



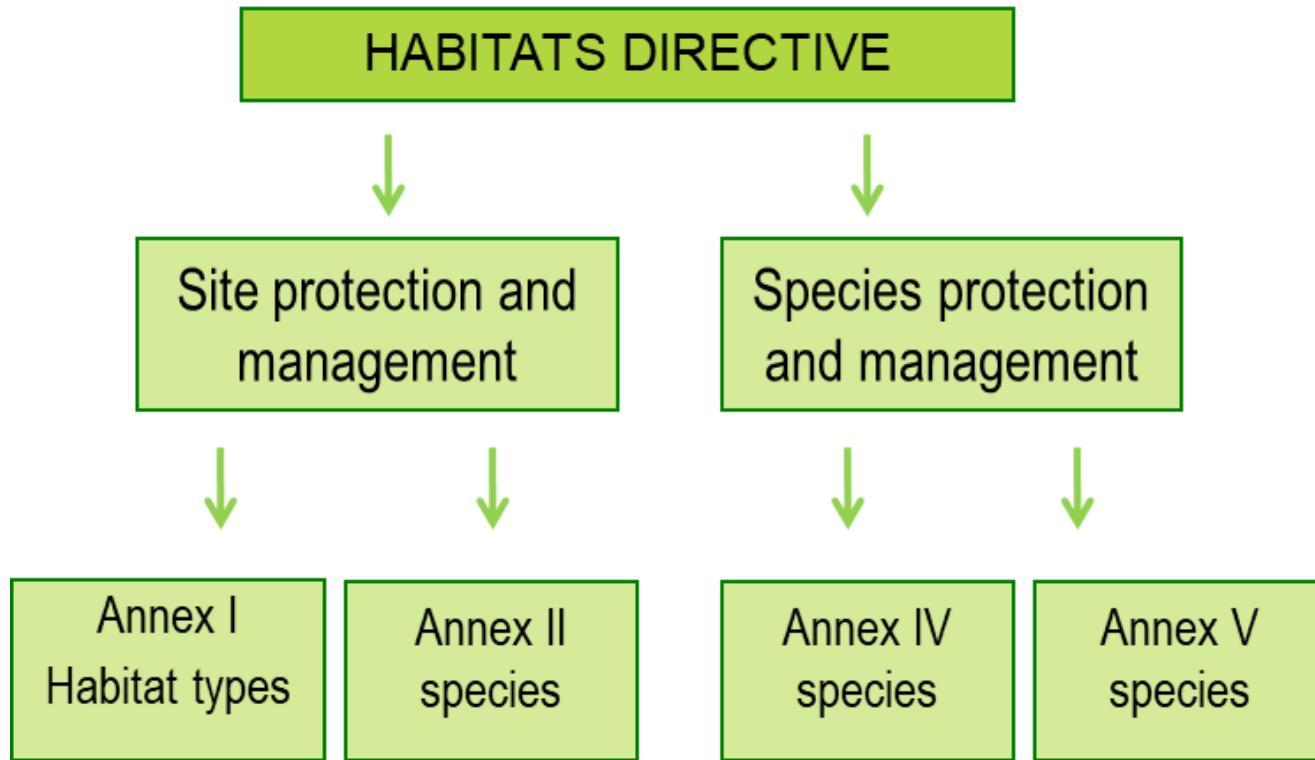
The EU policy on large carnivores and the new species protection guidance

16 November 2021

Marco Cipriani

European Commission - DG Environment, Nature protection Unit





In all cases: achieve FCS
In all cases: need for coexistence



Legal implications

- ***Bear, Lynx, Wolves: Species of Community Interest***
- ***Commitment to ensure Favourable Conservation Status***
- ***Annex II: designation of sites; conservation objectives + measures; appropriate assessments...***
- ***Annex IV: strict protection***
- ***Annex V: exploitation compatible with FCS***
- ***Implementation under the responsibility of Member States***
- ***Monitoring and reporting***
- ***Commission supporting implementation***
- ***Commission ensuring respect of the EU legislation***



Legal framework confirmed by the Fitness Check (16.12.2016)

