



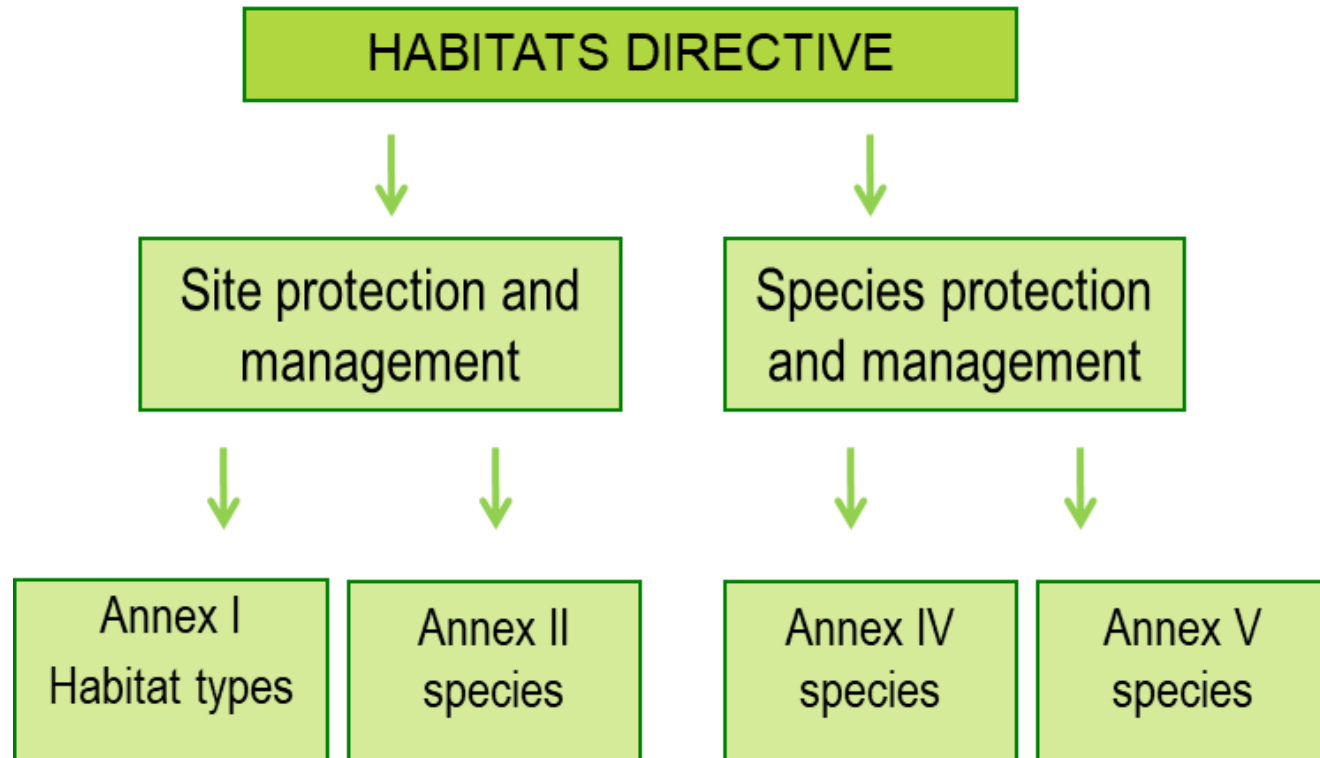
The EU policy on large carnivores and the new species protection guidance

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*



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Legal framework confirmed by the Fitness Check (16.12.2016)

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["#UnitedforBiodiversity"](#)

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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

[EC Guidance on species
protection](#)

