OPEN LETTER

To Commissioner Jessika Roswall

From: Vilda Djurens Skydd (Wildlife Protection) and 48 co-signing NGO's

Gothenburg / 260715

For the attention of:

- Jessika Roswall, Commissioner for Environment, Water Resilience and a Competitive Circular Economy
- Cc Mr Eric Mamer, Director-General, DG Environment

Subject: Non-compliant Favourable Reference Population for wolf reported by Sweden — request for formal rejection and enforcement action ahead of Sweden's September 2026 general election

Dear Commissioner, Dear Director-General Mamer,

We, the undersigned non-governmental organisations working across the European Union on nature conservation and species protection, write to you jointly regarding Sweden's implementation of Article 17 of the Habitats Directive (Council Directive 92/43/EEC) with respect to the wolf (Canis lupus), and specifically regarding the Favourable Reference Population (FRP) of 170 individuals that Sweden reported to the Commission and the European Environment Agency on 18 August 2025 — a reference value that is political rather than science-based.

Our main concern is not only limited to the wolf, or to Sweden. If a Member State can set its own political based reference value without any sanctions, other Member States will draw the obvious conclusion: that Article 17 reporting is negotiable and not related to species protection and science.

If Sweden's reference value of 170 wolves is allowed to stand, it sets a precedent — not only for wolf management elsewhere in the Union, but for how any Member State may treat any species listed under the Habitats Directive. Left unaddressed, this risks reducing Article 17 reporting from a binding conservation obligation to a formality that governments can override whenever a population becomes politically inconvenient. That is what is ultimately at stake in this case, and why we consider it a priority for the Commission to act decisively now, before the pattern spreads.

We welcome your Directorate-General's letter to Sweden of 7 November 2025, which already identifies serious deficiencies in Sweden's reporting. The FRP of 170 was set and publicly communicated before SEPA had completed the scientific assessment, and the reported figure is in fact a Minimum Viable Population (MVP) rather than a Favourable Reference Population (FRP). The underlying scientific report places the MVP for the Swedish part of the Scandinavian wolf population at between 170 and 270 individuals, and states that the FRP must be significantly higher than the MVP. Reporting an FRP of 170 — at the very bottom of, or below, the MVP range itself — cannot be

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accepted. We write to reinforce this point and to request that the Commission move from correspondence, to sustained, visible pressure against Sweden.

1. A politically set reference value cannot substitute for a scientific one

Allowing a Member State to report a self-selected number as its FRP — decoupled from the biological definition of favourable conservation status in the Habitats Directive — would strip Article 17 reporting of any meaningful function, not only for the wolf but as a precedent for every other species listed in the Habitats Directive across the Union.

2. Reference values cannot be manufactured through spending on "special management"

Sweden allocates substantial public funds — more than SEK 100 million per year — to targeted management measures presented in a report by SEPA, based on 170 wolves as FRP. Favourable conservation status must reflect a population that is naturally viable in its range, not one kept nominally afloat through continuous, costly intervention. Spending on special management cannot lawfully be used to offset, or to disguise, an artificially low reference value.

3. Article 17 reporting carries evidentiary weight before the Court of Justice

Article 17 reporting is not a mere administrative formality. The data and reference values Member States submit constitute evidence in their own right, and the Court of Justice of the European Union has relied on Member States' own conservation-status data when assessing compliance with the Habitats Directive, including in early wolf-management litigation concerning Finland (Case C-342/05). If a Member State is permitted to report a reference value that is politically chosen rather than scientifically derived, that evidence can no longer be relied upon. The consequence reaches far beyond the wolf: it undermines the evidentiary value of Article 17 reporting for every species and habitat, and with it the legal credibility of the Union's nature legislation for the future.

4. The Commission is not free to accept a breach of EU law

The Commission cannot set aside the requirements of EU law, including Article 17 of the Habitats Directive, under which reference values must be based on the best available science. If the Commission has evidence that a Member State's interpretation breaks with these principles — here, that a favourable reference value must rest on science, not on political choice — then failing to act on that evidence would itself breach EU primary law. As guardian of the Treaties, the Commission is not free to choose whether to enforce in a case like this. It is legally obliged to.

5. The window to act is now

Sweden's Minister for Rural Affairs, Peter Kullgren, has stated repeatedly in media that 170 Wolves is the new reference value. Swedish general election is in September 2026, clear and public pressure from the Commission now is needed to make revision of the reference value unavoidable for whichever government follows.

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We call on the European Commission to:

- Formally and unequivocally reject Sweden's reported Favourable Reference Population of 170 wolves as inconsistent with Article 17 of the Habitats Directive and with the best available science.
- State explicitly, in writing to the Swedish government, that until a revised and scientifically based reference value is submitted and accepted, Sweden must be treated as not having favourable conservation status for the wolf, and that no wolf hunting — whether licensed hunting (licensjakt) or protective hunting (skyddsjakt) — may lawfully be authorised or carried out in the interim.
- Set a strict deadline for Sweden to submit a corrected Article 17 report and reference value, and make that deadline, and the consequences of missing it, public before the September 2026 election.
- Make clear that it will open infringement proceedings and refer the matter to the Court of Justice of the European Union, if a scientifically based reference value is not submitted within that deadline.
- Make clear that public expenditure on species-specific management measures cannot be treated as a substitute for, or justification of, an artificially low reference value.

We would welcome the opportunity to discuss these points further with your departments, and we are ready to provide additional supporting scientific documentation on request.

Letter coordinated with Wolf Watch Europe, Green Impact

Yours sincerely,

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