The screenshot shows a website layout for the European Commission's Environment department. The top navigation bar includes the European Commission logo, a "Translate this page" button, and a search bar. The main menu on the left lists topics such as Nature and biodiversity, Biodiversity Strategy, Nature and biodiversity law, Natura 2000, Species protection, Green infrastructure, Forests, Global coalition "#UnitedforBiodiversity", and Knowledge and data. The main content area features a large green title "Fitness Check of the Birds and Habitats Directives" and a sub-section "Commission evaluation shows Nature Directives are fit for purpose". Below this, a text block explains the publication of the 'Fitness Check' evaluation on 16/12/2016, stating that the Nature Directives remain highly relevant and fit for purpose. It also mentions the availability of the Executive Summary in all languages and the need for improved implementation.

European Commission | [Translate this page](#) [Search](#)

Environment

Home > Nature and biodiversity > EU Nature Law

Nature and biodiversity

- Biodiversity Strategy
- Nature and biodiversity law
- Natura 2000
- Species protection
- Green infrastructure
- Forests
- Global coalition "#UnitedforBiodiversity"
- Knowledge and data

Fitness Check of the Birds and Habitats Directives

Commission evaluation shows Nature Directives are fit for purpose

On 16/12/2016 the Commission has published the 'Fitness Check' evaluation of the EU Birds and Habitats Directives (the 'Nature Directives') and concluded that, within the framework of broader EU biodiversity policy, they remain highly relevant and are fit for purpose.

The Executive Summary of the Fitness Check evaluation is available [here](#) in all languages.

However, full achievement of the objectives of the Nature Directives will depend on substantial improvement in their implementation in close partnership with local authorities and different stakeholders in the Member States to deliver practical results on the ground for nature, people and the economy in the EU.



Case-law of the EU Court of Justice (infringements, requests for preliminary rulings)



Press and Information

Court of Justice of the European Union

PRESS RELEASE No 72/20

Luxembourg, 11 June 2020

Judgment in Case C-88/19

Alianța pentru combaterea abuzurilor v TM and Others

The strict protection of animal species provided for in the Habitats Directive also extends to specimens that leave their natural habitat and stray into human settlements

The capture and relocation of a wolf found in a village can therefore be justified only where they form the subject of a derogation adopted by the competent national authority

In its judgment in Alianța pentru combaterea abuzurilor (C-88/19), delivered on 11 June 2020, the Court ruled on the territorial scope of the system of strict protection of certain animal species provided for in Article 12(1) of Directive 92/43 on the conservation of natural habitats and of wild fauna and flora¹ ('the Habitats Directive'). In that connection, the Court confirmed that this system of strict protection laid down in respect of the species listed in point (a) of Annex IV to that directive, such as the wolf, also applies to specimens that leave their natural habitat and stray into human settlements.

Commission guidance

NATURE & BIODIVERSITY	
EU Biodiversity Policy	▶
EU Nature Legislation	▶
Natura 2000 Network	▶
Species protection	▶
Introduction	
Wild Birds	▶
Species under Habitats Directive	▶
Introduction	
EU Species Red Lists	
EU species action plans	
<u>EC Guidance on species protection</u>	
Large Carnivores	▶
Green Infrastructure	
Invasive Alien Species	
Farming for biodiversity	▶
Global biodiversity	
Wildlife Trade	

EC guidance on species protection

Guidance on Articles 12 & 16 of the Habitats Directive

Articles 12 and 16 of the Habitats Directive aim to establish and implement a strict protection regime for the animal species listed in Annex IV(a) of the Habitats Directive, within the whole territory of Member States.

In October 2021, the Commission adopted a guidance document providing its understanding of the legal provisions under articles 12 and 16, reflecting the latest legal interpretations of the Court of Justice of the European Union and updating and replacing an earlier guidance from 2007. The process of updating this guidance included two broad consultations with Member States and stakeholders' organisations.

In addition to legal interpretation and clarifications, the guidance includes information, advice and good practices to national authorities on how to address conflicts between strictly protected species and human activities, including in relation to the possible use of derogations and lethal control, within the legal framework of the strict protection provisions set by the Directive.

Annex III of the guidance concerns the wolf and provides specific examples of application of the above-mentioned rules, recalling the existing Commission initiatives and funding opportunities to support coexistence with human activities.



