

# Wolf conservation and management within the legal limits of the Habitats Directive

Public hearing 'Revaluation of the wolf population in the EU'  
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# Outline

- Conservation status
- Transboundary population-level cooperation
- Hunting / derogations
- Zoning
- Hybridization



# Status

## Annex II

✓ *Natura 2000*

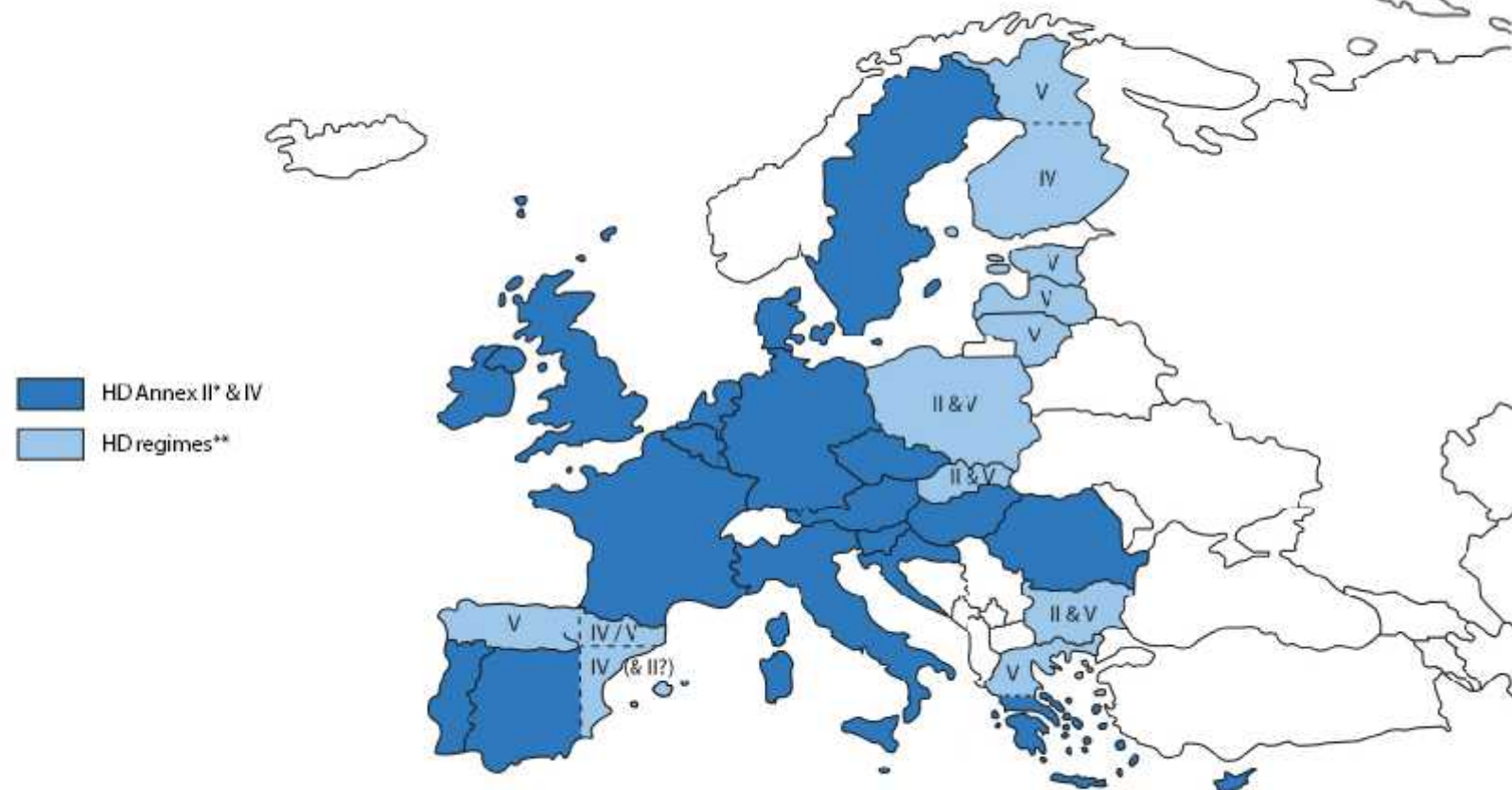
## Annex IV

✓ *Strict protection*

## Annex V

✓ *Flexible protection*

### Wolf *Canis lupus* - Habitats Directive



\*priority species

\*\*e.g. in Greece Annex V is only applicable north of the 39th parallel and Annex II and IV only south of the 39th parallel.

