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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee
21st meeting

Strasbourg, 26-30 November 2001

Document for information

**Wolf (*Canis lupus*) management
in Norway**

Report by the Government

*Document prepared by
the Directorate for Nature Management of Norway*



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832.4

April 19. 2001

INFORMATION ON THE TAKING OF WOLVES IN NORWAY

With reference to discussions at the SBSTTA-meeting (Subsidiary Technical and Technological Body) in Montreal between Gunn M Paulsen and Eladio Fernandez-Galiano, we would like to inform the Secretariat of the BernConvention on some aspects concerning the taking of wolves in Norway this winter.

First, we would like to point out that the taking of wolves in this area is a further management development based on a situation which has been an issue with the Bern Convention before, ref. our letter of March 26th 1999, and subsequent discussions at the last Standing Committee meeting, ref T-PVS (99) 30, in November/December1999. We also remind you of the presentations of the current policy of wolf management and zoning strategies presented at the meeting of the Group of Experts on large carnivores in Oslo, June 22-24, 2000, ref T-PVS (2000) 33.

On October 19th 2000 the Directorate for Nature Management (DN) gave an advance notice of a potential decision to kill two wolf packs in Østerdalen valley in Norway. The addressees and other interested parties were invited to make any statements or comments regarding the potential decision to kill those wolves by December 1st, 2000. The Directorate also held meetings with the Swedish Environmental Protection Agency to give some more information, as the population concerned is a joint population between the two countries. Comments received were evaluated along with data on the population situation at the time of the decision.

On February 5th 2001 the DN made a decision to kill nine wolves in Østerdalen valley in Norway. These wolves were seven wolves in the Atndal pack and a presumed pair living together in an area just south of the territory of the Atndal pack.

The documents on both the advanced notice and the decision to kill the wolves were translated into English. Both translations are enclosed with this letter, and were at the time available on our homepage. During the implementation phase of the decision, daily news in both Norwegian and English were given at our homepage.

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As information on population size and distribution is crucial when deciding upon the taking of individuals in a small population, the Foundation for Nature Research and Cultural Heritage Research and College of Hedmark, Department of Forestry and Wilderness Management gave current updates on the Swedish/Norwegian population status. Public information on population status were given on our homepage.

Status January 29th:

Wolf pack's names:	Breeding status spring 2000	Breeding status September 2000	Family group verified	Min. number of wolves in pack
8 Leksand	Not expected	Not likely		
N. Finnskog-Boggrangen	Expected	Uncertain	Yes	3
Filipstad	Expected	Yes	Yes?	5
Kongsvinger-Årjäng	Expected	Likely	Yes	5
Dalsland-Halden	Expected	Uncertain	Yes?	3
Atndalen	Expected	Likely	Yes	7
Koppang	Expected	Yes	Yes?	10
Grangärde	Expected	Yes	Yes?	4
Gravendal	Expected	Yes	Yes?	5
Glaskogen	Expected	Yes	Yes?	6
Hasselfors	Expected	Yes	Yes	8
S-Finnskog-Nyskoga	Expected	Yes	Yes	4
Moss-Våler	Expected	Yes	Yes?	4

Final results from the population monitoring of wolves in the winter of 2000/2001 will be available by the end of June 2001.

After the decision to kill the wolves was made public, and before the taking of wolves started, we established a press centre in the area. On February 8th we gave a press conference, at which the Directorate informed about the decision and the reasoning behind the current management policy, and scientists from different institutions gave information on population status, research activity etc. NGO's like WWF were invited to inform about their opinion. The taking of wolves commenced on February 10th.

The press centre established in the area were open every day from 9:00 a.m. to 19:00 p.m. from February 9th and to February 26th. The press centre gave general information on the taking of the wolves, and in addition access to a lot of printed information of large carnivores in Norway.

Population monitoring showed that there was one more wolf than expected in the Atndal pack. On March 19th the Directorate gave licence to kill one more wolf. The total amount of wolves to be killed then increased to ten. Due to bad tracking conditions etc the taking of wolves was not continued after April 6th 2001, at which point nine wolves were killed:

No.	Date	Sex	Territory	Method	
1	February 19	Female	Atndal pack	Skis	Pup
2	February 27	Female	Imsdal "couple"	Helicopter	Subadult
3	February 27	Female	Imsdal "couple"	Helicopter	Subadult
4	March 4	Male	Atndal pack	Helicopter	Pup
5	March 17	Male	Atndal pack	Helicopter	Pup
6	March 17	Male	Atndal pack	Helicopter	Alpha male
7	March 18	Male	Atndal pack	Helicopter	Pup
8	March 18	Female	Atndal pack	Helicopter	Pup
9	March 21	Female	Atndal pack	Helicopter	Alpha female

The decision to take the wolves and acceptable methods was subject also to several complaints by different organisations. The complaints advocated both to overturn the decision to take wolves, and to include also the neighbouring pack in the Koppang area in the decision, e.g. take an additional 9 wolves.

The decision to take the wolves was also subject to evaluation in the Court of Stay, where 3 different conservation NGO's asked the court to suspend the taking of wolves until it could be handled in a ordinary court.

Neither the complaints, which were handled by the Ministry of Environment, nor the decision in the Court of Stay, resulted in a change or overturning of the decision of the Directorate to take out the wolves as given in our decision of february 5th 2001.

More detailed information on the background and regulations in this matter you will find in the enclosed letters:

- Advanced notice of a potential decision to kill members of a family group or family groups of wolves in Østerdalen, Hedmark County, dated October 19th, 2000.
- Decision to kill wolves and other measures to prevent depredation on domestic animals in Østerdalen valley – Hedmark County, dated February 5th, 2001.

If you need more information on the subject we will be happy to provide it to you.

Yours sincerely

Yngve Svarte
Dep. director

Terje Bø

Copy:
Ministry of the Environment

Adresseliste

Deres ref.

Vår ref. (bes oppgitt ved svar)

Dato

2000/6096- ARTS/VI/MOK

5 February 2001

Arkivkode: 445.24

DECISION TO KILL WOLVES AND OTHER MEASURES TO PREVENT DEPREDAATION ON DOMESTIC ANIMALS IN ØSTERDALEN VALLEY– HEDMARK COUNTY

The Directorate for Nature Management hereby implements measures to prevent depredation on domestic animals by predators in Østerdalen Valley in Hedmark County. The measures involve the killing of predators and implementation of protective measures where killing is not considered to be appropriate in the present situation.

The measures are implemented as follows:

1. *Based on the Law of 29 May 1981 No. 28 "On Wildlife" (Wildlife Law) § 12, refer to Regulation No. 656 of 30 June 2000 "On Management of Bear, Wolverine, Wolf and Lynx" (Management Regulation) § 3, refer to § 2, the Directorate implements the killing of up to 9 wolves within the home ranges of the Atndal pack and the possible pair in Imsdalen during the period 10 February 2001–6 April 2001.*
2. *Rendalen Municipality is granted up to 8 –eight- million kroner for preventive measures against depredation in the municipality for the 2001 grazing season, with the understanding that measures to prevent the Koppang pack from causing depredation will have first priority.*
3. *Prior the beginning of the 2001 grazing season for sheep, Rendalen Municipality will be delegated authority to decide on issuing kill permits for wolves, refer to management regulations § 3, 4th section, 1st point, so that potential acute depredations during the grazing season can be prevented.*

Detailed decisions and explanations/evaluations are given below.

