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INFORMATION NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Council Directive 92/43/EEC as regards the protection status of the wolf (<i>Canis lupus</i>) - Outcome of the European Parliament's first reading (Strasbourg, 5 to 8 May 2025)

I. INTRODUCTION

After the plenary of the European Parliament approved the request by the Committee on Environment, Climate and Food Safety (ENVI) to proceed according to Rule 170 (Urgent procedure) on 6 May 2025, The Left and Greens/EFA groups tabled two amendments.

On 16 April 2025, the Permanent Representatives Committee confirmed that should the European Parliament approve the abovementioned Commission's proposal without amendments, the Council would approve the European Parliament's position.

II. VOTE

The European Parliament adopted its first-reading position on 8 May 2025 by taking over the Commission proposal and rejecting all the tabled amendments. This position is contained in its legislative resolution.

The Council should therefore be in a position to approve the European Parliament's position as set out in the Annex hereto, thus bringing to a close the first reading for both Institutions.

The legislative act would then be adopted in the wording which corresponds to the European Parliament's position.

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The protection status of the wolf (*Canis lupus*)

European Parliament legislative resolution of 8 May 2025 on the proposal for a directive of the European Parliament and of the Council amending Council Directive 92/43/EEC as regards the protection status of the wolf (*Canis lupus*) (COM(2025)0106 – C10-0044/2025 – 2025/0058(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2025)0106),
 - having regard to Article 294(2) and Article 192(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C10-0044/2025),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 30 April 2025¹,
 - after consulting the Committee of the Regions,
 - having regard to Rules 60 and 170 of its Rules of Procedure,
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ Not yet published in the Official Journal.

Position of the European Parliament adopted at first reading on 8 May 2025 with a view to the adoption of Directive (EU) 2025/... of the European Parliament and of the Council amending Council Directive 92/43/EEC as regards the protection status of the wolf (*Canis lupus*)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee²,

After consulting the Committee of the Regions,

Acting in accordance with the ordinary legislative procedure³,

² Opinion of 30 April 2025 (not yet published in the Official Journal).

³ Position of the European Parliament of 8 May 2025.

Whereas:

- (1) For the reasons set out in Council Decision (EU) 2024/2669⁴, the Union submitted a proposal to the Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats⁵ (the ‘Bern Convention’) to change the protection status of the wolf species under that Convention. At its 44th meeting on 6 December 2024, the Standing Committee approved the proposal of the Union to move the wolf (*Canis lupus*) from Appendix II (‘Strictly protected fauna species’) to the Bern Convention to Appendix III (‘Protected fauna species’) to that Convention (‘the decision of the Standing Committee’).
- (2) In accordance with Article 17(3) of the Bern Convention, the change to the protection status of the wolf entered into force on 7 March 2025.
- (3) Council Directive 92/43/EEC⁶ is a key instrument for the conservation of nature in the Union, particularly in view of the Union’s international obligations under the Bern Convention. For the change to the protection status of the wolf under the Bern Convention to be transposed into the legal framework of the Union, the decision of the Standing Committee should be reflected in Directive 92/43/EEC.

⁴ Council Decision (EU) 2024/2669 of 26 September 2024 on the submission, on behalf of the European Union, of a proposal for the amendment of Appendices II and III to the Convention on the conservation of European wildlife and natural habitats and on the position to be adopted, on behalf of the Union, at the 44th meeting of the Standing Committee to that Convention (OJ L, 2024/2669, 10.10.2024, ELI: <http://data.europa.eu/eli/dec/2024/2669/oj>).

⁵ Convention on the conservation of European wildlife and natural habitats (OJ L 38, 10.2.1982, p. 3, ELI: <http://data.europa.eu/eli/convention/1982/72/oj>).

⁶ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7, ELI: <http://data.europa.eu/eli/dir/1992/43/oj>).

- (4) In order to transpose the decision of the Standing Committee, the entry for the wolf should be deleted from Annex IV to Directive 92/43/EEC and adjusted in Annex V to that Directive, thereby providing the wolf with the protection provided for in Article 14 of Directive 92/43/EEC.
- (5) Directive 92/43/EEC aims to contribute to ensuring biodiversity through the conservation of natural habitats and of wild fauna and flora in the European territory of the Member States to which the Treaty applies.
- (6) Directive 92/43/EEC, as an instrument in the field of the environment, permits Member States to maintain or introduce more stringent protective measures as long as they are compatible with the Treaties, as provided for in Article 193 of the Treaty on the Functioning of the European Union. Therefore, for the purposes of Directive 92/43/EEC, Member States remain free, notwithstanding the amendment introduced by this Directive, to maintain the protection status of the wolf at the level of protection provided to strictly protected fauna species.
- (7) Since the objective of this Directive can only be achieved at Union level, because it requires amending an existing Union legal act, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective.
- (8) Directive 92/43/EEC should therefore be amended accordingly,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Directive 92/43/EEC is amended as follows:

- (1) in Annex IV, point (a), ‘Animals’, the entry for the species *Canis lupus* is deleted;
- (2) in Annex V, point (a), ‘Animals’, the entry for the species *Canis lupus* is replaced by the following:
‘*Canis lupus*’.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by ... [18 months from the date of entry into force of this Directive]. They shall immediately inform the Commission thereof.

When Member States adopt those measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2. Member States shall communicate to the Commission the text of the main measures of national law which they adopt in the field covered by this Directive.

Article 3

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 4

This Directive is addressed to the Member States.

Done at ...,

For the European Parliament
The President

For the Council
The President
