restauración de ecosistemas forestales degradados en España.	2018		<a href="https://www.miteco.gob.es/es/ceneam/recursos/pag-web/guia-restauracion-ecologica.aspx">https://www.miteco.gob.es/es/ceneam/recursos/pag-web/guia-restauracion-ecologica.aspx</a>

# VERTICAL FOREST RESTORATION POLICY COHERENCE

The Spanish Forestry Law provides a framework for the protection of forest areas with high biodiversity value, incorporating provisions that allow for the designation of public utility forests and their inclusion in the Public Utility Forests Catalogue (Art. 13 and 16), prioritizing the conservation of biological diversity and ecosystem protection. The law also regulates the management of protective forests, both public and private, and promotes sustainable forest management, particularly for forests within the Natura 2000 Network, ensuring compliance with international conservation standards (Art. 2, 24, and 32). Additionally, it establishes incentives for biodiversity conservation and restoration and includes provisions for non-intervention reserve areas for the study of natural forest evolution (Art. 65 and 56).

The Spanish Forestry Law implicitly regulates deadwood (management) through its provisions on post-fire management and forest restoration. It mandates that regional authorities implement measures for the removal of burned wood and the restoration of the affected forest cover (Art. 50).

This includes temporary restrictions on activities or uses that may hinder regeneration, for a period longer than one year, unless authorized otherwise. Furthermore, it allows regional governments to request state collaboration for forest restoration efforts under specific conditions (Art. 50 bis). While the law does not explicitly mention deadwood or non-living biomass, its focus on vegetation recovery and sustainable management may imply an indirect regulation of deadwood management.

The Spanish Forestry Law implicitly addresses uneven-aged and mixed-species forest management within the framework of sustainable forest management in Article 32. This provision mandates that forests must be managed by integrating environmental, social, and economic aspects to conserve the natural environment, which implicitly includes the diversity of tree species and ages to fulfill ecological and productive functions. While terms such as "uneven-aged forests" or "mixed species" are not explicitly mentioned, the general principle of sustainability, alongside the requirement for guidelines that encompass all aspects of forest management, implicitly may support the structural biodiversity of forests. There are no other more explicit provisions on this matter in the law.

At national level, the Spanish Forest Strategy advises that 'the need to restrict or regulate the felling should be left in the hands of the Autonomous Communities'. However, it also advises performing an environmental impact assessment before any (clear) felling and discourages this practice in forests designated as a 'Public Utility'.

At regional level, there are some similarities and differences. For instance, Navarra, la Rioja and Castilla y Leon require obligatory reforestation by private owners within five years of (clear) felling. Valencia, alternatively, has legislated conditions under which (clear) felling practice is allowed. For further criteria, most regional laws refer to the main management instrument for public and private forests: the forest resource management plans (PORFs - 'Planes de Ordenación de los Recursos Forestales'). PORFs stipulate the conditions for when (clear) felling practice is allowed and also the procedures required afterwards. For instance, in Madrid these decisions must consider specific biophysical conditions and, within certain scenarios, the practice is allowed. Without exception, all timber harvests must be approved by the regional forest service.

In the Spanish Forestry Law, the protection and conservation of forest birds is addressed in Article 13 on Publicly Listed Forests, specifically in section e). This section states that public forests may be declared of public interest if they contribute to the conservation of biological diversity through the maintenance of ecological systems, which includes the protection of flora and fauna. It also explicitly mentions the protection of natural areas such as special protection areas for birds and other legal protection categories, which are directly relevant for forest bird species.

# KEY FINDINGS

Spanish forest restoration policies and legislation address multiple aspects that support the implementation of restoration activities. On one hand, forest restoration is viewed as a viable option to improve the economic viability of forests in regions affected by rural abandonment, while also enhancing habitat conditions for various endangered species. On the other hand, forest restoration must be carried out with climate adaptation in mind, particularly to mitigate the risk of devastating wildfires.

# RECOMMENDATIONS

For successful implementation and scaling of forest restoration, it will be crucial to leverage synergies across forest-related policy areas while addressing key trade-offs. This can be achieved, for example, by better aligning economic interests with nature conservation and climate adaptation goals within forest ecosystems.





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