The measures are based on a comprehensive evaluation and weighing of a number of conflicting considerations, where the Directorate has emphasized the following factors:

- The comments to the advance notice of a potential decision to kill wolves have shown clearly that there are strongly divided opinions about the decision that was outlined in the advance notice. The killing of a considerable number of wolves in two family groups would preempt the possibilities for other actions that are available in the management of a small wolf population. Such a decision would therefore limit or prevent killing as an action, both in Swedish wolf management and in situations that might arise in other places in Norway. With this background, the Directorate finds it most correct in relation to management to maintain a certain amount of flexibility by limiting the killing to one family group at the present time.
 - The Directorate points out that the pair that produced the Atndal pack has been the subject of an earlier management evaluation because of the potential for depredation in the area, and that kill permits were issued for this area in 1998 and 1999. The potential pair in Imsdalen is considered to be in a similar situation in relation to the potential for future depredation. The Directorate still considers it to be important to prevent the establishment of family groups in the border areas of Hedmark/Oppland, which have a potential for large depredation problems, refer also to the letter from the Directorate to the Ministry of Environmental Protection of 11 January 1999 regarding strategies for wolf management. The consideration to prevent such an establishment is therefore given priority above killing individuals of the Koppang pack.
 - The Directorate bases the decision regarding the Koppang flock on the fact that there has been an established practice over several years of using other measures than killing in their home range. A continuation of these measures will benefit from earlier basic investments and will require fewer
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resources than corresponding measures in new areas. With this background, Rendalen Municipality is granted the necessary economic resources to implement preventive measures to avoid depredation on domestic animals. Therefore, no decision to kill wolves in the Koppang flock has been made at this time.

1. History and legislation

On 25 January 1999, the Directorate for Nature Management decided to kill two wolves in Stor-Elvdal and Rendalen municipalities within a defined time period, until 15 April 1999. The two wolves were an established pair, and have subsequently produced the family group called the Atndal pack.

The decision of 25 January 1999 was based on the Wildlife Law § 12 and Regulations on Management of Bear, Wolverine, Wolf and Lynx of 9 July 1993 § 3. The decision was not implemented before the Ministry of Environmental Protection had handled an appeal and had confirmed the Directorate's decision on 5 March 1999. The attempt to kill the wolves was stopped by the Ministry of Environmental Protection, however, because of a court appeal, and the time limit ran out without any wolves being killed. Oslo City Court pronounced a sentence on 20 December 1999 stating that the decision made by the Ministry of Environmental Protection on 5 March 1999, confirming the decision made by the Directorate for Nature Management on 25 January 1999, was invalid. Among other things, the court stated that the Wildlife Law § 12 and relevant regulations opened for the killing of predators only if actual depredation had been documented and it was reasonable to assume that depredations would continue even with certain preventive measures. Several seasons could be evaluated together, allowing killing in the winter even if the danger for depredation was not acute, but a requirement is that the total damage is determined to be of considerable importance. Regarding the amount of damage, Oslo City Court decided that until the stipulated minimum level for the wolf population had been reached, the requirement for factual and future damage was so high that the efforts of management and livestock owners had to be concentrated on preventive measures, and with these measures, a relevant level of damage could be imagined only in rare special cases in this phase. The decision was appealed by the State, but the appeal was later withdrawn.

Changes in the Wildlife Law were made on 30 June 2000, refer to Ot. prp. No. 37 (1999-2000) and Innst. O. No. 80 (1999-2000). The changes were made, among other reasons, to strengthen and clarify authority and establish a flexible enough legal basis to allow the implementation of the principle of differential management, in addition to meeting the challenges posed by growing populations of predators. Differential management can imply actively preventing predators from establishing in areas even if there has been no depredation on livestock or domestic reindeer in the relevant area. The changes in the Wildlife Law § 12 imply that killing can be implemented *to prevent damage* to livestock or domestic reindeer without any requirement that such damage actually has happened. Consistent with the principle of differential management, considering the damage situation in relation to conservation of the predator populations will vary among species and areas. The authorities on their own accord, without a prior application can also implement killing.

After the Wildlife Law had been changed, new regulations on management of bear, wolverine, wolf and lynx was adopted by Royal Resolution on 30 June 2000. The regulation has their basis in Wildlife Law § 12 and contain, among other things, more detailed rules for differential management. Bern Convention's conditions for allowing killing are expressly included in § 12. In accordance with that, killing of wolves can only happen when it will not be detrimental for the survival of the population and when there is no other satisfactory solution.

The legal basis for a decision to kill wolves is the Law of 29 May 1981 No. 28 "On Wildlife" (Wildlife Law) § 12, refer to Regulation No. 656 of 30 June 2000 "On Management of Bear, Wolverine, Wolf and Lynx" (Management Regulations) § 3, refer to § 2, where it is stated:

Wildlife Law § 12 **Permission to kill to prevent predators from causing damage:**

Based on more detailed regulations decided upon by the King in Council, the Ministry can, without consideration to the rules that otherwise apply, implement killing on its own accord or give permission for the killing of a defined number of individuals of bear, wolverine, wolf and lynx to prevent damage to livestock or

domestic reindeer. The regulation shall give rules for differential management. To secure the population's survival, special criteria for the opportunity for killing in more closely described areas shall be stipulated in the regulations.

The decision about killing in accordance with the regulations on the basis of the first section shall be limited to a defined area and a defined period of time.

Management Regulations § 1 **Purpose:**

The purpose of these regulations is to secure the survival of populations of bear, wolverine, wolf and lynx in the long term. Within this framework work shall be carried out to ensure that the depredations caused by these species of predators be as small as possible. Management shall be differential, so that consideration for the conservation of predator populations and consideration for grazing husbandry are weighed differently in different areas and for the different species of predator.

Management Regulations § 2 **General conditions for killing:**

Permission for the killing of bear, wolverine, wolf and lynx based on the regulations in §§ 3-5 can only be given if the killing will not be detrimental to the population's survival.

Permission for the killing of bear, wolverine, wolf and lynx based on the regulations in § 3 can only be given if there is no other satisfactory solution, considered in relation to the principle of differential management, refer to § 1.3

Management Regulations § 3 **Killing to prevent damage to livestock and domestic reindeer:**

To prevent bears, wolverines, wolves, or lynx from causing damage to livestock or domestic reindeer, the Directorate can make a decision regarding killing on its own accord or after receiving an application. The County Governor can make a decision regarding the killing of lynx, based on the same conditions.

The decision shall be based on a comprehensive evaluation of the importance of the damage in relation to the need to protect the predator, seen in relation to the principle for differential management, refer to § 1. When exercising this judgement, special consideration shall be given to:

- a. size and composition of the predator population in question
- b. the importance of the area as grazing land
- c. the extent and development of the damage
- d. the potential for future damage

In addition, and especially inside the defined core areas or special management zones for predators, consideration shall be given to whether instead preventive measures can be carried out to limit damages.

In addition according to § 3, 3rd section, No 1. **Killing of single individuals associated with definite situations:**

The killing shall be aimed as much as possible towards definite individuals. The decision to kill shall be limited to a defined area, time period, and number of animals. More detailed conditions can be attached to the kill permit, including that certain types of animals can be exempted, that the killing be conducted by defined persons, about the approved methods of killing, payment of compensation for the killing and/or covering the costs associated with the killing.

The Directorate ascertains, therefore, that the legal basis exists to carry out the killing of wolves both in cases where the wolves actually have caused damage and in cases where it is timely to kill wolves to prevent damage, on the condition that the killing will not be detrimental for the population's survival.

2. The population status of wolves in Scandinavia

Wolf management is based on a goal to establish at least 8 – 10 family groups of wolves in southern Scandinavia to start with. When this population level has been reached, it is a condition in Norway that the wolf can be managed more in line with for example wolverines and bears, where also more active use of killing is included as a management method, refer to St. meld. No. 35 (1996-97), Innst. S.

No. 301 (1996-97) and St. meld. No. 24 (2001-2002) *The Government's environmental policy and the kingdom's environmental condition*. In the preliminary status report on the occurrence of stationary wolves in Scandinavia during winter 2000/2001 (up to and including 29 January 2001), prepared by Swedish and Norwegian cooperators, it is evident that on 29 January 2001, a total of 12 family groups had been documented in Norway and Sweden: 3 with stationary occurrence in Norway, 4 on both sides of the national border, and 5 in Sweden. On the Norwegian side, a probable territory-marking pair has been documented in Gråfjell-Glomma in Åmot/Rendalen, and a possible pair of wolves in the area of Imsdalen-Birkebeinerveien between the Glomma River to the east and the county border to Ringebu in the west. On the Swedish side, two probable territory-marking pairs have been documented (Orsa-Furudal and Hagfors-Äppelbo).