# Favourable conservation status (FCS)



## ☐ Criteria

- Extinction / carrying capacity ?
- Demographic / genetic / ecological ?

## ☐ Scale

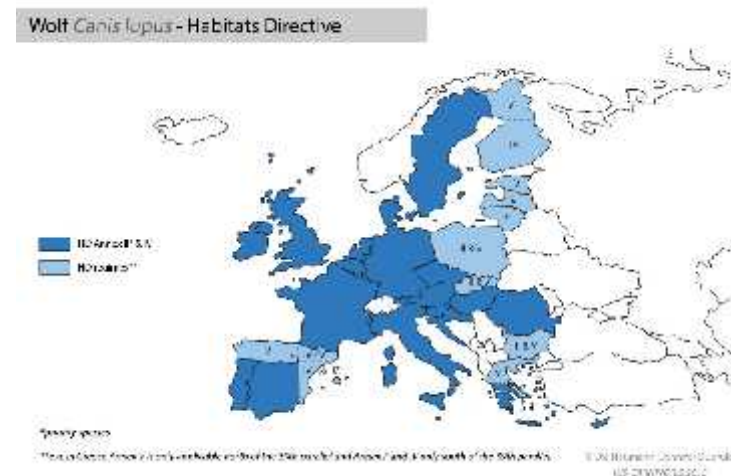
- Local *AND* national / national biogeographical / transboundary
- Transboundary:
  - Not with ‘third states’ like Russia
  - Population-level cooperation as condition?

*“assessment ... at both local level and the level of the territory of that Member State or, where applicable, at the level of the biogeographical region in question where the borders of that Member State straddle several biogeographical regions or if the natural range of the species so requires and, to the extent possible, at cross-border level” (Case C-674/17, 2019)*



# Transboundary population-level cooperation

- 2008 Guidelines on population-level management plans for large carnivores
- Common sense
- Flexibility – hunting / derogations



# Hunting / derogations (1)



- Annex V – conditions:
  - ☐ FCS
  - ☐ Monitoring
  - ☐ Means
- Annex IV – same conditions + Article 16(1):
  - ☐ Reason (a)-(e) (e.g., preventing livestock damage)
  - ☐ No satisfactory alternative
  - ☐ Not impair FCS



## Hunting / derogations (2)

‘Tolerance hunting’ – Case C-674/17 (2019)

- “combating poaching can be ... an objective covered by Article 16(1)(e)”
- Strict conditions:
  - Suitability
  - Absence of satisfactory alternatives
  - Influence on conservation status

*“in accordance with the precautionary principle ..., if, after examining the best scientific data available, significant doubt remains as to whether or not a derogation will be detrimental to ... conservation status, the Member State must refrain from granting or implementing that derogation.”*

## Hunting / derogations (3)



Scope for lethal management – key variables:

- Conservation status
- Quality of scientific evidence
- Quality of safeguards in laws & plans
- Extent & quality of transboundary population-level cooperation





## Zoning & hybridization

### Zoning

- Zones where wolves treated favourably -> OK
- Zones where wolves treated unfavourably -> depends
- No go / low density areas -> options limited, especially under Annex II & IV

### Hybridization

- Government-controlled removal of hybrids
- Protection of hybrids from public at large

# Literature



## Hunting / derogations

- A Trouwborst, FM Fleurke (2019) Killing wolves legally – exploring the scope for lethal wolf management under European nature conservation law. 21 *Journal of International Wildlife Law and Policy* (published online 18 November 2019)

## Zoning

- A Trouwborst (2018) Wolves not welcome? Zoning for large carnivore conservation and management under the Bern Convention and EU Habitats Directive. 27 *Review of European, Comparative & International Environmental Law* 306-319

## Conservation status & transboundary cooperation

- A Trouwborst, L Boitani, JDC Linnell (2017) Interpreting “favourable conservation status” for large carnivores in Europe: how many are needed and how many are wanted? 26(1) *Biodiversity and Conservation* 37-61

## Hybridization

- A Trouwborst (2014) Exploring the legal status of wolf-dog hybrids and other dubious animals: international and EU law and the wildlife conservation problem of hybridization with domestic and alien species. 23 *Review of European, Comparative & International Environmental Law* 111-124