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Answer given by Ms Roswall
on behalf of the European Commission
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According to the Habitats Directive¹, Member States must prohibit the use of all indiscriminate means capable of causing local disappearances of, or serious disturbance to, populations of species mentioned in Annex V, including the wolf². The applicability of Article 15 would therefore depend on the means and forms employed when engaging in recreational hunting. In any case, under Article 14, measures must be taken to ensure that exploitation of species mentioned in Annex V is compatible with maintaining favourable conservation status. The Court of Justice of the EU ruled that Article 14 of the Directive prohibited Spanish regional legislation permitting wolf hunting, as the conservation status in Spain was classified as ‘unfavourable poor’³.

The competent authorities must be able to verify that the exploitation of an Annex V species is compatible with the obligation to maintain their favourable conservation status. This requires knowledge of the status of the populations concerned and the extent of the exploitation. Without clear quotas or scientific underpinning, acquiring such knowledge will not be possible. Equally, if the conservation status cannot be determined, for example because it is reported as unknown under Article 17 of the Directive, the competent authority must refrain from authorising exploitation. Without this information, it would not be possible to determine the impact on conservation status⁴.

When assessing conservation status, it may be necessary to consider cumulative impacts, including hunting in other neighbouring regions. The determination of whether conservation status is favourable must refer to population dynamics, range and habitat availability, in line with Article 1(i) of the Directive⁵.

¹ 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. 7–50.

² Directive (EU) 2025/1237 amending the Habitats Directive as regards the protection status of the wolf, OJ L, 2025/1237, 24.6.2025.

³ Case C-436/22 *ASCEL*, <https://curia.europa.eu/juris/liste.jsf?language=en&num=C-436/22>.

⁴ Case C-436/22 *ASCEL*, paragraph 72.

⁵ Guidelines on Concepts and Definitions - Article 17 of Directive 92/43/EEC, Reporting period 2019 2024, https://cdr.eionet.europa.eu/help/habitats_art17.