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

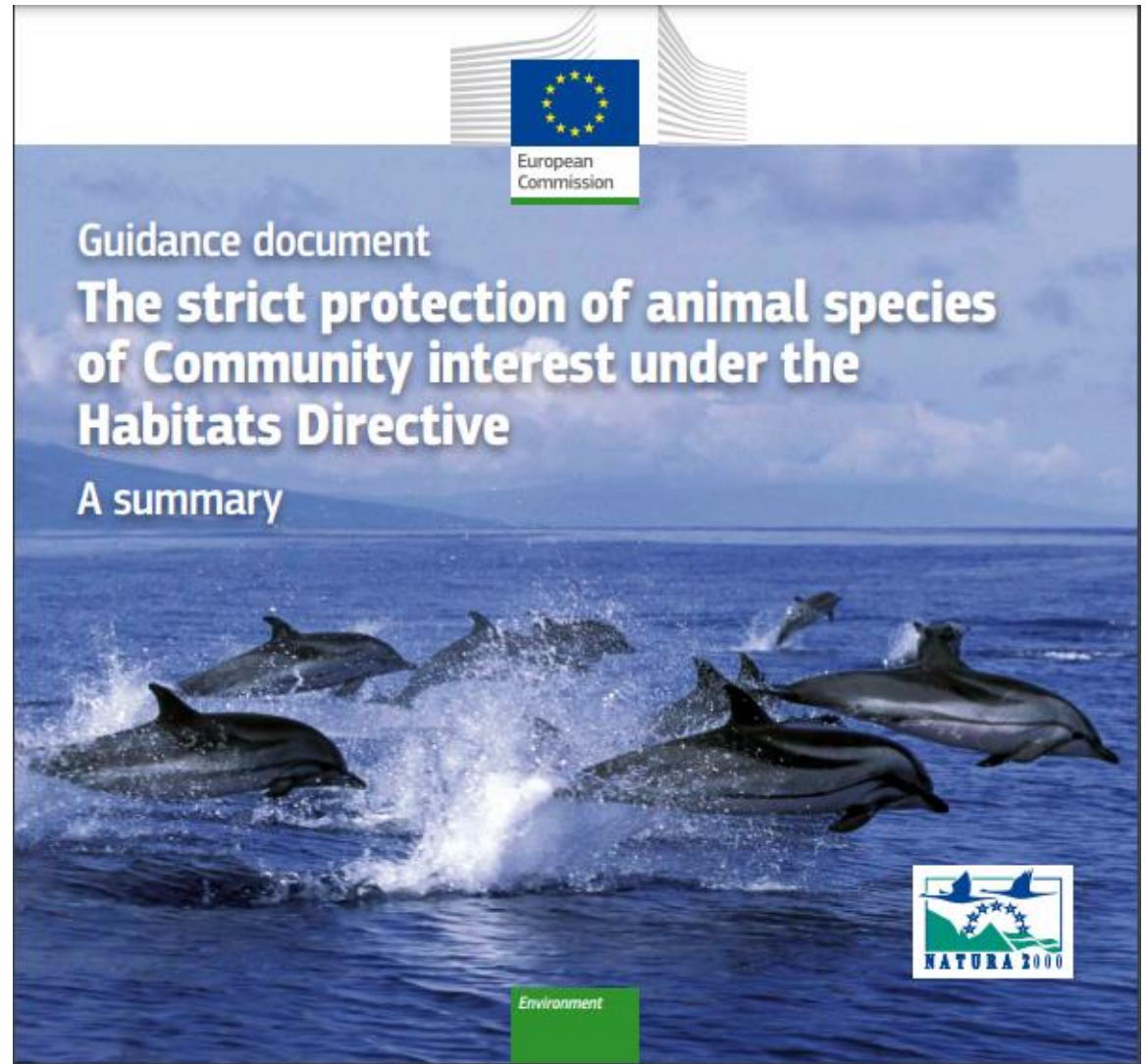


Brussels, 12.10.2021
C(2021) 7301 final

Commission notice

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

A summary



New guidance on species protection

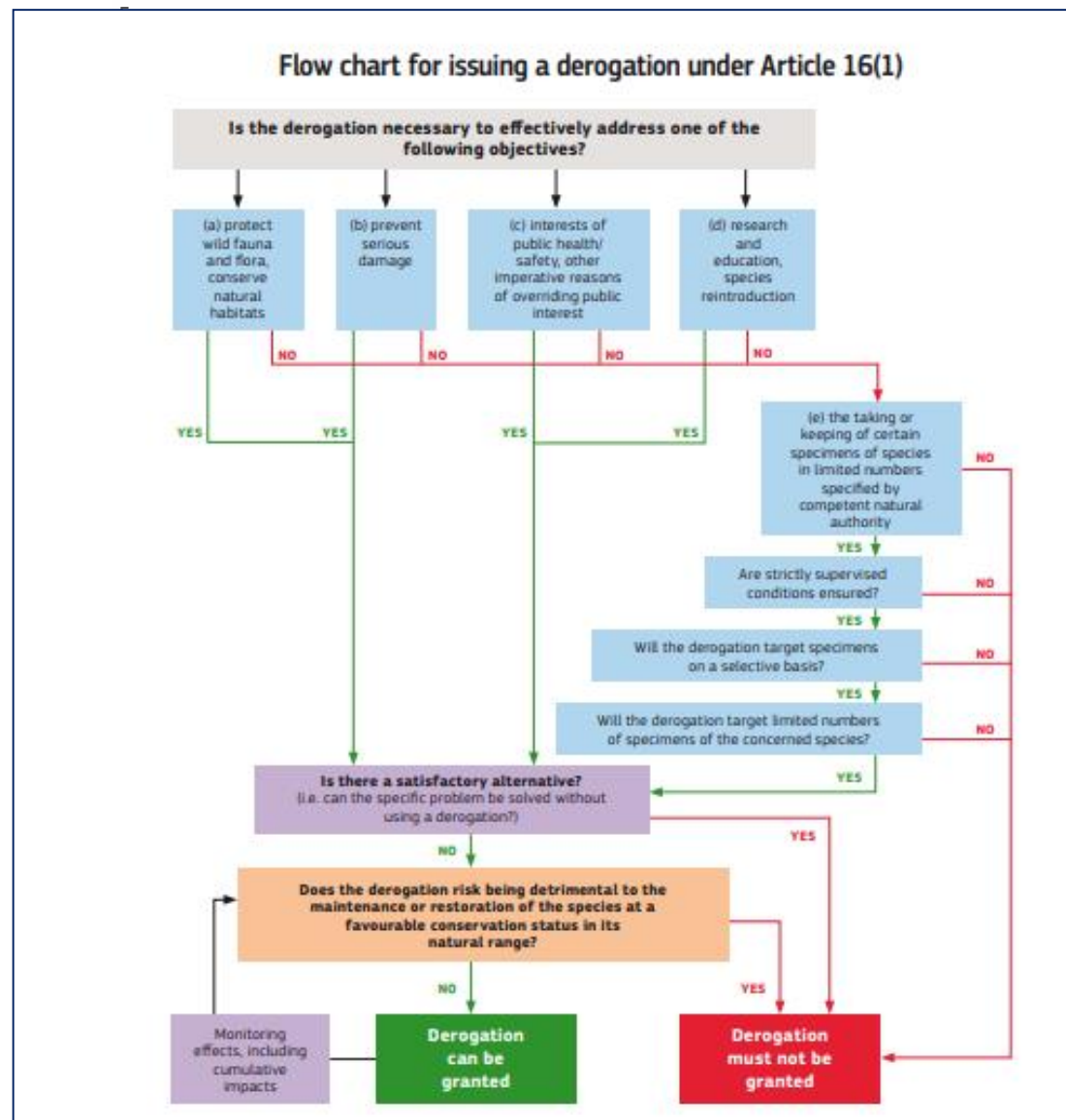
- **No new rules!**
- **Clarifications on the basis of recent case-law by CJEU**
- **Exemples of good coexistence practices for several species (cetaceans, sea turtles, bats, beavers...)**
- **Annex on wolf**

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





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Joint letter 3 november 2021



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

VIRGINIJUS 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

The policy framework

EU Biodiversity Strategy for 2030



EUROPEAN
COMMISSION

