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## Op-ed by Michèle Boudoin

### **The decision of the EU Court of Justice makes it even more urgent to review the status of wolves in the “Habitats Directive” if we want to preserve pastoralism in Europe!**

Despite its importance, the information slipped under the radar. On 10<sup>th</sup> October, the Court of Justice issued a ruling in the framework of a case brought before the Finnish Supreme Administrative Court for judicial questions<sup>1</sup> related to wolf population management measures. In its ruling, the Court foresees the possibility of derogations from a strict wolf protection, while masking its decision with numerous safeguards which limit both its interpretation and its application. Today in a large number of territories in Europe, the wolf, unlike pastoralism, is no longer endangered. To combat this situation, we livestock farmers, shepherds, need clarity and concrete acts: effective use of derogations and urgent update of the annexes of the Habitats Directive and the Berne Convention!

In 1992, the wolf (*Canis lupus*) was listed in Article 12 and in Annex IV of the European Habitats Directive. This allowed for the species to benefit from a strict protection regime in order to guarantee favourable conservation status of the population and of its habitat at a time when its population was endangered in Europe. The situation has changed significantly since then. With more than 17,000 wolves counted on the continent<sup>2</sup>, livestock farmers, their herds and human activities on these predation territories are currently under enormous pressure.

It seems that the Court of Justice's and the Advocate General's only objective is the viability of the wolf species, regardless of the damage that the wolves inflict on the economy of the territories and on the rural population. If I take France as an example, the number of sheep killed exceeds the threshold of 10,000 victims per year. This comes at a total annual cost of wolf protection estimated to amount to more than 30 million euros, which is partially taken from the European Agricultural Fund for Rural Development (EAFRD) budget. In other words, a cost of around 60,000 euros per wolf in 2018<sup>3</sup>. By way of comparison, over the same period, the average income of sheep producers was between €17,000 and €37,000<sup>4</sup>.

The French public authorities and the European Commission are turning a deaf ear to this. The targeted removal of wolves still depends on their favourable conservation status and is subject to upper limits. And this despite the scientific proof confirming that wolf populations are well established in the country, despite the extensive damage caused to livestock, the socio-economic impacts on farmers and the increasing calls for help from mayors in predation territories.

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<sup>1</sup> This is about European Union Member State courts having the possibility to ask questions about the interpretation of Community law.

<sup>2</sup> [https://www.europarl.europa.eu/RegData/etudes/STUD/2018/617488/IPOL\\_STU\(2018\)617488\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2018/617488/IPOL_STU(2018)617488_EN.pdf)

<sup>3</sup> <http://www.leseleveursfaceauloup.fr/le-loup/le-cout-du-loup/>

<sup>4</sup> [http://idele.fr/?eID=cmis\\_download&oID=workspace://SpacesStore/b05e5486-4f6a-4a80-b104-f765241b1a7c](http://idele.fr/?eID=cmis_download&oID=workspace://SpacesStore/b05e5486-4f6a-4a80-b104-f765241b1a7c)

It must be noted that the European Union have a biased approach to the protection of the wolf: this takes precedence over the well-being of mankind and of domestic livestock. And this was noticeable in the Court of Justice's motivation on 10<sup>th</sup> October, when they brought to the fore the precautionary principle (Article 191§ 2 TFEU). Indeed, the Court declares that in implementing the derogation from the ban on wolf population management, the uncertainties linked to the maintenance or the deterioration of the species' favourable conservation status, after examining the best scientific data, must lead the Member State to "refrain from granting or implementing that derogation".

The assessment is therefore inevitable: the strict wolf protection regime is no longer appropriate in the majority of European countries. Without a real change in the public authorities' perception, it is the future of our pastoral activities, related species-rich grasslands, unique agricultural landscape and the safety of the populations on our territories that are at stake.

In its ruling, which some could argue goes beyond the text of the directive, the ECJ confirmed that currently Member States do not have the desired flexibility to efficiently manage wolf populations in their respective countries. Given the increasing damage inflicted on the livestock sector and its impact on the welfare of animals, it is essential today to review the annexes of the Habitats Directive and the Berne Convention in order to permit an active management of the wolf in Europe. We have to act quickly if we want to preserve pastoralism and vibrant rural areas!

Numerous MEPs met on 15<sup>th</sup> May 2018 in Brussels and also concluded that it was necessary to reopen the Habitats Directive to finally give livestock farmers the means to live in peace and to carry out their job in humane conditions. We hope that the MEPs that were newly elected in May 2019 will have the courage and will turn words into action.

As we are facing complex negotiations around the future CAP and its budget, It is high time that both the European Commission and the European Council tackle this topic in order to send a strong signal to farmers reaffirming the primacy of pastoralism and open-air livestock farming over the blind rewilding of rural areas. It is a fact that pastoralism activities also serve as custodians of biodiversity and the countryside in numerous territories.

## **Michèle Boudoin**

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**Note to the editors:** After having held various positions in the real estate and public sectors, Michèle Boudoin decided at the age of 26 to study agriculture and to set up her own farm (not part of any family farm) in Allagnat, in the CEYSSAR region, in the Puy de Dome département. Her 57-ha holding is specialised in sheep production with a flock of 500 sheep of the Rava variety. She is a member of the COPAGNO producer organisation (Cooperative of Sheep Producers in Auvergne)

She is committed to her farming organisation, and defending the sheep-producing profession is one of her top priorities. She became President of the FNO in April 2015. Her path to this position reflects her tenacity in advancing the interests of the sheep sector. Michèle Boudoin was also an administrator in the FNSEA (National Federation of Agricultural Holders' Unions) from 2011 to 2014. She is aware that decisions are also made in Brussels and, unerring in her belief that Europe is the way forward, Michèle Boudoin wants to be involved in the Copa-Cogeca where she has been appointed Chairwoman of the Sheep Working Party in 2017.