

**Priority question for written answer P-003361/2023/rev.1
to the Commission**

Rule 138

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Subject: Derogations from the Habitats Directive

The EU Habitats Directive states with regard to large predators that their populations require strict protection, from which there nevertheless exist derogations. In Finland, the Ministry of Agriculture and Forestry decides on matters related to hunting for reasons of population management, and licences are granted by the Finnish Wildlife Agency. However, if decisions are appealed, they may fail in the administrative courts.

Hunting to manage the bear population may come to an end this hunting season. The reason is given in a ruling by the Supreme Administrative Court on 30 October, according to which the licences to kill bears granted by the Finnish Wildlife Agency for autumn 2022 were mainly illegal.

The Court refers to the EU Habitats Directive, where a derogation made possible by that Directive applies, according to the Court, 'only in conclusive situations on a case-by-case basis, where there is a special problem that has to be addressed in the area'. The Court finds that hunting to manage the populations of a species that is strictly protected and the preservation of the hunting culture are not objectives for which a departure from the strict protection rule may be justified.

In Finland, there are between 1 700 and 1 900 bears, according to the Natural Resources Institute Finland. In all, 180 bears were killed this past autumn. In Sweden, there are 2 500 bears, and 650 were killed in the autumn hunt.

1. The European Commission oversees compliance with EU law on the part of the Member States. Does the Commission consider that the Finnish policy on predators complies with EU nature legislation, given too the decision of the Supreme Administrative Court?
2. Should the Habitats Directive be defined more specifically on account of the fact that it is interpreted in very different ways, even in neighbouring countries, such as in Finland and Sweden?

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