New guidance on species protection



Brussels, 12.10.2021
C(2021) 7301 final

Commission notice

**Guidance document on the strict protection of animal species of Community interest
under the Habitats Directive**

[https://eur-lex.europa.eu/legal-content/IT/TXT/PDF/?uri=PI_COM:C\(2021\)7301&from=EN](https://eur-lex.europa.eu/legal-content/IT/TXT/PDF/?uri=PI_COM:C(2021)7301&from=EN)



A summary

The cover of a guidance document. At the top left is the European Commission logo. The title "Guidance document" is in a white box. The main title "The strict protection of animal species of Community interest under the Habitats Directive" is in large, bold, white letters. Below the title is the subtitle "A summary". The background of the cover is a photograph of a pod of dolphins leaping out of the ocean. In the bottom right corner is the "Natura 2000" logo, which features a green and blue design with the text "Natura 2000". A green box at the bottom right contains the word "Environment".



New guidance on species protection

- **No new rules!**
- **Clarifications on the basis of recent case-law by CJEU**
- **Exemples of good coexistence practices for several species (cetaceans, sea turtles, bats, beavers...)**
- **Annex on wolf**

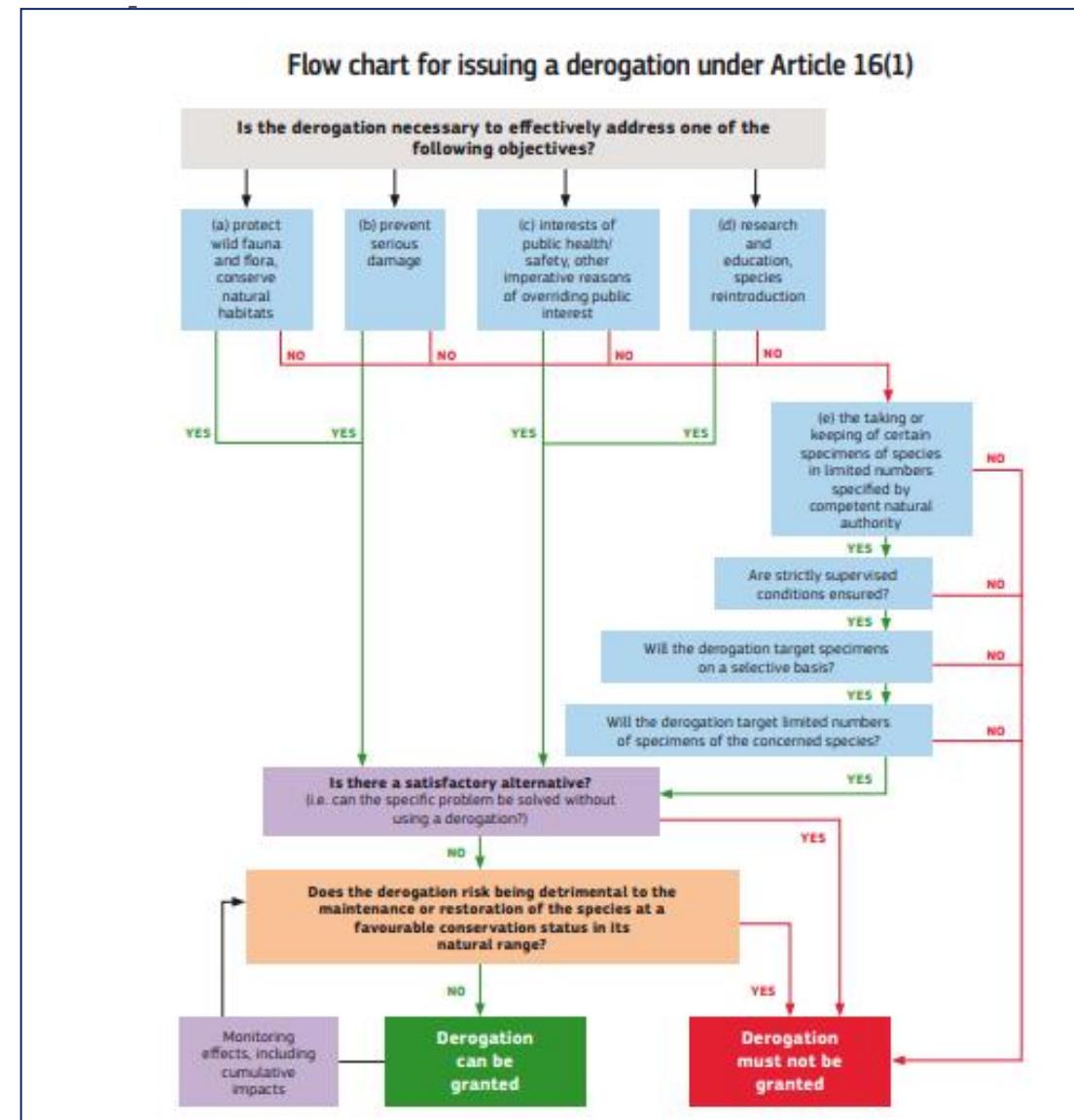


New guidance-Annex on wolf

- **Types of conflicts**
- **Measures for coexistence and good practices (prevention, compensation, information, stakeholders' involvement...)**
- **Funding of coexistence measures**
- **Exemples of derogations under art. 16**
- **Recommendations on hybrids**
- **Recommendations on « bold wolves »**
- **Role of comprehensive conservation and management species plans**
- **CJEU case-law**



Derogations: 3 conditions





Joint letter 3 november 2021



Ref. Ares(2021)6768736 - 03/11/2021

VIRGINIUS SINKEVIČIUS
Commissioner for Environment
Oceans and Fisheries

JANUSZ WOJCIECHOWSKI
Commissioner for Agriculture

Brussels, 3 November 2021
Ref. Ares(2021) 6604718

EU Ministers for Environment and Agriculture

Dear Minister,

We are pleased to inform you that the Commission has recently adopted its updated guidance on the strict protection of animal species of EU interest under the Habitats Directive¹. The



