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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee
46th meeting
Strasbourg, 7-11 December 2026

Bureau of the Standing Committee
7-9 April 2026
Strasbourg

New complaint: 2025/05

**Change in the protected status of the wolf from ‘strictly
protected’ to ‘protected’
(EU)**

- RESPONDENT REPORT -

*Document prepared by
The European Commission DG Environment*

Response Report, received February 2026

 Ref. Ares(2026)1714664 - 16/02/2026



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
The Director-General

Brussels,
ENV.D.3/KDR ARES(2026)

Ms Grazia Alessandra SIINO
Bern Convention Secretariat
Council of Europe
F-67075 Strasbourg Cedex
France

Subject: Response report to Complaint No. 2025/05: European Union: Alleged threat to the wolf caused by change in its protection status under the Bern Convention, proposed by the EU

Dear Ms Siino,

Thank you for conveying the complaint, submitted on behalf of Freundeskreis freilebender Wölfe e.V. on 23 October 2024, concerning the proposal by the European Union to amend the protection status of the wolf (*Canis lupus*) under the Convention on the conservation of European wildlife and natural habitats (Bern Convention) ("the Convention").

Please find attached the response report by the European Commission on behalf of the European Union.

Yours sincerely,

Electronically signed

Eric MAMER

Enclosure: Annex: Response Report of the European Union

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Annex: Response Report

Abstract

The European Union responds to a complaint regarding its proposal to move the wolf from Appendix II to Appendix III of the Bern Convention on the Conservation of European Wildlife and Natural Habitats.

The Union's proposal was submitted in conformity with Article 17(1) of the Convention and adopted by the Standing Committee in conformity with Article 17(2) of the Convention with a majority of 38 Contracting Parties, including 11 non-EU Parties. The Standing Committee's decision entered into force in conformity with Article 17(3) of the Convention. It was only when that decision entered into force that the wolf was moved to Appendix III of the Convention. It is therefore clear that the change in the wolf's protection status stems from the decision of the Standing Committee, and not, as the complaint suggests, from the proposal of the EU.

It follows from the above that the complaint is directed against the wrong act (i.e. the Union proposal instead of the Standing Committee decision). Given that the case-file system only allows complaints relating to alleged breaches of the Convention by Contracting Parties, and not by the Convention's decision-making bodies, this complaint falls outside the remit of the case-file system.

In addition, the parts of the complaint that concern the preparation and adoption of the Union proposal prior to its submission relate to alleged violations of internal Union rules, and not to violations of the Bern Convention, and are therefore also outside the remit of the case-file system.

It follows from the above that the complaint should be rejected in its entirety as inadmissible.

In the alternative and for completeness' sake, the Union's response nevertheless addresses the substance of the complaint, which alleges that the proposal was not based on reliable scientific facts, drew false conclusions and did not take account of ecological and cultural requirements and social circumstances, violated the precautionary principle and the principle of proportionality, was not formally admissible because it was not adopted in the Environment Council, and was politically and personally motivated.

The EU rejects these claims. As regards the first two claims, the Union's response demonstrates that the Union's proposal was grounded on the best available scientific data and evidence, and that it had due regard to the precautionary principle and the principle of proportionality. For the last two claims, the Union submits that these are irrelevant, given that they do not concern any alleged violations of the Convention, and also unfounded.

Therefore, the EU asserts that its proposal was in full compliance with its obligations under the Bern Convention and in line with the Convention's overarching aims to conserve wild flora and fauna and their natural habitats, laid down in its Articles 1 and 2.

I. Background and introduction

On 26 September 2024, the Council of the EU adopted Decision (EU) 2024/2669 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 ⁽¹⁾. On the basis of this decision and in accordance with Article 17(1) of the Convention, the Commission submitted on 27 September 2024 a proposal on behalf of the Union to lower the protection status of the wolf by moving it from Appendix II (strictly protected fauna species) to Appendix III (protected fauna species) of the Convention.

That proposed amendment was endorsed and adopted by the Standing Committee of the Convention with 38 votes in favour, meeting the two-thirds majority of Contracting Parties required under Article 17(2) of the Bern Convention. In line with Article 17(3), that change in the protection status of the wolf entered into force on 7 March 2025, 3 months after the date of the formal adoption of the amendment.