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**



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Support from LIFE


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Environment

Home > Nature & Biodiversity



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 WOLFALP S EU (2019 - 2024)
	

Support from EAFRD

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



Investment costs: dogs
Maintenance costs: dogs



Staff costs: shepherding



Grazing premia



Agricultural advice
Technical support
Vulnerability analysis





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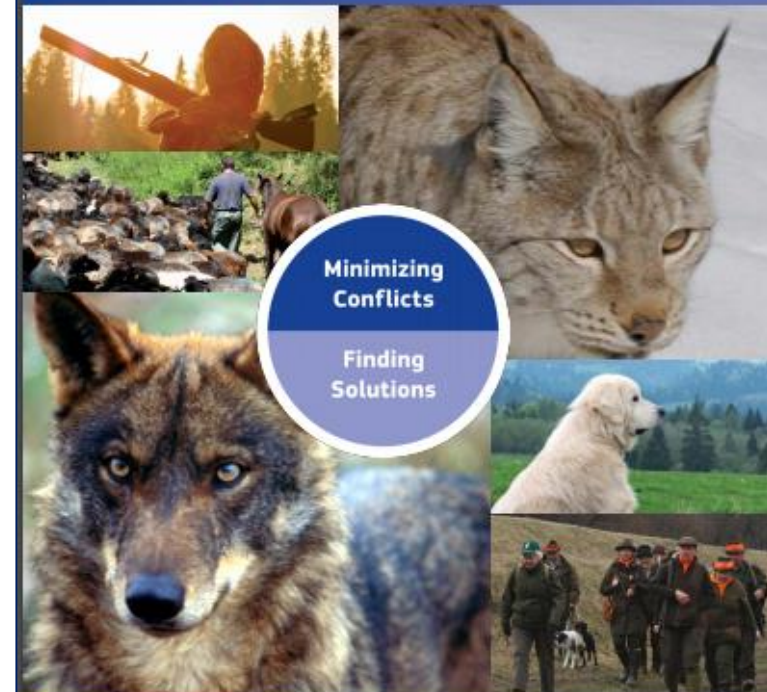
Support from EAFRD

**EU PLATFORM ON COEXISTENCE
BETWEEN PEOPLE & LARGE CARNIVORES**



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



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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