The Directorate refers to the advance notice of killing, where a family group of wolves is defined as pups/young animals and the alpha pair (leader pair) within a defined home range (territory) for a family group. This is based on a definition that was used in an agreed upon document about the principles of management of the Scandinavian wolf population, signed by the Swedish Environmental Protection Agency and the Directorate for Nature Management on 7 September 1998, where it is stated that "*Family group = two adult individuals (male + female) that are together with pups on 31 December.*" Since the wolf population has grown and more experience has been gained with tracking several family groups, the involved research and monitoring institutions have concluded that it would be very expensive and to some degree impossible to verify territory-marking alpha animals on tracking snow in every family group, at least before 31 December, because of unpredictable and varying tracking conditions. They have therefore used this definition in the monitoring reports from last winter and this winter: "*A pack of wolves, that is at least three animals, contains a minimum of one regularly territory-marking wolf, but usually two regularly territory-marking wolves together, of both sexes and that stay within a limited area. Estrous bleeding shall be documented, if possible. Reproduction in the territory shall have been documented in at least some of the previous years. In most cases this refers to the parents with the last litter of pups. Single pups from earlier litters can also be included, as can possibly more unrelated wolves in rare cases. If one of the alpha animals disappears or meets with an accident, the group is still considered to be a family group.*"

There is therefore a discrepancy between the definition of family groups in use in the mentioned document of principle and the definition that is now used by the Norwegian and Swedish research groups that cooperate on population monitoring. This discrepancy is generally unfortunate and should be taken up for discussion at the next revision of the document of principle.

The Directorate will base its evaluation of the number of family groups on the fact that the coordinated monitoring that is carried out shall be the primary source of data about the size and trend of the wolf population. It would therefore not be natural for management authorities to use a different definition than that used in the scientifically based monitoring. Based on the above, it follows that the number of family groups that have been verified in southern Scandinavia as of today, following the definition of the research groups, is over the minimum requirement of 8 – 10 family groups that has been set as the goal for management.

3. Prior notice of the decision to kill wolves

The Directorate for Nature Management refers to the letter of 19 October 2000, where prior notice was given that a decision to kill wolves in Østerdalen Valley in Hedmark County could be made during the winter of 2000/2001. The prior notice of a potential decision was made in consideration of the conflicting interests that were involved, and so that the time period from the making of the decision to implementation could be short.

In the prior notice, the population trend for wolves and the conflict situation during the recent years, and the need for a more active management strategy, were explained. It was also explained that killing must be used in an increasing degree as a method to regulate the population trend and distribution, and that killing must be used as a method to prevent the establishment of pairs and family groups outside the management borders of a wolf zone. Permission to kill pairs and family groups also can be given inside the management borders.

Interested parties were asked to comment to the Directorate within 1 December 2000 on the potential decision to kill. Comments from about thirty organizations, public institutions, and private persons were received, and about 800 signatures arrived against the decision to kill. In addition, a number of letters and emails were received with views about a potential decision to kill. The following is a summary of the main arguments for and against the decision to kill, as described in the prior notice, based on the received comments:

Main arguments against the decision to kill:

- The decision to kill is in opposition to the document of principle on management of the Scandinavian wolf population that the Directorate and Swedish Environmental Protection Agency signed in 1998.
- Killing is not in accordance with the Bern Convention. Each country has an independent responsibility to fulfil the principles of the Bern Convention to secure viable populations. Norway can not refer to the wolf's distribution in Sweden to justify measures in Norway.
- The wolf population is too small for hunting to be justifiable (with reference to several evaluations that have been made of how many individuals the wolf population must have to be viable in the short term, the number varies from 200 – 500 individuals).
- The Directorate's interpretation of the goal about the number of family groups is not consistent with the thought process in St. meld. No. 35, where the working goal was to establish at least 8 – 10 family groups in southern Scandinavia to start with.
- From a genetic view, it is important to build up the wolf population as quickly as possible.
- The density of sheep in the area in question is not especially high compared with other areas within the management zone for wolves.
- Of the four large predator species, the wolf does the least amount of damage to livestock in Hedmark.
- The wolves are valuable for the research project on moose that is being conducted in the area.
- The family groups in question live in an area that is especially well suited for wolves, with a low human density, low density of sheep, and a high density of wild ungulates.

Main arguments for the decision to kill:

- It is impossible to graze livestock in or near the territories, even with comprehensive preventive measures.
- The wolf packs occur outside the proposed management zone for wolves.
- The wolves kill many wild ungulates and the loss of considerable wildlife resources has great consequences for the landowners and the entire local community.
- The possibility to hunt is restricted by the presence of wolves.
- Reduced quality of life for the people that live in the areas.

The comments that were received based on the prior notice have further elucidated timely arguments for and against killing. The prior notice has also contributed to clarify the case for the interested parties. However, the Directorate does not consider any of the comments to have come with factors that were not previously known to the Directorate.

4. Consideration to Swedish management authorities and Swedish predator policy

The Directorate for Nature Management and the Swedish Environmental Protection Agency agreed in spring 1998 to develop an agreed upon document of principle about management strategies for the common Scandinavian wolf population. Both parties signed this document of principle on 7 September 1998. A fundamental principle in this document is that the authorities in both countries must make their decisions based on the laws of their respective countries and the international agreements to which they are committed. However, it is desirable to have as many voluntary common goals and guidelines as possible for the management of the common wolf population. Both Norway and Sweden are committed to international agreements where the wolf is listed as a species that shall be protected from ordinary hunting. This implies that all harvest and population regulation must be motivated from the necessity to reduce serious damages and disadvantages, and can only be carried out with the condition that there is no other satisfactory solution.

In its comment to the prior notice of the decision, the Swedish Environmental Protection Agency considers that a decision to kill, as presented in the prior notice, will imply that Norway unilaterally preempts the limited possibilities that exist for removing wolves, which is considered to be incompatible with the document of principle from 1998. In addition, the Swedish Minister of the Environment, Kjell Larsson, in a letter of 15 January 2001 to the Norwegian Minister of the Environment, expressed worry about the future conservation of the wolf with a removal as was proposed in the prior notice.

Based on these considerations, the Directorate has decided that it would not be right to carry out the killing of both family groups now. The Directorate considers it to be important and necessary that management decisions that have or can have great consequences for the management of the common wolf population be made in common understanding between the two countries. This is also important when considering that the countries do not have the same approach to problems, or the same management policy. The Environmental Protection Agency considers a unilateral Norwegian killing of up to 17 animals to be complicated, among other reasons because this reduces or prevents the possibility to use killing as a method to manage wolves in Sweden. If the Norwegian management authorities want to balance measures in relation to the population as a whole, including influencing the distribution and dispersion of the population, it would not be right, through a unilateral Norwegian decision, to limit the ability of the Environmental Protection Agency to make their own management decisions, including the possibility to allow the killing of wolves in 2001. The Directorate notes that the need for this type of clarification probably will increase in the future. The Directorate and the Environmental Protection Agency agree that there is a need to initiate a review and possible revision of the present document of principle during 2001.

5. Relationship to the Bern Convention

The relationship between the commitments that the ratification of the Bern Convention impose on the signatory countries and the incorporation of these into our own laws has recently been covered regarding predators in Ot. prp. No. 37 (1999-2000). The Directorate considers Norwegian law and management practice to be consistent with our international commitments, and refers also to Innst. O. No. 80 (1999-2000), where it is stated: "The majority agrees with the Ministry's evaluation, that the requirement in the new § 12 that permission for killing can occur to prevent damage, is in agreement with Article 9, No. 2, 2nd hyphenated point of the Bern Convention, on preventing depredation on livestock. In this regard, the majority also agrees that the principle of differential management meets the requirement in Article 9 of the convention, that the exception shall be allowed in cases where the damage that shall be prevented must be considerable." In this regard, we refer to the fact that the Directorate's decision of 25 January 1999 was appealed to the Bern Convention. Based on this appeal, the Norwegian authorities described in detail the management evaluations that formed the basis for the decision. The appeal did not lead to a reaction against Norway from the meeting of the contracting parties.

In addition, Norway was the host for a meeting of an expert group on large predators under the direction of the Bern Convention in June 2000. Norwegian presentations about practice and management policy formed a considerable portion of the agenda at this meeting. It was made evident also at this meeting that work on a zone management system was underway, that two of the established wolf packs were outside of the proposed zone, and that they might be killed.