By its complaint, forwarded to the Commission by the Secretariat of the Convention on 3 December 2025 (registered under reference Ares(2025)10697878), the complainant challenges the compliance of the EU proposal with the obligations of the Convention, specifically with Articles 1, 2 and 9. It alleges that the proposal amounts to a threat to the conservation of the wolf. The complaint is based on four alleged elements of non-compliance:

1. The proposal was not based on reliable scientific facts and requirements, drew false conclusions and did not take account of ecological and cultural requirements and social circumstances.
2. The proposal violated the precautionary principle inherent in the Bern Convention and the principle of proportionality.
3. The decision of the Council based on which the Commission made the proposal was not formally admissible because it was not adopted in the Environment Council.
4. The proposal was exclusively politically and personally motivated.

Article 1 of the Convention defines its aims, namely “*to conserve wild flora and fauna and their natural habitats, especially those species and habitats whose conservation requires the co-operation of several States, and to promote such co-operation.*”

Article 2 requires the Contracting Parties to “*take measures to maintain the population of wild flora and fauna at, or adapt it to, a level which corresponds in particular to ecological, scientific and cultural requirements, while taking account of economic and recreational requirements and the needs of sub-species, varieties or forms at risk locally.*”

Article 9(1) defines the circumstances in which Contracting Parties “*may make exceptions from the provisions of Articles 4, 5, 6, 7 and from the prohibition of the use of means mentioned in Article 8 provided that there is no other satisfactory solution and that the exception will not be detrimental to the survival of the population concerned...*”, based on an exhaustive list of grounds. Article 9(2) also requires Contracting Parties to report the exceptions made under Article 9(1) to the Standing Committee every two years.

⁽¹⁾ OJ L, 2024/2669, 10.10.2024.

II. Response to the complaint

The complaint relates to the proposal by the EU made pursuant to Council Decision (EU) 2024/2669 of 26 September 2024 and does not relate to the adoption of that proposal by the Standing Committee at its 44th meeting.

Regarding main points of the complaint recalled in Section I above, the Commission notes that the Standing Committee, as the decision-making body of the Convention, is empowered to keep the appendices of the Convention under review and to examine any modifications to them ⁽²⁾. Accordingly, under Article 17(2), the Standing Committee may adopt any amendment proposed by a Contracting Party by a two-thirds majority. Such amendments then enter into force if the conditions of Article 17(3) of the Convention are met. It is therefore the decision of the Standing Committee which led to the change in the protection status of the wolf, and not, as the complainant suggests, the proposal of the EU. The EU is therefore of the view that the allegations are misdirected, as the alleged breach of the Convention resulting from the change in the protection status of wolf, does not stem from the EU proposal, but rather from the decision of the Standing Committee at its 44th meeting, which was adopted and entered into force in accordance with the rules set out in Article 17 of the Convention. That decision was supported by 38 of the Contracting Parties of that Convention (more than the two-thirds majority required by Article 17(2) of the Convention), including 11 non-EU parties and can therefore not be, in any case, attributed to the EU. If the EU proposal was flawed as alleged, the Standing Committee could have rejected it.

In addition, under Article 17(3) of the Convention, the Contracting Parties had three months to object to the amendment of the Standing Committee moving the wolf from Appendix II to Appendix III of the Convention. If one-third of the Contracting Parties had done so, that amendment would not have entered into force. Given that more than one-third of the Contracting Parties to the Bern Convention are non-EU parties, the fact that this did not happen, and the decision of the Standing Committee thus entered into force, is also not attributable to the EU.

The case-file system of the Bern Convention only allows complainants to complain about alleged breaches of the Convention by a Contracting Party. It does not allow complainants to submit complaints about alleged breaches of the Convention resulting from decisions of the Standing Committee of the Bern Convention, that were adopted and entered into force in accordance with the rules in Article 17 of the Convention. Therefore, points 1) and 2) of the complaint fall outside the remit of the case-file system.

Without prejudice to the above arguments, the EU further submits that the change in the protection status of the wolf was fully compliant with the requirements of the Convention. The EU notes that Article 17(1) of the Bern Convention, which defines the procedure for amending the appendices to the Convention, requires proposed amendments to be communicated to the Secretary General of the Council of Europe and forwarded to a number of concerned parties, including the Contracting Parties, at least two months from the meeting of the Standing Committee. Beyond these procedural steps, which the EU duly adhered to, the Convention does not define substantive criteria which must be satisfied in order to amend its appendices.

