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Dr. Caroline Lucas  
Member of the European Parliament  
Office 8G103  
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Dear Dr. Lucas,

Thank you for your letter of 26 February 2003 and for drawing my attention to the problem of the conservation of the Iberian lynx in Spain and Portugal.

I fully agree that the extinction of the Iberian lynx would be a very significant step backwards in relation to the commitment taken by the EU to halt the loss of biodiversity in the Union by the year 2010. For this reason, the Commission pays close attention to complaint files and infringement cases related to the species, and you will find in an annex a note concerning the three specific cases that you raised.

The Commission is working with Spain and Portugal to ensure that the Sites of Community Importance proposed by the two Member States for the protection of the Iberian lynx are sufficient to ensure an adequate conservation of its habitat. In this respect, the information I have received from the Portuguese authorities indicates that there have been no recent confirmed sightings in Portugal, even though an extensive monitoring campaign is underway. I would therefore be grateful if you could be more specific on the existence of data confirming the presence of Iberian lynx in Portugal.

Concerning the situation in Spain, the Spanish Ministry of the Environment adopted the Iberian Lynx National Strategy in February 1999 within the National Commission for Nature Conservation. This Commission has also established the Lynx Working Group. The working group is made up of representatives from all the institutions with competence in species conservation (Autonomous Communities and Environment Ministry) and includes expert representatives from the Biological Doñana Station. This working group is chaired by the Directorate-General of Nature Conservation. The working group is a co-ordination forum in which the situation of the species and the action programmes are debated.

The Commission is also assisting, through the LIFE-Nature programme, national efforts to improve the conservation status of the species. In particular, there have been a large number of LIFE projects over the last decade directly targeting the Iberian lynx both in Portugal and Spain. These projects have included basic inventories and ecological and biological research on the species, but also improvement or re-creation of habitats, including corridors, and particularly repopulation of potential lynx areas with rabbits, the main prey for the lynx. To that

end, restocking with wild rabbits has taken place in areas which have been prepared to favour pasture growth and where artificial burrows have been built. Some of these actions have been complemented with predator control and reduction of hunting activity by agreement with landowners. Although the real efficacy of this measure is hard to assess, successful examples have been identified and the positive effect on local stakeholders has been remarkable - their acceptance of conservation projects has increased immensely.

The other main action consisted of population monitoring and surveillance of lynx areas. Specialised and appropriately equipped personnel have been efficient in preventing the use of illegal hunting practices (snare, traps, poaching, etc) and in carefully monitoring the species (radio-tracking, photo identification of individuals, etc).

A captive breeding programme is currently underway in Spain, following an agreement with the Portuguese authorities. Community financing for this programme was not requested, although some marginal activities related to the programme have been included in some of the above-mentioned LIFE projects.

I trust that this information answers your concerns.

Yours sincerely,

  
Margot WALLSTRÖM

## Annex

### Note on the situation of complaint files and infringement cases concerning the Iberian lynx in Portugal

#### **1. Odelouca dam**

The Commission sent a Reasoned Opinion to the Portuguese authorities, late in 2001, deeming that the approval of a project to build a dam in the Odelouca valley was in violation of Directive 92/43/EEC. In its Reasoned Opinion, the Commission considered that the estimated needs of water for public supply were not sufficient to justify the planned dam and that, therefore, reasons of overriding public interest related to public health could not be invoked.

Since then, the Portuguese authorities have submitted new information which purportedly demonstrates the need for the project exclusively to address the estimated needs in terms of public supply. Since these new elements were not considered by my services to be conclusive, I have asked the Commission to authorise contacts with the national authorities to clarify the pending issues. These contacts are currently being set up, and I will soon be proposing a line for the Commission to follow concerning this infringement case.

Community funding for the project is effectively blocked until the infringement procedure is resolved.

#### **2. A2 motorway**

Concerning the A2 motorway, the Commission decided to submit the case to the European Court of Justice, and my services are currently preparing that submission. I note, however, that the project included some mitigation measures and, of particular relevance to the Iberian lynx, the construction of viaducts over the main valleys - potential connection corridors between the best areas for the Iberian lynx in southern Portugal.

#### **3. Alqueva dam**

With regard to the Alqueva dam, the decision to approve community funding of the project was linked to the implementation of an Environmental Management Plan, which included a large number of mitigation and compensation measures. Although these measures were not specifically targeted at the Iberian lynx, several of them directly or indirectly affected this species. The Commission received complaints in 2001 concerning two different aspects of this implementation, and these were registered as two separate complaint files. The first one concerned the general

implementation of compensation measures, some of which did not seem to have been put in place while several others suffered serious delays, and the second one concerned more specifically the impact of the vegetation clearance on the Iberian lynx population. The first complaint file is still open, while the second one was closed in 2002 on the basis of assurances from the Portuguese authorities that a plan had been established for vegetation clearance based on a number of scientific studies, that particular attention had been paid to the possible presence of the Iberian lynx in the area in the planning of the clearance, and that the workers had been instructed to stop all work as soon as there was any information on the effective presence of the species.