The expert group's report was taken up for consideration at the Bern Convention's meeting of contracting parties in December 2000. (Recommendation No. 82 (2000)). In this recommendation, the following is found, among other things:

".....

Conscious of the conflicts that may be caused by large carnivores - and especially wolf - when they recolonise areas where from they had disappeared in the past, and appreciating in particular the efforts of some contracting parties aimed at the establishment in their territories of permanent populations of those carnivores;

<p>Acknowledging the transboundary character of conservation measures for large carnivores in neighbouring countries;</p> <p>RECOMMENDS Contracting Parties and INVITES observer states to:</p>
<p><i>Wolf in the south of Fennoscandia</i></p> <p>Norway and Sweden:</p> <ul style="list-style-type: none"> - continue their present policy aimed at the maintenance in the south of the peninsula, of a viable population of wolf shared by the two states, while at the same time minimising conflicts with sheep farming and traditional reindeer herding.”

The Directorate has noticed that some of the parties that have made comments to the prior notice have indicated that they want to appeal also other wolf killings to the Bern Convention. Referring to the above, the Directorate concludes that killing of wolves within the framework and conditions that are outlined in this decision are consistent with Norwegian law, and therefore also consistent with our commitments in relation to the Bern Convention.

6. Consideration to the population of wolves and present Norwegian management policy

During the 1990's the wolf population has had an average annual growth of 28%. By the end of April 2000, 6 family groups and 6 territory-marking pairs had been documented, and 9 – 12 reproductions were expected in spring 2000. These population numbers formed the basis for the prior notice of killing wolves in Østerdalen Valley. As of 29 January 2001 a total of 12 family groups of wolves have been verified in Norway and Sweden. The family groups that are referred to here follow the definition given the cooperative status report for wolves in Scandinavia (Hedmark Regional College, Oppdragsrapport No 2-2000) refer also to point 2. In addition, as of 29 January 2001 it has been confirmed that there has been reproduction in 8 family groups in 2000. It is also considered to be probable that there has been reproduction in two additional groups, whereas two have status as unsure. The data are still incomplete regarding new territory-marking pairs, but the number of new pairs in spring 2001 will probably be 4 or more. Together, this gives an expected reproduction potential in 2001 of 12 – 16 reproductions. Additional information will continue to come in during the census season of 2000/2001.

Experience from the monitoring work that has been carried out during the past three winters leads us to expect reproduction in most of the established family groups and pairs. Every year young animals will disperse from the existing family groups and establish new pairs, which will also reproduce, and the total production potential in the population is high, even though some individuals are killed. Without an active management strategy using killing as a measure, the present population trend and increase in distribution and the potential for conflict in relation to grazing and other interests of society promise that the management of wolves will be demanding in the future. The Directorate feels therefore that it is necessary and right to actively influence the distribution and population trend by a limited killing of wolves. It is, however, clear that this measure cannot be used without considering the conflicting interests.

The Government decided on 4 May 2000 to establish a preliminary management zone for wolves in South Norway in order to implement differential management of the wolf population consistent with St. meld. No. 35 (1996-97) and its handling. The zone was in force for the 2000 grazing season, and the decision was sent widely for comment with the thought of stipulating a more permanent zone. The Government has recently decided upon a more lasting management area for family groups of wolves, among other considerations to secure an effective killing of pairs that become established outside the stipulated management zone, refer to St. meld. No. 24 (2001-2002) *The Government's environmental policy and the kingdom's environmental condition*. It is asserted that both Norway and Sweden have a responsibility for the management of the southern Scandinavian wolf population. On the Norwegian side, the wolf population will be managed with a basis in a strong protection of a limited number of family groups. The Government will not accept the establishment of territory-marking pairs or family

groups of wolves outside the management area. Also within the area it can be possible to kill territory-marking and even family groups if the population can withstand it. The basis for such a killing would be, among other things, an evaluation of the total conflict potential for the pair or family group in question in relation to the potential for conflict of other family groups within the management area. In the counties in question, the stipulated management area is defined as:

In Hedmark: No establishment of pairs and family groups of wolves in the municipalities of Tolga, Os, Tynset, Alvdal, Folldal, Stor-Elvdal, Rendalen, Engerdal, Trysil, Åmot west of the River Glomma, Elverum west of the River Glomma, Våler west of the River Glomma, Åsnes west of the River Glomma, Ringsaker, Løten, Hamar, Stange, and Nord-Odal.

In Oppland: No establishment of pairs and family groups of wolves, except in Jevnaker municipality.

Koppang and Atnadalen packs and the possible pair in Imsdalen occur outside the stipulated management area. Based on a comprehensive evaluation of the verified population situation to date, the Directorate considers it right to kill members of the Atnadals pack and the possible Imsdalen pair. This continues a strategy for killing of wolves that is responsible in relation to the conflicting considerations that must be taken, and maintains a flexibility for killing wolves also in Sweden and in situations that might arise later in the year in Norway, without affecting consideration to the total population's viability over time. The removal of wolves that is stated in this decision is considerably below the annual mean growth of the population, which implies that the total Scandinavian wolf population will continue to increase.

Such a killing strategy makes it necessary to continue preventive measures in relation to the Koppang pack. The work over several years in developing and investing in preventive measures regarding the Koppang pack makes it easier, however, to continue measures in this area in the coming grazing season than to establish new measures in new areas with high sheep densities that can be affected by the establishment of a family group around Imsdalen.

Recent information from monitoring has indicated that there only is one territory-marking alpha animal in the Koppang pack at this time. It is uncertain whether this alpha animal can obtain a new partner before the mating season is over, which can cause an unstable social structure in the pack. The possibility of both dispersal and changes in pattern of use of the area, which would decrease predictability in relation to extent and distribution of damage, cannot be excluded. The Directorate feels therefore that it is necessary that Rendalen Municipality be prepared for such a changed situation, through an easier availability of permission to kill depredating single individuals during the grazing season. Delegated authority for this purpose will therefore be included in the ordinary delegating letter about this type of permission, which is normally prepared before the end of May. Concurrently this situation can be followed through research and monitoring so that it will be possible to obtain new knowledge about the effects of this type of change within a family group. This knowledge is felt to be very important in relation to the development of harvest strategies for wolves in a period with a more active management regime in the future.

The Directorate and Rendalen Municipality signed an agreement in 1999 to work on solutions in regard to the Koppang pack to prevent damage to livestock in Rendalen. One of the points in the agreement is: *"Future management measures will be dependent upon when one reaches the population goals, expressed in family groups, that is the basis for the policy that is in effect at any given time, and the group will be removed, based on a professional evaluation, at any time after the day one has documented that the goals that are in force are reached."* The Directorate concludes that it is not right to kill the Koppang pack in the present situation, and the Directorate considers this evaluation to be compatible with the agreement.

7. More explicitly about the evaluations of the legal basis and the management regulations

As indicated earlier, the legal basis for the killing is the Wildlife Law § 12, refer to the Management Regulations § 3 refer to § 2.

The regulations list several conditions that must be filled before a decision to kill can be made. First, an evaluation must be made to determine whether the general conditions for killing in § 2 apply, that is

to clarify that the killing will not be detrimental for the population's survival. As discussed in Ot. prp. No. 37 (1999-2000), evaluations of the population's survival are judgements that management authorities must make on a professional basis at any given time. The survival of the population is not related to each single individual. It is the sum of management measures that shall ensure the population's survival. In which case and to which extent killing can take place in relation to the population's condition and trend, must be evaluated concretely in each case and in accordance with the conditions and judgements stated in the regulations. As is evident in point 6, all of the available data show that the southern Scandinavian wolf population has increased substantially in number during recent years, and is still increasing strongly. The Directorate does not consider killing of wolves at the present population level and to the extent described here to be detrimental for the population's survival.

