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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

33rd meeting
Strasbourg, 3-6 December 2013

**UPDATED MODEL FORM
FOR BIENNIAL REPORTS**

*Secretariat Memorandum
prepared by
the Directorate of Democratic Governance*

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PRELIMINARY NOTE

Contracting Parties are requested to use the enclosed forms for their biennial report, bearing in mind the Revised Resolution No 2 (1993) as amended by the Standing Committee on 2 December 2011, on the scope of articles 8 and 9 of the Bern Convention, according to which the Standing Committee :

“RESOLVES that, in future, the reports which the Contracting Parties are required to submit every two years under Article 9 on the exceptions made from the provisions of Articles 4, 5, 6, 7 and 8 cover only:

- a. General exceptions;*
- b. Individual exceptions if they are so numerous as to result in a generalised practice;*
- c. Individual exceptions concerning more than ten individuals of a species;*
- d. Individual exceptions concerning individuals of endangered or vulnerable populations of species;*

“RESOLVES that, following common procedures and guidance in other fora, derogation reports specify, as appropriate, additional information to help provide an understanding of the reasoning behind the derogations and monitor their impacts, including:

- a. Information on the conservation status of the derogated species;*
- b. Justification for derogation for a species in an unfavourable conservation status;*
- c. Alternative solutions considered and compared with any available data;*
- d. Results of derogations implemented, including cumulative effects and the effects of any compensation measure taken, where relevant.*

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EXCEPTIONS CONCERNING ARTICLES 5, 6, 7 and 8

Use as many copies as required.

Specify:

- *The authority empowered to declare that these conditions have been fulfilled, and to take decisions in respect of the means that may be used, their limits and the persons instructed to carry them out,*

Specify where appropriate:

- *The conditions of risk and the circumstances of time and place under which such exceptions were granted,*
- *The controls involved*

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EXCEPTIONS PERMITTED UNDER ARTICLE 9

Article 9 permits exceptions to be made on the following grounds (provided that there is no other satisfactory solution and that the exception will not be detrimental to the survival of the population concerned):

- i. the protection of flora and fauna*
- ii. to prevent serious damage to crops, livestock, forests, fisheries, water and other forms of property*
- iii. in the interests of public health and safety, air safety or other overriding public interests (which?)*
- iv. for the purposes of research and education, repopulation, reintroduction and for the necessary breeding*
- v. to permit, under strictly supervised conditions, on a selective basis and to a limited extent, the taking, keeping or other judicious exploitation of certain wild animals and plants in small numbers*
- vi. falconry (falconry is dealt with separately)*

Specify the reason for the exception and the action permitted

For derogations granted under the reason "v." further specify:

- How the activities allowed have been controlled and by whom;*
- How the selectivity is granted.*

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EXCEPTIONS ON STRICTLY PROTECTED FAUNA SPECIES (Appendix II)

Article 6 of the Convention prohibits the following:

- a) Deliberate killing*
- b) Deliberate damage to or destruction of breeding or resting sites*
- c) Deliberate capture and keeping*
- d) Deliberate disturbance of wild fauna*
- e) Deliberate destruction or taking of eggs*
- f) Possession and internal trade*

Article 9 permits exceptions to be made on the following grounds:

- i. the protection of flora and fauna*
- ii. to prevent serious damage to crops, livestock, forests, fisheries, water and other forms of property*
- iii. in the interests of public health and safety, air safety or other overriding public interests (which?)*
- iv. for the purposes of research and education, repopulation, reintroduction and for the necessary breeding*
- v. to permit, under strictly supervised conditions, on a selective basis and to a limited extent, the taking, keeping or other judicious exploitation of certain wild animals and plants in small numbers*
- vi. falconry (falconry is dealt with separately)*

Specify the reason for the exception and the action that has been permitted.

For derogations granted under the reason "v." further specify:

- How the activities allowed have been controlled and by whom;*
- How the selectivity is granted.*

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EXCEPTIONS CONCERNING ARTICLE 8 (Appendix IV)

They concern the use of means of capture and killing specified in Appendix IV for:

- a) *Exploitation of species in Appendix III*
- b) *Species in Appendix II subject to exception (Article 9)*

Possible reasons:

- a) *For the protection of flora and fauna*
- b) *To prevent serious damage to crops, livestock, forests, fisheries, water and other forms of property*
- c) *In the interests of public health and safety, air safety or other overriding public interests*
- d) *For the purposes of research and education, of repopulation, of reintroduction and for the necessary breeding*
- e) *To permit, under strictly supervised conditions, on a selective basis and to a limited extent, the taking, keeping or other judicious exploitation of certain wild animals and plants in small numbers*

Method used:

- 1. *Snares*
- 2. *Live animals used as decoys which are blind or mutilated*
- 3. *Tape recorders*
- 4. *Electrical devices capable of killing and stunning*
- 5. *Artificial light sources*
- 6. *Mirrors and other dazzling devices*
- 7. *Devices for illuminating targets*
- 8. *Sighting devices for night shooting comprising an electronic image magnifier or image converter*
- 9. *Explosives*
- 10. *Nets*
- 11. *Traps*
- 12. *Poison and poisoned or anaesthetic bait*
- 13. *Gassing or smoking out*
- 14. *Semi-automatic or automatic weapons with a magazine capable of holding more than two rounds of ammunition*
- 15. *Aircraft*
- 16. *Motor vehicles in motion*
- 17. *Limes*
- 18. *Hooks*

