



13.12.2021

NOTICE TO MEMBERS

Subject: Petition No 0415/2021 by Pietro Fiocchi (Italian), bearing eight signatures, on the level of protection afforded to wolves in the European Union

1. Summary of petition

The petitioner points out that the wolf (*canis lupus*) is no longer considered an endangered species in Europe, and that its population is expected to grow at a rate of 20-30% per year, a greatly changed situation in respect of the late 1990s.

This increase, reported by the sheep, goat and cattle farming communities, especially those in the Alpine arc, has led to a steep rise in wolf attacks on not only livestock but also dogs and their owners. According to the petitioner, this growing wolves population is jeopardising the attractiveness of mountain villages for tourists and day-trippers, and entails serious risks for diversified livestock farms and for the economy of areas that are already vulnerable owing to the COVID-19 crisis.

A great many provinces in northern Italy have abandoned various projects run by regional governments with international partners owing to the ineffectiveness of measures encouraging human-wolf cohabitation and working methods grounded in pro-environment extremism.

Major trade associations, such as the Italy's Farmers' Union and the South Tyrolean Farmers Association, have jointly expressed their opposition to the presence of wolves in various areas, judging them to be harmful and unsustainable for farming, alpine tourism and human safety.

A review of EU legislation and of the annexes to the Habitats Directive is therefore necessary, and the wolf needs to be reclassified from a 'strictly protected species' to a 'protected species'. The wolf would thus retain its protected status, but measures could be taken to manage numbers and mitigate the effects of its actions.

2. Admissibility

Declared admissible on 10 September 2021. Information requested from Commission under Rule 227 (6).

3. Commission reply, received on 13 December 2021

The Commission's observations

The wolf is a native species of European fauna, belonging to our biodiversity and natural heritage and playing an important ecological role in the ecosystems. It is a species of Community interest protected under the Habitats Directive¹ and EU Member States have committed to restore and maintain its populations to a favourable conservation status.

The 2020 report on the State of Nature in the EU² and the associated data reported by Member States confirm the ongoing natural recovery of wolf populations: the species is currently recolonising parts of its historical range but it is still subject to significant threats and pressures, such as high levels of illegal killing, and has only reached a favourable conservation status in a few Member States.

This recovery contributes to the objectives of the EU biodiversity strategy to 2030³, aiming to put Europe's biodiversity on the path to recovery in line with the European Green Deal. Among the specific nature restoration commitments, the EU biodiversity strategy⁴ recalls that Member States will ensure no deterioration in conservation trends and status of all protected habitats and species by 2030. In addition, they will ensure that at least 30% of species and habitats not currently in favourable status are in that category or show a strong positive trend by that deadline.

In its resolution of 9 June 2021 on the EU Biodiversity Strategy to 2030, the European Parliament refers to the recovery of large carnivores and wolf and “calls on the Commission and the Member States therefore to take adequate measures to address socio-economic conflicts linked to the coexistence with large predators, such as preventive and compensation measures, ensuring their protection; notes the existence of clear guidelines for implementing these measures, in compliance with Directive 92/43/EEC, including on wolf hybridisation”.

The Commission has recently adopted its updated guidance⁵ on the strict protection of animal species of EU interest under the Habitats Directive. The guidance provides the Commission's understanding of the existing legal provisions, under articles 12 and 16 of the Habitats Directive, which establish a system of strict protection for the animal species listed in Annex IV(a), but allow for derogations under certain specific conditions. The guidance includes clarifications based on implementation experience and in line with the latest legal interpretation of the Court of Justice of the European Union (CJEU). In addition to legal interpretation and clarifications, the guidance includes good practices, information and advice for national authorities on how to address conflicts between strictly protected species and human activities,

¹ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, *OJL 206, 22.7.1992, p. 7–50*.

² <https://www.eea.europa.eu/publications/state-of-nature-in-the-eu-2020/>

³ https://ec.europa.eu/environment/strategy/biodiversity-strategy-2030_en

⁴ Endorsed by Council Conclusions of 23.10.2020:

<https://www.consilium.europa.eu/en/press/press-releases/2020/10/23/council-adopts-conclusions-on-the-eu-biodiversity-strategy-for-2030/>

⁵ https://ec.europa.eu/environment/nature/conservation/species/guidance/index_en.htm

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. Particular attention is given to the challenges generated by the ongoing recovery of wolf populations and to the existing funding opportunities to help addressing such challenges under the current legal, policy and financial framework. An annex to the guidance is devoted specifically to the wolf and covers *inter alia* the following elements:

- Examples and references of good management practices to reduce conflicts while ensuring species protection (e.g. prevention and compensation of livestock damages, involvement of stakeholders in the elaboration of conservation/management plans and in monitoring, improvement of stakeholders' dialogue; provision of information, advice and technical assistance);
- Lethal control and examples of different types of derogations under article 16(1) of the Habitats Directive;
- Management of dog-wolf hybrids;
- Management of the so-called "bold wolves";
- Use of "soft-catch" traps for wolves;
- Possibilities for derogations when the species is in unfavourable conservation status;
- Clarifications on the required scale of impact assessment when granting derogations;
- Opportunities to support coexistence measures (through EU funds and State aids).