In addition, permission for killing of wolves can only be given when there is no other satisfactory solution, evaluated in relation to the principle of differential management. The Directorate refers again to Ot. prp. No. 37 (1999-2000), refer to Innst. O. No. 80 (1999-2000), where it is stressed that differential management is the solution that Norway considers to be *satisfactory* both in relation to the interests tied to grazing on open range and in consideration to predator populations. By concentrating efforts for preventive measures to the central areas where predators live, one can achieve a greater effect regarding the population's survival in Norway, than by spreading the measures over the entire country. Regarding each individual decision about killing, the answer about whether other satisfactory solutions are available will depend on whether the individuals are within or outside core areas or management zones. The Atndal pack and Koppang pack occur outside the stipulated management area for wolves in Norway, and have their territories within an area with relatively many sheep that graze on open range. In light of the resources that have been used on preventive measures in the past years, the Directorate considers that killing is right. The Directorate feels that it is not a satisfactory solution to have permanently established pairs and family groups in areas where they will not be prioritized, and where preventive measures cause such an economic and administrative burden that it hinders a reaching management goals for wolves where the wolf shall be prioritized. As is stated earlier, consideration to the common population management with Sweden, and other more conflict-causing establishments, have lead to the decision that preventive measures be continued in the Koppang pack's home range in 2001.

The possible pair in Imsdalen may also have established a territory outside the proposed management area. As described, the Directorate prioritizes preventing a complicated situation caused by the possible establishment of a family group near an area with many sheep and a great potential for conflict. Because such a situation would be very expensive, the Directorate finds that there are no other satisfactory solutions other than killing this potential pair during establishment and before a potential family group has become established in the area.

The Directorate ascertains that the general conditions for killing in relation to the management regulations § 2 have been met.

An evaluation is also needed to determine whether the conditions in the management regulations § 3 have been met. According to the first section, the Directorate can make a decision on its own accord to kill to prevent that wolves, among others, cause damage to livestock or domestic reindeer. The reason for killing both the Atndal pack and the possible pair in Imsdalen is to prevent damage.

According to the second section, the decision shall be based on a comprehensive evaluation of the extent of the damage in relation to the need for protection of the predator, seen in relation to the principle of differential management in § 1. The number of family groups in southern Scandinavia is at this time higher than the minimum level of 8 – 10 family groups that has been set as a goal for management. The territory areas in question are outside the stipulated management area for wolves in Norway, and within or very near important grazing areas for sheep. Earlier measures have been implemented to prevent damage to livestock by the Atndal pack. The measures have reduced wolf depredation of sheep to a minimum in relation to what was expected without measures in the area.

Without continued extensive and expensive measures in this area the potential for future depredation on livestock is high. The same evaluation applies to the possible pair in Imsdalen, in regard to the potential for future depredation. The Directorate will prevent extensive damage problems from occurring in an area where it is not desirable to have establishment of stationary wolves at the present.

Based on the above, the Directorate concludes that the conditions for killing in relation to the management regulations § 3 have been met.

In addition, the evaluation shall emphasize whether it is instead possible to carry out preventive measures to limit the damage. This is especially relevant within the stipulated core areas or special management zones for predators. The Directorate ascertains that it is possible to carry out preventive measures that hinder or limit damage by using a large amount of resources, and that such measures also have been used for several years. With a growing wolf population, and in light of the stipulated management zone for pairs and family groups of wolves, the Directorate can, however, not find that it is reasonable, appropriate, or suitable to continue preventive measures in the extent that has been necessary until now outside the stipulated management area. The resources can be better used for measures and in areas where a future viable wolf population is supposed to occur. This will also support the principle that the management of predators shall be differentiated, and the maintenance of the double goal in the predator policy.

8. The decision

With the background described above, the Directorate for Nature Management makes the following decision:

1. The Directorate for Nature Management, on its own accord, and based on the Wildlife Law § 12 and Management Regulation § 3, refer to § 2, implements the killing of up to 9 wolves within the home ranges of the family group called the Atndal pack and the possible pair in Imsdalen. Killing of all the individuals in the Atndal pack has first priority.

The practical accomplishment of the killing attempt will be administered by the Norwegian Nature Inspectorate, represented by hunting team leaders Leonhard Mikalsen and Espen Bø. The killing attempt will be carried out according to the conditions given in this letter, including the use of methods, time period and other conditions that are necessary to prevent damage in an effective and rational manner.

2. Rendalen Municipality is granted up to 8 –eight- million kroner for preventive measures against predator depredation in the municipality for the 2001 grazing season, with the understanding that measures to prevent the Koppang pack from causing depredation will have first priority. The funds shall be used such that the measures give the greatest possible damage-reducing effect, and such that separating sheep in time and space be emphasized.

Prior the beginning of the 2001 grazing season for sheep, Rendalen Municipality is expected to be delegated authority to decide on issuing killing permits for wolves, refer to management regulation § 3, 4th section, 1st point, so that potential acute depredations during the grazing season can be prevented.

9. Conditions

9.1. Conditions about the accomplishment of the killing permission

Regarding principles and methods for killing, the Wildlife Law § 12 states that permission for killing of predators can be given without consideration to the rules that otherwise are in effect. This implies that the restrictions on the carrying out of hunting and capturing that are stated in Chapter VI of the Wildlife Law can be disregarded. The Management Regulations follow this up in § 3, 3rd section, No. 1, where it is stated what the killing permissions shall include and that more detailed conditions can be attached to the permission, including approved methods of killing.

As a basis, all the rules in the Wildlife Law and its regulations about the use of hunting and capturing methods and demands for humane, careful, and effective killing shall apply also for damage killing. After a special evaluation in individual cases, exceptions can be made to these rules. In the light of normal managerial rules about proportionality and the Bern Conventions rules in Articles 8 and 9 regarding this, it would be a judgement question to decide what can and should be allowed of hunting and capture methods in an individual case, refer to Ot. prp. No. 37 (1999-2000).

In this case management authorities on their own accord and with especially competent public personnel are carrying out the killing attempt. In regard to carrying out the differential management of wolves, it is important that the removal can be carried out in an effective and justifiable manner. In accordance with the Management Regulations § 3, 3rd section, No. 1, the Directorate has therefore decided to make an exception in this instance, and give permission for the use of motorized vehicles, aircraft, artificial light and shotguns according to the conditions given below.

- A. The permissions for killing are valid during the period 10 February 2001 – 6 April 2001.
 - B. The permission to kill the Atnadal pack and the possible pair in Imsdalen is valid within and near the pack's and pair's home ranges within Stor-Elvdal, Rendalen and Alvdal municipalities. Permission is given to follow animals during a killing attempt into neighboring municipalities and counties, if the Norwegian Nature Inspectorate, represented by the hunting team leader, deems this necessary of practical reasons.
 - C. For the killing of wolves, weapons and ammunition that are approved for large game hunting shall be used. Permission is given to use shotguns.
 - D. The Norwegian Nature Inspectorate, represented by the hunting team leader, is given the authority to decide to which extent and at which time motorized vehicles, aircraft, and artificial light can be used during the killing attempt. The condition for such use is that it is considered suitable and necessary in order to carry out the killing justifiably and effectively. Tracking and transportation of personnel is considered in this regard to be a part of the killing attempt. It is a condition that necessary exemptions from the Law about Motorized Travel on Open Range are at hand.
 - E. Any person(s), who wound(s) an animal during a killing attempt according to this permission, is responsible to do everything he/she can to kill the animal refer to management regulations § 6.
 - F. Taking of samples and marking of dead animals will be carried out according to stipulated instructions.
 - G. Animals that are killed according to this permission are the property of the Wildlife Fund (Viltfondet), refer to Wildlife Law § 48. Killed animals shall be frozen as quickly as possible, stored in a frozen condition, and then be transported to the Norwegian Institute for Nature Research (Norsk institutt for naturforskning) (NINA), Tungasletta 2, 7485 Trondheim.
 - H. Killed animals will be awarded to the University of Oslo for scientific purposes.
 - I. The Norwegian Nature Inspectorate, represented by the hunting team leader, can authorize others to take part in the killing attempt. Hunters who participate shall be given identification that confirms their participation. This identification must be with the hunter during the killing attempt. The local police authorities shall be informed about those who are participating in the killing attempt, according to this decision.
 - J. Everyone participating in the killing attempt shall be made known of the contents of this letter and any potential limitations or conditions given by the deciding authority.
 - K. The Directorate for Nature Management can withdraw this killing permission at any time.
-

- L. Killing can be carried out without regard to the landowner's hunting rights, refer to the Wildlife Law § 35.

