

EN

E-001340/2025

Answer given by Ms Roswall
on behalf of the European Commission
(16.5.2025)

1. Member States are not prohibited *per se* from allowing traditional hunting. However, should a traditional hunting entail the use of a method that is prohibited under Article 8 read in combination with Annex IV of the Birds Directive¹, Member States can only allow such hunting if the conditions for a derogation under Article 9 of the Directive are met, in particular the condition that ‘there is no other satisfactory solution’. In this regard, the Court of Justice of the European Union has consistently ruled that the traditional nature of a hunting method is not in itself sufficient to establish that ‘there is no other satisfactory solution’².

2. According to the Birds Directive, the Great Cormorant is not a huntable species in the EU. However, Article 9 of the Directive provides that Member States may issue derogations that allow for the killing of cormorants, amongst others, where they consider that this is necessary to prevent serious damage to crops, livestock, forests, fisheries and water, and provided there is no other satisfactory solution. The power to issue derogation decisions lies solely with the Member States. In line with the provisions of the Birds Directive, the Commission is not involved in this process and should just be informed *ex post*.

¹ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds, OJ L 20, 26.1.2010, p. 7–25.

² For instance Case C-900/19 of 17 March 2021 (point 44):

<https://curia.europa.eu/juris/document/document.jsf?jsessionid=22B423AD7745CE8CBD40E37F07965C60?text=&docid=238963&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=2177923>