Joint letter 3 november 2021

- **Sums up Commission policy line**
- **Addressed to national environment and agriculture authorities**
- **Recalls the new species guidance**
- **Lists available tools to support coexistence (LIFE, EAFRD, Platforms, State Aids)**
- **Invites Member States to make use of such tools (PAF programming; CAP Strategic Plans)**
- **Available at:**
[https://ec.europa.eu/environment/nature/conservation/species/carnivores/
pdf/Letter_from_Commissioner_Sinkevicius_and_Commissioner_Wojciechowski.pdf](https://ec.europa.eu/environment/nature/conservation/species/carnivores/pdf/Letter_from_Commissioner_Sinkevicius_and_Commissioner_Wojciechowski.pdf)



The policy framework EU Biodiversity Strategy for 2030



Brussels, 20.5.2020
COM(2020) 380 final

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL
COMMITTEE AND THE COMMITTEE OF THE REGIONS**

EU Biodiversity Strategy for 2030

Bringing nature back into our lives



EU Biodiversity Strategy for 2030: Nature restoration targets

- Member States to ensure no deterioration in conservation trends and status of all protected habitats and species by 2030
- Member States to ensure that at least 30% of species and habitats not currently in favourable status are in that category or show a strong positive trend.
- Guidance being prepared on these targets



European
Commission

Support from LIFE

European Commission

Environment

Home > Nature & Biodiversity



NATURE & BIODIVERSITY

- EU Biodiversity Policy
- EU Nature Legislation
- Natura 2000 Network
- Species protection
- Green Infrastructure
- Invasive Alien Species
- Farming for biodiversity
- Global biodiversity
- Wildlife Trade
- Animal welfare / Conservation
- Climate Change
- Partnerships
- Knowledge Base
- Information

LIFE Projects

This site gives an overview on ongoing LIFE projects with a focus on one or more Large Carnivore species of Europe:

LIFE NATURA 2000 + BEAR (2017 - 2020) 	LIFE Bear COUREL (2017 - 2021) 
LIFE Lynx (2017 - 2024) 	LIFE SAFE-CROSSING (2018 - 2023) 
LIFE WolFlux (2019 - 2023) 	LIFE BOREALWOLF (2019 - 2025) 
LIFE ARCPROM (2019 - 2024) 	LIFE WOLFALPS EU (2019 - 2024) 