9.2 Conditions regarding the carrying out of preventive measures

Rendalen Municipality is granted funds to carry out measures to prevent predator depredation. The following conditions are given for the grant:

- A. The funds shall be used in accordance with the draft of Rules for Grants for Preventive Measures Against Predator Depredation (Regelverk for tilskudd til forebyggende tiltak mot rovviltskader) (Chapter 1427 Post 73 Subpost 3), according to Chapter 11-3.2 in the Ministry of Finance's Functional Requirements for Economic Management in State Government, refer to Economy Rules for the State (Økonomireglement for staten) §§ 6.2 and 7.2.
- B. Rendalen Municipality shall cover costs that accrue to the municipality administration within the granted framework.
- C. Rendalen Municipality shall enter into agreements with affected individual farmers or grazing associations in order to attain the necessary and possible loss-reducing effects for the livestock industry in the area.
- D. If the economic framework is not adequate to cover the desired measures, measures that separate sheep and wolves in the Koppang pack's home range will be prioritized.
- E. The Spikedal Project should be continued, with a reduced amount of time with the sheep in the grazing season.
- F. The funds will be transferred from the Directorate on request from the municipality.
- G. The municipality shall provide a final report by 1 January 2002. It is also a condition that the municipality and the county governor have a dialog about the carrying out of the measures.

9.3 Conditional kill permits to Rendalen Municipality

The Directorate expects that Rendalen Municipality shall be delegated authority to decide on kill permits for wolves during the 2001 sheep-grazing season. The authority will be delegated in the normal manner from the Directorate within the end of May. The delegation is conditional upon an adequate population for killing. This possibility is given to be able to reduce potential effects as a result of a splitting of or changed area use by the Koppang pack, if it does not maintain its social structure.

10. The possibility for appeals

This decision can be appealed to the Ministry of Environmental Protection within three weeks. Appeals should be sent to the Directorate for Nature Management, refer to the Law of Public Administration § 28.

11. Postponements

According to the Law of Public Administration § 42, the lower deciding authority (in this case the Directorate), the appellate authority (in this case the Ministry), or other higher authorities can based on their own judgement, decide that a decision shall not be implemented before the appeals deadline is over or the appeal has been decided.

The Directorate expects that the decision will be appealed, either partially or in its entirety. The decision's date of implementation implies the killing attempt can not be implemented before a certain amount of time has gone after the decision has been made public. This postponed implementation ensures that possible appeals that are important and were not known previously (for example through the process using the advance notice), will come in quickly. Because of the prior notice, the effected parties have had the possibility to comment. The views that were received have been evaluated along with other factors and form the basis for this decision. As a consequence of this process, the killing of wolves will be reduced in relation to the prior notice. The Directorate can not see that a potential population trend within the appeal period will substantially change the conditions. At the same time, the requirements for killing, especially letter K in point 9.1 of the conditions, allow the Directorate to be able to withdraw the killing permission at any time. It is stressed additionally that a postponed implementation can have implications for the possibility to carry out the decision as planned. It is also

stressed that a possible killing based on this decision will not cause irretrievable damage to the wolf population as a whole, even if a possible appeal should be successful. The decision is irreversible only in that respect that if any appeals should be successful at a later time, it is probable that one or more individual wolves would already have been killed. This will however not be of an extent that is detrimental for the population's survival.

With this background, any appeals of the decision in this letter will *not* cause the Directorate to postpone the decision.

Sincerely,

Berit Forbord Moen
Director

Yngve Svarte

Cc: the county governors, Ministry of Environmental Protection, Ministry of Agriculture

Address list:

Naturvårdsverket
Rendalen kommune
Stor-Elvdal kommune
Alvdal kommune
Norges Bondelag
Norsk sau og geitalslag
Norsk bonde og småbrukarlag
Verdens villmarksfond
Foreningen våre rovdyr
Miljøvernforbundet
Naturvernforbundet
SKANDULV v/Olle Liberg
NINA
Høyskolen i Hedmark, Evenstad
NJFF
Svenska Rovdjursforeningen
WWF Sverige

To those on the address list

Deres ref.

Vår ref. (bes oppgitt ved svar)

2000/6096 ARTS/VI/MOK

Arkivkode: 445.24

Dato

October 19, 2000

ADVANCE NOTICE OF A POTENTIAL DECISION TO KILL MEMBERS OF A FAMILY GROUP OR FAMILY GROUPS OF WOLVES IN ØSTERDALEN, HEDMARK COUNTY

The Directorate for Nature Management announces that a decision to kill the members of family groups of wolves that occur within Stor-Elvdal, Rendalen and Alvdal municipalities in Hedmark County (the Atndal and Koppang packs) may be made during the winter of 2000-2001, based on §16 of the Law of State Administration (forvaltningsloven).

A requirement for the removal of the two family groups is that 10 or more family groups of wolves can be documented in Southern Scandinavia during the winter of 2000-2001. The term "family group of wolves" used here refers to pups or young and the alpha pair (leader pair) within a defined home range (territory) for a family group.

This advance notice is being made because of the many interests that are affected and because the period of time from making the decision to implementing it may be short. All affected parties are given notice with this letter, which is also sent to others who may be interested, see the attached address list. As the need for information in this case is considered to be great, the contents of this advance notice will also be accessible on the large carnivore pages of the Directorate's website (<http://www.naturforvaltning.no>), as well as through the media.

The addressees as well as others who are interested are asked to make statements regarding a potential decision to kill these wolves to the Directorate **within December 1, 2000**. The points of view that are received will be evaluated along with data on the population's situation at the time of a potential decision. The evaluation factors that will be stressed are described below, so that the parties will know the basis for this advance notice.

If made, a decision to kill is expected to be of international interest and focus, and the Directorate therefore wants to make this advance notice known also outside of Norway.

Background

Wolf management is based on a goal to establish at least 8-10 family groups of wolves in Southern Scandinavia.

During the consideration of the Parliamentary White Paper No. 35 (1996-97) "On the Management of Large Carnivores" (see also The Recommendation of Parliament No. 301 (1996-97)), the fundamental position of Parliament was that the wolf at that time would have strong protection throughout the country, with the exception of the areas with Saami reindeer husbandry.

The Directorate for Nature Management proposed strategies for the management of wolves to the Ministry of Environmental Protection in a letter dated January 11, 1999. One of the recommendations was to limit the areas where reproducing groups of wolves would be allowed to become established.

On May 4, 2000, the Government presented a proposal to limit the areas where wolves would be allowed to establish pairs and family groups in Norway. The proposal has served as the basis for management in 2000, and the proposal was sent out for comment in a letter dated June 20, 2000, with the goal of a final action by the Government during 2000. In June 2000 the Parliament adopted

changes in the Wildlife Law that gave the principle of a differentiated management of large carnivores, including the wolf, a clearer legal basis.

Because of the population trend and the conflict situation during the past years, there is a need for a more active management strategy, and the area where wolf pairs and family groups can become established has been limited to reduce the possibilities for contact between free-ranging sheep and wolves. When the population of wolves in Southern Scandinavia has reached at least 8-10 family groups, killing will be used as a method to hinder the establishment of pairs and family groups outside the proposed management borders. Even within the proposed management borders it is possible that the killing of pairs and family groups will be allowed.

The Status of Wolves in Scandinavia

According to the status report entitled "The wolf in Scandinavia: status report for the winter of 1999-2000" (Oppdragsrapport nr. 1/2000), which was produced by Hedmark Regional College and Swedish and Finnish cooperators, minimally 78 and maximally 81 wolves were censused in all of Sweden and Norway during the winter of 1999-2000. Of these 67-81 wolves, 41-45 were members of 7 groups. Six of these groups reproduced in spring 1999. Twelve of the remaining 26-36 wolves were members of 6 territorial-marking pairs. An additional 8-10 wolves were stationary individuals, and 6-14 animals were classified as "other wolves", because it was not clear whether or not they were stationary.

During winter 1999-2000, 7-8 wolves were censused in the Atndal pack. The corresponding number for the Koppang pack was a maximum of 11 wolves.

