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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee
22nd meeting

Strasbourg, 2-5 December-2002

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*

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).

The Secretariat was also 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chamber of the Federal Assembly) has approved a parliamentarian's motion to have the wolf's protected species status withdrawn.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.

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. Action taken by the Secretariat and information provided by the government

The Secretariat wrote on 23 January 2002 to the Swiss authorities to request further information.

In his reply, on 8 March 2002, the Director of OFEFP explained the reasons for the shooting authorisation and stated his belief that it did not contravene Article 9 of the Convention, 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 it 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.

IV. Examination by the Bureau

At its meeting on 12 April 2002, 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 was likely to undergo substantial amendment by the cantons.

The finalised draft would depend on the decision to be taken by the National Council in autumn 2002 on the motion calling for the wolf to be removed from the protected species list.

If the motion was approved, 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.