

To:

**DG Environment
European Union
B-1049 Brussels
Belgium**

Complaint to the Commission of the European Communities concerning failure to comply with Community law – hunting of grey wolves (*Canis lupus*) in Slovakia

Nimfea Environment and Nature Conservation Association has been active in the field of nature conservation since 1993, its foundation. The programs of the association cover not only Hungary, but the entire Carpathian basin.

1. Current situation of wolves in the region

About 50 or 100 years ago there was a massive population of wolves in the Carpathian region, including Hungary as well. One of the main habitats of wolves in Hungary were the current border area with Slovakia. Although the population of the region is steadily increasing, it still has not reached a stable level, in line with the carrying capacity of the area, therefore careful measures need to be taken until the full stabilization of the population. In Hungary in recent years only the occurrence of a small number of wolves is confirmed, although an increasing trend can be seen. The number of wolves in Slovakia cannot be considered stable, the population is still fragile, so even a moderate level of hunting can pose a threat, if combined with other risk factors, such as the continuous decrease of habitats, human disturbance or even a periodical scarcity of prey animals - although this latter factor currently does not seem relevant, because the most common prey of wolves includes usually overpopulated game animals, such as hare, small rodents, boars. Opposite to common belief, wolves only rarely attack domestic animals, and even that can be avoided by simple prevention measures, such as fencing or keeping good shepherd dogs. As such, wolves does not really mean a threat to agriculture, but they are rather useful in the regulation of their prey animals, and with the present trends of game management, the carrying capacity of the habitats in Slovakia and Hungary would allow for a significantly higher number of wolves.

Before defining the hunting quota, more research is needed on the current wolf population, together with more stringent measures to ensure appropriate breeding seasons.

2. Violation of the Habitats Directive – Articles 1 and 2

According to the Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora („Habitats Directive“),

Article 2 (1): *The aim of this Directive shall be to contribute towards **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.*

Article 2 (2): *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.***

Article 1 (g): *species of Community interest means species which, within the territory referred to in Article 2, are:*

- *endangered, except those species whose natural range is marginal in that territory and which are not endangered or vulnerable in the western palearctic region; or*
- *vulnerable, i.e. believed likely to move into the endangered category in the near future if the causal factors continue operating; or*
- *rare, i.e. with small populations that are not at present endangered or vulnerable, but are at risk. The species are located within restricted geographical areas or are thinly scattered over a more extensive range; or*
- *endemic and requiring particular attention by reason of the specific nature of their habitat and/or the potential impact of their exploitation on their habitat and/or the potential impact of their exploitation on their conservation status.*

Such species are listed or may be listed in Annex II and/or Annex IV or V;

Article 1 (h): *priority species means species referred to in (g) (i) for the conservation of which **the Community has particular responsibility** in view of the proportion of their natural range which falls within the territory referred to in Article 2; these priority species are indicated by an asterisk (*) in Annex II;*

Article 1 (I): *conservation status of a species means the sum of the influences acting on the species concerned that may affect the long-term distribution and abundance of its populations within the territory referred to in Article 2;*

The conservation status will be taken as 'favourable' when: • *population dynamics data on the species concerned indicate that it is **maintaining itself on a long-term basis as a viable component of its natural habitats**, and* • *the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and* • *there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis;*

The grey wolf (*Canis lupus*) is listed in Annex II as a priority species.

With respect to the current situation described in section (1), it is clear Slovakia is violating the Articles 1 and 2 of the Habitats Directive. Furious hunting of the priority species (“of which the Community has particular responsibility”) on the magnitude of

51% population, does certainly not contribute to “ensuring biodiversity through the conservation of natural habitats and of wild fauna and flora”, to “maintain or restore, at favourable conservation status (...) species of wild fauna and flora of Community interest” if we consider the favourable conservation status as a population “maintaining itself on a long-term basis as a viable component of its natural habitats”. Besides the already mentioned facts we add the following: hunting of wolves in Slovakia takes place on a legal basis.

Ministry of agriculture, environment and regional development defined the wolf quota for the season 2010/2011 to **150 animals**. This quota was not based on sufficient field or scientific data, does not take into account other sources of human- caused mortalities and finally it was exceeded because of the dismal system of reporting the culls.

3. Violation of the Habitats Directive - Article 12

According to the Habitats Directive, **Article 12:**

1. *Member States shall take the requisite measures to establish a system of strict protection for the animal species listed in Annex IV (a) in their natural range, prohibiting:*

(a) all forms of deliberate capture or killing of specimens of these species in the wild; (b) deliberate disturbance of these species, particularly during the period of breeding, rearing, hibernation and migration; (c) deliberate destruction or taking of eggs from the wild; (d) deterioration or destruction of breeding sites or resting places.

(4) *Member States shall establish a system to monitor the incidental capture and killing of the animal species listed in Annex IV (a). In the light of the information gathered, Member States shall take further research or conservation measures as required to ensure that incidental capture and killing does not have a significant negative impact on the species concerned.*

All population of the grey wolf (*Canis lupus*) should fall under these measures, introducing appropriate measures ensuring the protection of the Slovakian wolf population.

With respect to all above mentioned facts, we ask the European Commission to take all necessary actions against Slovakia to comply its national law and practices in accordance with the Community law.