Very similar numbers of stationary wolves were documented in Sweden and Norway during the winter of 1999-2000, 22-25 and 22-24 animals, respectively. In addition 17-18 stationary wolves lived in areas that straddled both sides of the national border. A minimum of 40% of the Scandinavian pack members present during this winter were documented in the two Norwegian packs in the northern part of Hedmark County. In Sweden, 6-14 wolves were documented with unclear status, but none of the wolves found on the Norwegian side of the national border were given this status. Six wolves were documented to have died during the census period (October-April). Among these was the alpha male in the Leksand territory (Sweden), which was killed after having been found injured in February 1999. As a result, the common Scandinavian population of wolves had been reduced to a minimum of 61 and a maximum of 75 animals before new litters were born in spring 2000.

By the end of April 2000, 6 family groups and 6 territory-marking pairs had been censused in Southern Scandinavia. The number of family groups had been reduced from 7 to 6 because there no longer was a family group in the Leksand territory. From the report it is also evident that, based on the number of documented territory-marking pairs and family groups, one can expect 9-12 reproductions in spring 2000. The report will be available soon on the website of Hedmark Regional College at <http://www.hihm.no/evenstad/>.

In connection with this advance notice, the Directorate has asked for any available updated information from the Scandinavian Wolf Project, which is carried out under the direction of the Norwegian Institute for Nature Management. At the date of writing, the following is known about the family groups in Southern Scandinavia:

Established Family Groups

Leksand Pack: The Leksand territory is located southwest of Lake Siljan, between Leksand and Vansbro in Dalarna County, Sweden. Reproduction occurred in 1997 and 1998, but not in 1999. Reproduction has probably not occurred in the territory in 2000.

Bograng Pack: The Bograng territory straddles the national border between Sweden and Norway in the northern portion of Värmland County, Sweden, west of Klarälven River, and in Finnskogen in the eastern portion of Åsnes Municipality in Hedmark County, Norway. Reproduction occurred in 1999. Reproduction may have occurred in the territory in 2000.

Filipstad Pack: The Filipstad territory is found roughly within the area circumscribed by the towns of Filipstad, Molkom and Hagfors, in eastern Värmland County, Sweden. Reproduction occurred in 1998 and 1999. Reproduction has probably occurred in the territory in 2000.

Kongsvinger-Årjäng Pack: The territory is found within four counties: Hedmark, Akershus, and Østfold in Norway and Värmland in Sweden. Reproduction occurred in 1999. Reproduction has probably occurred in the territory in 2000.

Dalsland-Halden Pack: The territory straddles the national border between Sweden and Norway, between the towns of Dals-Ed and Halden in Dalsland and Västra Götaland counties, Sweden, and Østfold County, Norway, respectively. Reproduction occurred in 1997, and probably in 1998. Reproduction has probably occurred in the territory in 2000.

Atndal Pack: The pack lives in Østerdalen Valley in Hedmark County, Norway, about 30 km northwest of Koppang, primarily west of the Glomma River in Stor-Elvdal and Rendalen municipalities. In the north the territory encompasses the southern portion of Alvdal Municipality. Reproduction occurred in 1999. Reproduction has probably occurred in the territory in 2000.

Koppang Pack: The pack lives north of Koppang in Hedmark County, Norway. The territory encompasses portions of Stor-Elvdal, Rendalen, and Alvdal municipalities. Reproduction occurred in 1997, 1998, and 1999. Reproduction has probably occurred in the territory in 2000.

Territory-marking Pairs

Grangärde: In the winter of 1999-2000, this newly established pair was located in an area from Borlänge in the northeast to Lindesnäs-Fredriksberg in the southwest in Dalarna County, Sweden. Reproduction has probably occurred in the territory in 2000.

Gravendal: In the winter of 1999-2000 a newly established pair was documented in the forested land between the towns of Fredriksberg and Kopparberg on the border between Dalarna and Örebro counties, Sweden. Reproduction has probably occurred in the territory in 2000.

Glaskogen: A newly established pair was documented east of Årjäng in Värmland County, Sweden, in the winter of 1999-2000. Reproduction has probably occurred in the territory in 2000.

Hasselfors – Laxå: In the winter of 1999-2000 a newly established pair was documented in an area northwest of Laxå, between the lakes Skagern and Toften in Örebro County, Sweden. Reproduction has probably occurred in the territory in 2000.

Nyskoga: In winter 1999-2000 a newly established pair was documented in Finnskogen, partially overlapping and south of the Bograng pack's territory. Reproduction has probably occurred in the territory in 2000.

Moss – Våler: In spring 1999 a purebred female wolf gave birth to a litter of pups, which were wolf-dog hybrids. On February 2, 2000 the Directorate decided that the pups in the litter should be put to death, and that the female wolf and a purebred male wolf that was then with the female should not be

killed. Of the five pups in the litter, one was hit by a vehicle and put to death, two were killed in the attempt to kill all the littermates, one was likely killed illegally, and the status of the final pup is unknown.

Reproduction has probably occurred in the territory in 2000.

The result of the information provided above is that the number of family groups in Southern Scandinavia was probably higher at the time of writing than the minimum level that has been set as a goal for management. The Directorate expects that the number of family groups in winter 2000-2001 will include up to 12 groups with reproduction in 2000. The Directorate is aware of single observations from some of the groups that substantiate the occurrence of reproduction. However, it is fundamental that this information can first be verified using a uniform method based on censusing of tracks in the snow.

Information on wolf reproductions in Scandinavia will be updated continually on the Directorate's website on large carnivores at the following address: <http://www.naturforvaltning.no>

The Directorate's Evaluation

If the number of family groups of wolves in Southern Scandinavia exceeds the minimum level that Norwegian and Swedish management authorities have set, the Directorate will implement the killing of 1-2 family group(s) of wolves in Østerdalen Valley in Hedmark County. These two family groups are located outside the proposed management area for wolves in Norway, and the groups have their territories within areas with relatively many free-ranging sheep. During recent years, comprehensive preventive measures have been implemented because of these family groups to prevent losses of sheep. These measures include moving of sheep to other areas, grazing on fenced pastures near the farms during the entire grazing season, comprehensive fencing, and efforts to kill individual wolves that cause damage. The combined use of resources in this area has amounted to several tens of millions of Norwegian kroner during recent years. The Directorate does not consider it realistic to implement measures of this magnitude in this area in coming years.

The Directorate is aware that the number of family groups may be reduced to a level less than what is expected at this time, both due to natural mortality and possible illegal killing. Even if both biological conditions and indications at the time of writing indicate that the number of reproductions will exceed 10, the Directorate does not consider it to be justifiable to make a decision about killing before the status is verified through ordinary monitoring methods. This implies that the period of time from the verification of an adequate number of reproductions to the implementing of a potential decision to kill may be short. That is the reason to give an advance notice of the potential decision of killing, so that the involved parties and other interested parties are oriented in advance about the basis for the Directorate's decision.

The Directorate interprets the management goal of 8-10 family groups such that the number of groups cannot be reduced to a number lower than 8. This implies for example that if 9 established family groups are documented during the winter tracking, the members of one of the documented groups could potentially be killed without coming in conflict with the management goal. If 10 family groups are documented, members of two of the family groups could potentially be killed.

The Directorate judges the present situation to be such that it is most appropriate to kill the members of both of the groups in Stor-Elvdal/Rendalen/Alvdal at the same time. If members of one of the groups were to be killed, the probability of a rapid reestablishment in this area would be great, through the reestablishment of young animals from the remaining group into the empty territory. The Directorate emphasizes that the probability for wolves to occur in the area is great even if both groups are removed, because of natural conditions.

The legal basis for a potential decision to kill is Law No. 38 of May 29, 1981 on Wildlife (viltloven) § 12, and the Regulations for the Management of Brown Bears, Wolverines, Wolves and Lynx of June 30, 2000 (forvaltningsforskriften) § 3, where it is stated:

Wildlife Law § 12:

Based on regulations that the King in Council decides upon, the Ministry can, without regard to the rules that otherwise apply, implement on its own accord or give permission for the killing of a fixed number of brown bears, wolverines, wolves and lynx to prevent damage to domestic livestock or semidomestic reindeer. The regulations shall give rules for differential management. To ensure the population's survival, special criteria shall be stipulated for permission to kill in more explicitly defined areas.

The decision to kill in accordance with the regulations pursuant to the first section of this paragraph shall be limited to a defined area and a defined period of time.

