

# The law and the wild hamster: doing the (im)possible?

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In spite of being listed as a strictly protected species under EU law, the Common hamster (*Cricetus cricetus*) finds itself on the brink of extinction in several EU Member States. However, during the past decades, the Court of Justice of the European Union (CJEU) has pronounced itself on three different occasions on the precise scope of the conservation and restoration duties that rest upon EU Member States vis-à-vis the Common hamster. What population targets are to be reached? Can EU Member States take resort to derogation clauses when failing to meet the targets? Is there a force majeure-clause that might be reiled upon? Taking into account the recent caselaw-developments, this paper sketches out the precise legal baselines that have to be observed when reviewing national conservation plans for Common hamsters. In addition, this paper analyses to what extent the recent proposal for a EU restoration law could provide even more ammunition for environmental NGOs that critically address species recovery policies for threatened species at national court level. How strong are the legal teeth of the restoration mandates that lie dormant in existing and future nature protection law in the EU? And will they ensure that EU Member States effectively save the Common hamster from extinction?