Successful examples from Member States^{6 7} show that co-existence of large carnivores and livestock grazing is indeed possible, provided that appropriate and tailored measures to protect livestock are effectively implemented. In line with the above-mentioned call from the European Parliament, the Commission will therefore continue to support Member States and stakeholders to implement a comprehensive and effective coexistence system, suitable for our European multi-functional landscapes. This includes accompanying the restoration and conservation of wolf populations to a favourable conservation status with targeted initiatives to address the impacts on economic and social activities and to reduce conflicts.

Commission's support is available, for the above-mentioned purposes, through its environmental and agricultural policies, by means of the European Agricultural Fund for Rural Development⁸ namely for damage prevention (if programmed in the relevant plan), and the EU

⁶ http://ec.europa.eu/environment/nature/conservation/species/carnivores/case_studies.htm

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[https://www.europarl.europa.eu/RegData/etudes/STUD/2018/596844/IPOL_STU\(2018\)596844_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2018/596844/IPOL_STU(2018)596844_EN.pdf)

⁸https://ec.europa.eu/regional_policy/en/policy/what/glossary/e/european-agricultural-fund-for-rural-development

https://ec.europa.eu/environment/nature/conservation/species/carnivores/pdf/EU_Platform_CAP_and_large_carnivores_July21.pdf

programme for the environment and climate action (LIFE)⁹, as well as through stakeholders' dialogue platforms¹⁰. Under EU State Aid rules, Member States can also establish state aid schemes to support damage prevention measures and to compensate up to 100% for damages caused by protected wild animals¹¹.

As regards Italy, several initiatives, supported by the Commission, have been implemented or are still ongoing to address the issues mentioned by the petitioners. For example, under the LIFE project Wolfalps EU¹², among many other actions, 27 wolf prevention intervention units (WPIU) have been established and trained to intervene and offer timely and concrete help to farmers in preventing livestock predation. Another ongoing action aims to study the relationship between predators, prey and human activities, working with the hunters' community to better understand the complex wolf-prey relationships in alpine ecosystems.

The MIRCO-LUPO project¹³ has contributed to addressing the wolf-dog hybridisation problems in Italy and to minimising the related negative impacts through the neutralisation of the reproductive potential of the hybrids and the stray dogs. The project has also increased the control over poison baits; it has reduced the potential sanitary risk of the transmission of diseases from dogs to wolves; and has increased awareness on the risk posed by hybrids and stray dogs on the conservation of wolf. Another action taken by the project has been the creation of a national database on hybridisation.

Several Italian regions, such as Piedmont, have actively used the funding opportunities under the European Agricultural Fund for Rural Development (EAFRD) to support coexistence measures and help livestock farmers address the related challenges¹⁴.

Conclusion

Under the existing EU legislation, Member States have the tools to address possible conflicts associated with the conservation of protected species such as the wolf, including, where justified, the use of lethal control. The Commission considers that the current legal framework under the EU Habitats Directive, which lists the wolf as a strictly protected species, but provides national authorities with the possibility to issue derogations in certain situations, remains fit for purpose. With regard to livestock farming, the European Agricultural Fund for Rural Development can support suitable protection measures and current state aid rules provide the possibility for Member States to cover fully the costs for prevention or compensation of damages incurred.

⁹ <https://ec.europa.eu/easme/en/life>

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https://ec.europa.eu/environment/nature/conservation/species/carnivores/coexistence_platform.htm

¹¹ https://ec.europa.eu/environment/nature/conservation/species/carnivores/pdf/Briefing%20note%20state%20aid_EU%20Platform.pdf

¹² LIFE Wolfalps EU-Coordinated actions to improve wolf-human coexistence at the alpine population level <https://www.lifewolfalps.eu/en/>

¹³ <http://www.lifemircolupo.it/en/>

¹⁴ <https://www.regione.piemonte.it/web/temi/fondi-progetti-europei/programma-svilupp-rurale-feasr/m4-investimenti/sottomisura-44-investimenti-non-produttivi-connessi-agli-obiettivi-agroclimatico-ambientali>

<https://www.regione.piemonte.it/web/temi/fondi-progetti-europei/programma-svilupp-rurale-feasr/m10-agroambiente/sottomisura-101-impegni-agro-climatico-ambientali>

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Appropriate measures in line with the current EU legislation are therefore available in relation to all issues mentioned by the petitioners and should be proactively applied by the Member States.