Regulations for the Management of Brown Bears, Wolverines, Wolves and Lynx § 3:

To hinder brown bears, wolverines, wolves or lynx from causing damage to livestock or semidomestic reindeer, the Directorate can make a decision to kill individuals of these species on its own accord or after receiving an application. Under the same conditions, the County Governor can decide to kill lynx.

The decision shall be based on a comprehensive evaluation of the importance of the damage in relation to the need for protection of the large carnivores, seen in relation to the principle of differential management, see § 1. When exercising this judgement, special consideration shall be given to:

- a. the size and composition of the large carnivore population in question*
- b. the area's importance as grazing land*
- c. the extent and trend of the damage*
- d. the potential for future damage.*

In addition, and especially within more explicitly defined core areas or special management zones for large carnivores, special consideration shall be given to whether the damage can be limited by implementing protective measures.

In addition, according to § 3, 3, section no. 1:

Killing efforts shall be aimed as much as possible towards definite individuals. The decision to kill shall be limited to a defined area, period of time, and number of animals. More closely defined conditions can be attached to the permission to kill, including exceptions for certain types of animals, that the killing be carried out by more explicitly defined persons, about approved methods of killing, payment of compensation for the killing and/or covering the costs associated with the killing.

The Directorate refers also to the Regulations for the Management of Brown Bears, Wolverines, Wolves and Lynx §§1 and 2, and to the Bern Convention. The regulations and the convention allow killing as long as there is no other satisfactory solution. In light of the measures that have been implemented in the area in recent years, in addition to the references showing that the population goal of 8-10 family groups is expected to be reached, the Directorate is of the opinion that killing can be justified in this case.

The Directorate will implement the killing attempt killing on its own accord, according to § 3 in the regulations. Because of the special character of this case, the killing attempt will be administered by the Directorate for Nature Management. **Statens naturoppsyn**, in cooperation with local hunters, will be given the responsibility for carrying out the killing. The killing attempt will be carried out using methods that assure a safe removal, and this can include, among other things, the use of motorised vehicles and aircraft. It is a goal of the Directorate that the killing is carried out quickly and effectively, and encompasses as many as possible of the individuals in question.

Information will be given locally as the planning of the killing proceeds.

Relationship to International Agreements and Other Countries

The wolf population that occurs in Scandinavia is considered to be a common population. This implies that measures aimed at the population in one country can influence the population trend in the neighboring country. It is therefore a condition that the killing does not break any agreement made with the Swedish natural resource management authorities regarding the management of wolves in Scandinavia, such as the agreement of September 7, 1998, or other international agreements. This advance notice will therefore be discussed with the Swedish Environmental Protection Agency separately.

The potential killing of the members of these two family groups was brought up at a meeting of a special group of experts under the direction of the Bern Convention in June 2000. Norwegian authorities will inform about this case at the Bern Convention's COP20 (Conference of the Parties) on November 27—December 1, 2000. An action plan for the conservation of the wolf in Europe also has been prepared. This action plan is available on the Internet along with the report from the meeting of the group of experts in June, see <http://www.nature.coe.int/CP20>.

In the Swedish Large Carnivore White Paper, a minimum level for the Swedish-Norwegian wolf population of 2000 individuals was proposed, see "A United Large Carnivore Policy (SOU 1999:146), Large Carnivore White Paper Final Report". In addition it was proposed that "preventive hunting" could be allowed to a limited extent before the minimum level was reached, especially within the area with reindeer husbandry. Outside of the reindeer husbandry area, "preventative hunting" should be directed towards wolves that cause especially large problems. In the white paper it is also stated that one should be more generous in giving permission for "preventive hunting" where the wolf population is increasing rapidly than otherwise. The white paper has been circulated for comments and is expected to be acted upon politically in Sweden during the coming winter.

In the Swedish Environmental Protection Agency's "Action Plan for the Conservation of Wolves", the Agency considers that the population goal for wolves should be stated as a minimum number of reproductions in the country every year, and the Agency considers that Sweden should have a national minimum level of 15 reproductions, see Action Plan No. 23, approved June 28, 2000. In addition, the Agency considers that it should work for a Swedish wolf population with 15 annual reproductions and a Scandinavian population with 20 reproductions. The Agency does not consider these population goals to be final, but that the wolf population could increase above this if the damages were to be held at an acceptable level.

Consequences of Potential Killings

The Government's proposal to limit the area where wolf pairs and family groups will be allowed to become established in Norway is expected to be acted upon during 2000. The two family groups of wolves in Hedmark are outside of this proposed management area. It is not considered to be realistic that the proposal will be increased in size, and therefore encompass the family groups in question. The aim of the Directorate is therefore to implement the potential killing of the members of the family groups independently of action taken upon the proposed wolf zone. A potential killing might however influence the measures that will be possible to carry out within such a wolf zone in the short term. Killings such as those discussed in this letter will reduce the number of wolves in Southern Scandinavia considerably. This implies also that the demand for precision in management increases. If the killings are implemented as described, the Directorate cannot see that there would be room for additional killings of wolves in family groups within a prospective wolf zone in the short term. Outside such a wolf zone, one would also have to take into consideration the total population size, such that the number of conditional kill permits would probably have to be reduced in relation to the present level. In this connection, the Directorate has also evaluated abnormal losses and illegal killing as important factors that must be considered. A direct consequence of the killings will also be that economic means that have been used to reduce the extent of damage to sheep in Rendalen/Stor-Elvdal and Alvdal must be redistributed to areas within the future wolf zone. It is assumed also that one will be able to meet the population management goals within a prospective wolf zone in the future. If this is realized, the present wolf territories in Rendalen/Stor-Elvdal/Alvdal will no longer have the same

importance for the population. Potential wolves that might reestablish in the area after the present family groups have been removed will not receive special consideration in terms of management, but will be handled on the same line as other wolves that occur outside of the management zone.

Other Conditions

The affected municipalities have contacted the Directorate on numerous occasions and asked that the wolf groups be removed or killed. At the same time, several conservation organizations, including Swedish organizations, have pointed out that the wolf population is being built up in Southern Scandinavia, and have claimed that the present management practice for wolves is much too liberal regarding killing. In addition, the Directorate decided to kill the members of a wolf pair in Atndalen once before. This decision was stopped in the courts. The Directorate expects therefore that the various parties and groups interested in the management of wolves will have comments on a potential decision to kill wolves. At the same time, the Directorate considers it to be fundamental that such a potential decision must be implemented relatively early in the winter of 2000-2001. To ensure that all the affected parties can comment on the case before the decision is made, these parties are given a deadline to answer this advance notice within December 1. The Directorate stresses however that the purpose of this advance notice is to elucidate the case as well as possible **before** a potential decision is made. This advance notice will not influence the parties' opportunity to appeal any decision that might be made, see chapter VI of the Law of State Administration (forvaltningsloven).

Sincerely,

Yngve Svarte e.f.
Section Chief

Terje Bø

CC: County Governors, Ministry of Environmental Protection, and Ministry of Agriculture

Address List: (note: the translations are to describe the addressees and are not necessarily the official English names of the organizations)

Naturvårdsverket (The Swedish Environmental Protection Agency)
Rendalen kommune (Rendalen Municipality)
Stor-Elvdal kommune (Stor-Elvdal Municipality)
Alvdal kommune (Alvdal Municipality)
Norges Bondelag (the Norwegian farmers' organization)
Norsk sau og geitealslag (the Norwegian sheep and goat breeders' association)
Norsk bonde og småbrukarlag (the Norwegian association of small farmers)
Verdens villmarksfond (WWF-Norway)
Foreningen våre rovdyr (a Norwegian interest association for large carnivores)
Miljøvernforbundet (a Norwegian interest association for environmental conservation)
Naturvernforbundet (a Norwegian interest association for environmental conservation)
SKANDULV v/Olle Liberg (the Scandinavian Wolf Research Project)
NINA (Norwegian Institute for Nature Research)
Høgskolen i Hedmark, Evenstad (Hedmark Regional College, Evenstad)
NJFF (The Norwegian Association of Hunters and Anglers)
Svenska Rovdjursforeningen (a Swedish interest association for large carnivores)
WWF Sverige (WWF-Sweden)