Support from EAFRD

Investment costs: fences / surveillance equipment
Maintenance costs: fences / surveillance equipment



Grazing premia



Copyright: © Marcel De Grijse



© 123test.com

Investment costs: dogs
Maintenance costs: dogs

© Callisto

Agricultural advice
Technical support
Vulnerability analysis

Support from EAFRD

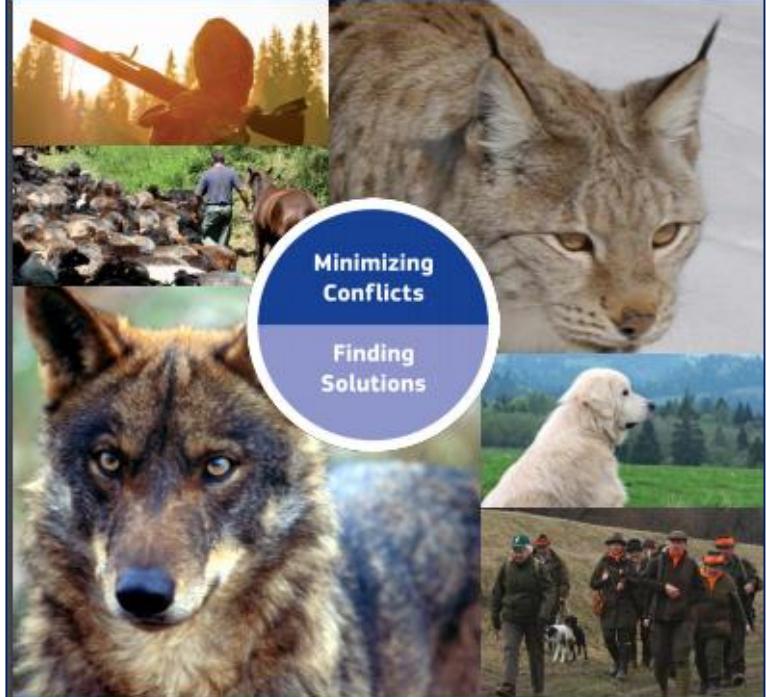


EU PLATFORM ON COEXISTENCE
BETWEEN PEOPLE & LARGE CARNIVORES

Minimizing Conflict
Finding Solutions

Rural Development Programmes

Supporting coexistence between people and large carnivores



EU PLATFORM ON COEXISTENCE BETWEEN
PEOPLE & LARGE CARNIVORES

Minimizing Conflicts
Finding Solutions

Supporting good practice for coexistence
– presentation of examples and analysis
of support through the EAFRD



State Aid support for coexistence

EU PLATFORM ON COEXISTENCE BETWEEN PEOPLE & LARGE CARNIVORES

Minimizing
Conflicts
Finding
Solutions

Briefing note: Changes to State aid guidelines on European Union Member States financing for compensation and prevention measures

https://ec.europa.eu/environment/nature/conservation/species/carnivores/pdf/Briefing%20note%20state%20aid_EU%20Platform.pdf



PAF to identify measures, priorities and financing needs



PRIORITISED ACTION FRAMEWORK (PAF) FOR NATURA 2000 in **[Name of the Member State or region(s)]**

pursuant to Article 8 of Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive)

for the Multiannual Financial Framework period 2021 – 2027



PAF section

E.3.2

E.3.2. Prevention, mitigation or compensation of damage caused by protected species

Current status in terms of prevention, mitigation and compensation for damages

provide text

Measures needed

provide text

Prioritization of measures to be implemented during the next MFF period

provide text

List of prioritized measures to be carried out, and estimated costs for these measures

Name and short description of the measures	Type of measure*	Target (Unit & quantity)	Estimated cost in Euros (annualised)	Possible EU co-funding source
Measure 1				
Measure 2				
etc.				

* indicate whether the measure is recurring or one-off

Expected results for targeted species

provide text

Expected results: other benefits

provide text



« The Commission is ready to help national authorities to find workable solutions that comply with EU law, and that help us achieve our policy objectives »

Commissioner Sinkevičius 15.11.2021