



Strasbourg, 23 September 2003  
[files23e\_2003.doc]

**T-PVS/Files (2003) 23**

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**  
23<sup>rd</sup> meeting

Strasbourg, 1-4 December-2003

---

**Possible file**

**Control of the wolf (*Canis lupus*)  
in the Grisons Canton (Switzerland)**

Report by the Secretariat

*Document prepared by  
the Directorate of Culture and of Cultural and Natural Heritage*

---

This document will not be distributed at the meeting. Please bring this copy.  
Ce document ne sera plus distribué en réunion. Prière de vous munir de cet exemplaire.

The purpose of the "files" is to find a satisfactory solution to problems encountered in implementing the Convention and to monitor as effectively as possible the means chosen to resolve them.

## **I. Background**

The organisation "LegaAmbiente" lodged a complaint with the Bern Convention Secretariat concerning the authorisation for the killing of a wolf, the only individual present in the region, issued by the authorities of the Canton of Grisons and the Federal Office for Environment, Forests and Landscape (OFEFP).

## **II. Application of the Bern Convention**

This shooting authorisation contravenes several different provisions of the Convention:

- The wolf is listed in Appendix II of the Convention (strictly protected species);
- Article 6 prohibits all forms of deliberate killing of the species:  
"a. *all forms of deliberate capture and keeping and deliberate killing; [...]*"
- Article 9 allows the Parties to make exceptions from the provisions of Article 6 "provided that there is no other satisfactory solution and that the exception will not be detrimental to the survival of the population concerned".

Switzerland made no reservation concerning the wolf when ratifying the Convention.

This authorisation could call into question the international commitments of Switzerland, the country where the Convention was signed.

## **III. Information provided by the Swiss Government**

### **a. In December 2001**

The Secretariat was informed that the "*Conseil d'Etat*" (the upper chamber of the Federal Assembly) has approved a parliamentarian's motion to have the wolf's protected species status withdrawn. The decision is to be taken by the 2nd chamber of the Federal Parliament, the National Council.

### **b. In 2002**

On 8 March 2002, the Director of OFEFP explained the reasons for the shooting authorisation, since the shot wolf had attacked 50 head of livestock, which was above the limit set by the management plan.

Since the wolf had been from the ever-growing Italian population, the act of shooting had no immediate impact on the population of origin.

Furthermore, it was possible for a sub-population to become established in Switzerland in the medium term even if certain individuals causing damage were shot.

The Swiss authorities considered that this authorisation did not contravene Article 9 of the Convention.

### **c. In 2003**

On 17 June 2003, the Secretariat was informed that the lower Chamber (the National Council) had rejected the motion and invited the Federal Council (Administration) to re-organise the "Wolf Concept" in taking into account more particularly the interests and maintenance of the pastoral economy (sheep) in mountain region. This new project of concept which will include an Action plan will be prepared and then submitted for consultation to the cantonal and federal official services concerned and other stakeholders. It is expected to be implemented probably during Spring 2004.

As soon as this concept is official, it will be sent to the Secretariat of the Bern Convention. Switzerland considered that it has fulfilled its obligations towards the Convention in using the possibilities of ad hoc derogations according the Convention's terms.

#### **IV. Decision of the Standing Committee concerning this file**

At its 12 April 2002 meeting, the Bureau examined the case and instructed the Secretariat to request a copy of the wolf management plan.

The authorities replied that they were unable to forward the management plan since it was only at draft stage at present and that the finalisation of the draft would depend on the decision to be taken by the National Council on the motion calling for the wolf to be removed from the protected species list.

In case of adoption of the motion a management plan at national level would be superfluous, as the wolf would no longer be protected under national legislation.

Any management plan would fall within the competence of the cantons.

At the 22<sup>nd</sup> meeting of the Standing Committee, the Swiss delegate informed the Committee of the very complex situation facing his government: Switzerland had not entered a reservation in respect of the wolf because this species had not been present at the time of ratification. The final decision concerning possible withdrawal of the wolf from the list of protected species would be taken by the Federal Council in 2003.

He reminded that the authorisation was based on the wolf concept planned for the management of wolf.

The Standing Committee instructed the Bureau to monitor developments pending submission of policy and technical documents by the Swiss Government.

At its 19 September 2003 meeting, the Bureau decided to keep this file as a possible new file.