⁽²⁾ Article 14.1 of the Bern Convention: "... keep under review the provisions of this Convention, including its appendices, and examine any modifications necessary"

Recommendation No. 56 (1997) ‘concerning guidelines to be taken into account while making proposals for amendment of Appendices I and II of the Convention and while adopting amendments’ does recommend that Contracting Parties take certain scientific criteria into account. Under these guidelines, the Standing Committee recommends that the relevant considerations for listing species in the Appendices to the Bern Convention include ecological and scientific factors, such as vulnerability to threats, trends and variations in population levels, as well as ecological role.

While Recommendations are not legally binding, these considerations were reflected and explained in the EU proposal, which referred to two recent reports on the situation of the wolf in Europe ⁽³⁾. In particular, the In-depth Analysis, published on 20 December 2023 and referred to in the EU proposal, showed that the populations of the wolf in the EU have significantly increased in the last two decades, from an estimated 13 492 wolves (best value) in the period 2013-2018 ⁽⁴⁾ to more than 20 000 individuals in the EU in 2023. Populations are increasing in most EU Member States and in 2023, breeding packs were detected in all 24 EU Member States with wolf populations, except Luxembourg. That analysis was based on available scientific and technical data on the wolf in the EU, also taking into consideration cultural and social factors. This data was supplemented by a targeted stakeholder consultation launched by the Commission on 4 September 2023 (deadline for submissions 22 September 2023) inviting local communities, scientists and all interested parties to submit up-to-date data on wolf population and their impacts. After the analysis of all stakeholder replies sent to the Commission’s dedicated email address by the deadline (over 19 000 contributions were received), the In-depth Analysis’ updated data were sent to the Member States’ representatives of the Nature Directives Expert Group (NADEG) on 17 November 2023, asking them to check and verify the figures on ‘wolf damage on livestock in the EU’ and ‘wolf numbers in the EU’ for their respective countries. Received Member States’ replies were integrated into the in-depth analysis ⁽⁵⁾.

The available data shows that the conservation status of the wolf in Europe has shown a positive trend over the last few decades. The species has successfully recovered across the European continent, with a significant expansion of its range, and both population levels and range are continuing to increase across the continent. Despite remaining threats to the wolf, the successful recovery of its population and its increased range across the continent in recent decades are evidence of the strong adaptability and resilience of the species.

To reflect this new reality, the Commission tabled on 20 December 2023 a proposal for a Council Decision to adapt the protection status of the wolf under the international Bern Convention on the Conservation of European Wildlife and Natural Habitats, to which the EU and its Member States are parties. The proposal was based on the best available scientific data on wolf populations in the EU and Europe, including an assessment of the

⁽³⁾ “Assessment of the conservation status of the Wolf in Europe” (2022) developed by the Large Carnivores Initiative for Europe for the Bern Convention and submitted to the Standing Committee at its 42nd Meeting, and Blanco and Sundseth (2023), The situation of the wolf (*Canis lupus*) in the European Union – an In-depth Analysis. A report of The N2K Group for DG Environment, European Commission <http://data.europa.eu/doi/10.2779/187513>.

⁽⁴⁾ According to the latest conservation status assessment undertaken under Article 17 of the Habitats Directive, covering the reporting period 2013-2018 (p. 7 of the In-depth analysis on the situation of the wolf in the EU).

⁽⁵⁾ Replies received from: Austria, Belgium, Croatia, Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Italy, Lithuania, Portugal, Slovakia, Slovenia, Spain, Sweden.

threats and pressures on the species. The proposal was supported by a strong majority of EU Member States in Council.

When submitting its proposal, the EU took into account the most recent scientific data and evidence. It also considered the potential consequences that would stem from a change in the protection status of the wolf, having full regard to the precautionary principle and the principle of proportionality.