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FORMS FOR
BIENNIAL REPORTS

1. EXCEPTIONS CONCERNING STRICTLY PROTECTED FLORA SPECIES
(ART. 5 - APPENDIX I)

Name of the species	No. of specimens involved (when practical)	No. of licences	Reasons for issuing of licences (art. 9, i. to v.) ¹	Impact on population

Where appropriate, please add a text providing information on:

Information on the conservation status of the derogated species
The authority empowered to declare that the conditions have been fulfilled
Conditions of risk and the circumstances and the time and place under which exception where granted
The controls involved
Justification for derogation for a species in an unfavourable conservation status
Alternative solutions considered and scientific data to compare them
Results of derogations (e.g. Cumulative effects and compensation measures where relevant)
Comments/notes

¹ i.: protection of flora /fauna

ii.: prevention of serious damage to crops, livestock, forests, fisheries, water and other forms of property

iii.: in the interests of public health and safety, air safety or other overriding public interests (which?)

iv.: for research / education / repopulation / reintroduction / necessary breeding

v.: judicious exploitation of certain wild plants in small numbers and under certain conditions

**2. EXCEPTIONS CONCERNING STRICTLY PROTECTED FAUNA SPECIES
(ART. 6 - APPENDIX II)**

Name of the species	No. of specimens involved (when practical)	Authorised action (art. 6, a. to f.) ²	No. of licences	Reasons for issuing of licences (art. 9, i. to v.) ³	Impact on population

Where appropriate, please add a text providing information on:

Information on the conservation status of the derogated species
The authority empowered to declare that the conditions have been fulfilled
Conditions of risk and the circumstances and the time and place under which exception where granted
The controls involved
Justification for derogation for a species in an unfavourable conservation status
Alternative solutions considered and scientific data to compare them
Results of derogations (e.g. Cumulative effects and compensation measures where relevant)
Comments/notes

² A: Deliberate killing
 B: Deliberate damage to or destruction of breeding or resting sites
 C: Deliberate capture and keeping
 D: Deliberate disturbance of wild fauna
 E: Deliberate destruction or taking of eggs
 F: Possession and internal trade

³ i.: protection of flora /fauna
 ii.: prevention of serious damage to crops, livestock, forests, fisheries, water and other forms of property
 iii.: in the interests of public health and safety, air safety or other overriding public interests (which?)
 iv.: for research / education / repopulation / reintroduction / necessary breeding
 v.: judicious exploitation of certain wild plants in small numbers and under certain conditions

3. EXCEPTIONS CONCERNING FALCONRY

For each species used in falconry, state (use a separate sheet for each species):

Name of species:	
No. of birds in captivity (after entry into force of the Convention)	
Origin of birds:	
% captured from the wild in the State	
% imported	
% reared in captivity	
Estimated population in the wild (in the State)	
No. of birds captured from the wild each year	
No. of birds imported (specify country of origin)	
Means authorised for capture	
Controls involved	

4. EXCEPTIONS CONCERNING PROTECTED FAUNA SPECIES (ART. 7 APPENDIX III)⁴

Name of the species	No. of individuals involved (when practical)	Exception made	Reasons for issuing of licences (art. 9, i. to v.) ⁵	Impact on the population

Where appropriate, please add a text providing information on:

Information on the conservation status of the derogated species
The authority empowered to declare that the conditions have been fulfilled
Conditions of risk and the circumstances and the time and place under which exception where granted
The controls involved
Justification for derogation for a species in an unfavourable conservation status
Alternative solutions considered and scientific data to compare them
Results of derogations (e.g. Cumulative effects and compensation measures where relevant)
Comments/notes

⁴ Kindly note that exceptions to species listed in Appendix III concern only those captured or killed using indiscriminate means of capture or killing and in particular methods specified in Appendix IV.

⁵ i.: protection of flora /fauna

ii.: prevention of serious damage to crops, livestock, forests, fisheries, water and other forms of property

iii.: in the interests of public health and safety, air safety or other overriding public interests (which?)

iv.: for research / education / repopulation / reintroduction / necessary breeding

v.: judicious exploitation of certain wild plants in small numbers and under certain conditions

5. EXCEPTIONS CONCERNING THE USE OF MEANS OF CAPTURE AND KILLING SPECIFIED IN APPENDIX IV

Name of the species	No. of specimens (when practical)	No. of licences	Reasons (art. 8, a. to e.) ⁶	Method used ⁷	Impact on the population

⁶ A. Protection of flora and fauna

B. To prevent serious damage to crops, livestock, forests, fisheries, water and other forms of property

C. In the interests of public health and safety / air safety / overriding public interests

D. For research / education / repopulation / reintroduction / necessary breeding

E. Taking, keeping or other judicious exploitation of certain wild animals and plants in small numbers and under certain conditions (see art. 8)

⁷ Choose from article 8 : 1 to 18 – See for reference pages 6-7 of this document