



Council of the
European Union

Brussels, 19 June 2019
(OR. en)

10465/19

ENV 619
CLIMA 166
FORETS 24
AGRI 311

NOTE

From: General Secretariat of the Council
To: Delegations
Subject: Management of Large Carnivores - Challenges and solutions
– Information from the Slovenian delegation

Delegations will find in the Annex an information note from the Slovenian delegation on the above subject, to be dealt with under 'Any other business' at the Council (Environment) meeting on 26 June 2019.

Management of Large Carnivores - Challenges and solutions**- Information from the Slovenian delegation**

In Slovenia there is a long and continuous tradition of coexistence with large carnivores, in particular the brown bear, as well as the wolf and lynx. This has resulted in improved management practices in recent decades, including the support of various LIFE projects.

These practices include high-quality monitoring of brown bear, wolf and lynx populations as an essential part of a complex management system; for example, prevention measures, a damage compensation system, an intervention group, organic waste management in villages, communication and education, removal of problematic animals, population control and international cooperation. All activities are framed by strategic documents adopted by the government. Through this we have succeeded in the following:

- The brown bear population is vigorous and is increasing, and its territory is expanding;
- The status of the wolf population has changed from unfavourable to favourable and is increasing, and its territory is expanding;
- There is a negligible rate of illegal killings of large carnivores, including by poaching.

Implementing such a complex management system relies on regular stakeholder involvement. However, the positions of various interest groups could be different, or even extreme.

A stronger EU approach is essential to properly implement the management of large carnivores at the population level, and international coordination and cooperation are also important. We would like to emphasise good cooperation with Romania, France and Spain regarding restocking lynx and translocating bears to the Pyrenees.

The management system helps to create a framework for discussion and cooperation to build trust. If such a system were to collapse, there is a strong probability that such a collapse would trigger criminal proceedings. This is why it is so important to interpret the Habitats Directive provisions in a smart but legally correct way to ensure the achievement of its goals.

Article 2(2) of the Habitats Directive states that: 'Measures taken pursuant to this Directive shall be designed to maintain or restore, at favourable conservation status, natural habitats and species of wild fauna and flora of Community interest.' In cases in which favourable conservation status is achieved and the population is growing towards ecological carrying capacity in a cultural landscape with human settlements and agricultural activities, population size has to be controlled at the population level, taking into account social and economic aspects in line with Article 2(3) of the Habitats Directive.

Therefore, in the spirit of the results of the Habitats Directive fitness check, we have identified the following:

- There is a need for urgent adoption of an EU guidance document on derogations for strictly protected species, because this is a key document for good management of large carnivores at the national level and for comparable standards in all Member States. It would also constitute important input for interpretation by national courts;
- There is a need for a clear interpretation of the meaning of 'no satisfactory alternative' in Article 16 of the Directive. In practice it is not possible to achieve management goals with only one measure (e.g. a preventive measure), but this can be achieved in combination with all appropriate measures, including limited lethal control. It is obvious that there are not many 'satisfactory alternatives' for reducing population size;
- The same approach should be used for all other cases in which the population of a strictly protected species is reaching favourable conservation status, such as otters and beavers;
- The guidance document should give clear interpretations to enable the proper and consistent use of derogations by all Member States;
- If the guidelines of the existing legal framework do not allow regular population controls, subject to conditions, for strictly protected species with a favourable conservation status, we suggest opening a discussion on the legal possibility of considering populations of strictly protected species under Annex IV for management in the manner of Annex V species.