Following the adoption of the EU proposal by the Standing Committee, the wolf is now listed in Appendix III to the Convention, subjecting the species to the protection requirements of Articles 2, 7, and 8. As an Appendix III species, the Contracting Parties must take appropriate and necessary legislative and administrative measures to ensure the protection of the wolf under Article 7(1). Furthermore, according to Article 7(2), any exploitation of the wolf must be regulated in order to keep the populations out of danger, by reference to the requirement under Article 2 of the Convention to take measures to maintain the populations at, or adapt them to, a level which corresponds in particular to ecological, scientific and cultural requirements, while taking account of economic and recreational requirements. Furthermore, Article 8 of the Convention prohibits the use of all indiscriminate means of capture and killing and the use of all means capable of causing local disappearance of, or serious disturbance to, wolf populations. Through these obligations, the management of the species remains fully compatible with the aim of the Bern Convention to conserve wild flora and fauna, and their natural habitats as laid down in its Article 1.

As a result, the change in the protection status of the wolf under the Bern Convention does not allow, as the complainant alleges, for wolves to be permanently shot, to establish 'wolf-free zones' (i.e. permanently excluding the species from its natural range), or the eradication of the wolf in the territory of the Contracting Parties. Having regard to the requirements of Article 2, 7 and 8, as well as the aims of the Convention, such impacts on the species are prohibited and the Contracting Parties do not have *carte blanche* to exploit wolves without regard to the impact on the species. If Contracting Parties wish to permit activities which would be in breach of Articles 7 or 8, it would be necessary to satisfy the requirements for granting an exception under Article 9, including the need to ensure that the exception would not be detrimental to the survival of the wolf population concerned. Moreover, Article 12 of the Convention specifically clarifies the relationship between the provisions of the Convention and the domestic law of its Contracting Parties, allowing for the adoption of stricter protection measures than those provided under the Convention, as appropriate.

Against this background, the Union rejects the claims by the complainant that the proposal was not based on reliable scientific facts and requirements, drew false conclusions and did not take account of ecological and cultural requirements and social circumstances, as well as the claim that the proposal violated the precautionary principle and the principle of proportionality.

The EU also rejects the claim that the Decision of the Council based on which the Commission made the proposal to the Standing Committee would not be formally admissible because it was not adopted in the Environment Council but in the Competitiveness Council. The Council of the EU is a single legal entity and any of the Council's ten configurations can adopt an act that falls under the remit of another

configuration ⁽⁶⁾. In addition, alleged procedural errors concerning Union Law rules in the adoption of the Union proposal do not amount to any violation of the Bern Convention, and are therefore irrelevant in the context of the case-file system of the Bern Convention.

Regarding point 4) of the complaint, arguing that the proposal was politically and personally motivated, it must be reminded that the case-file procedure of the Bern Convention is meant to assess whether the Bern Convention has been breached. In that context, whether the act allegedly breaching the Convention was politically or personally inspired is irrelevant: such arguments cannot therefore demonstrate that the Convention has been breached.

The EU remains fully committed to ensuring full compliance with the obligations under the Bern Convention in the territory of the EU, namely, to conserve wild flora and fauna in their natural habitat, especially those whose conservation requires cooperation of several states. In that regard, the Commission will continue its close cooperation with EU Member States to monitor the progress towards the achievement of the favourable conservation status of the wolf and its coexistence with socio-economic activities ⁽⁷⁾. Investments in appropriate damage prevention measures remain essential in the EU to reduce livestock predation. The Commission will also continue to help Member States and stakeholders in the design and implementation of such measures through funding and other forms of support.

The Standing Committee of the Bern Convention requested that populations of the wolf continue to be monitored and reported to the Standing Committee on a regular basis ⁽⁸⁾. The EU will contribute to this effort through its 6-yearly monitoring and reporting system under the Habitats Directive ⁽⁹⁾.

III. Concluding remarks

Based on the above procedural and substantive considerations, the complaint is inadmissible and, in any case, unfounded. The European Union is of the view that the proposal to amend the protection status of the wolf was in full compliance with its obligations under the Bern Convention, and in line with the overarching aims described in its Articles 1 and 2.

⁽⁶⁾ <https://www.consilium.europa.eu/en/council-eu/configurations/>

⁽⁷⁾ https://ec.europa.eu/commission/presscorner/api/files/document/print/en/ip_23_6752/IP_23_6752_EN.pdf

⁽⁸⁾ T-PVS(2024)MISC, 44th Meeting of the Standing Committee, <https://rm.coe.int/misc-e-44-standing-committee-final-draft/1680b2bbbb>

⁽⁹⁾ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora