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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

37th meeting
Strasbourg, 5-8 December 2017

Other complaints

**Lack of legal protection for Northern goshawk
and birds of prey
in Norway**

- COMPLAINT FORM -

*Document prepared by
BirdLife Norway*

**Convention on the Conservation of
European Wildlife
and Natural Habitats**



COMPLAINT FORM

NB: Complaint forms must be submitted in electronic word format, and not exceed 3 pages, including the first administrative page. A maximum 5-page report can be attached. The Secretariat will request additional information on a case-by-case basis.

Please, fill in this form and send it to the attention of:

Iva OBRETENOVA

Directorate of Democratic Governance, Culture and Diversity

Council of Europe

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On behalf of (if applicable): BirdLife Norway / Norsk Ornitologisk Forening

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Date : 13.01.2017

Kjetil Aa. Solbakken

1. Please state the reason of your complaint (refer also the Contracting Party/es involved and the Articles of the Convention which might be violated).

BirdLife Norway wish to report the lack of legal protection for Northern Goshawk and other birds of prey in Norway, due to a change in the national legislation. The aim of the Bern Convention is to “ensure conservation of wild flora and fauna species and their habitats”, with special concern to vulnerable and endangered species, including some specified migratory species. Strictly protected fauna species are listed under Annex II of the Convention. Included in Annex II are all diurnal birds of prey and owls (Council of Europe 1979). We believe that the Norwegian legislation is a violation of the Bern Convention article 9, point 1.

2. Which are the specific specie/s or habitat/s included in one of the Appendices of the Bern Convention potentially affected? (Please include here information about the geographical area and the population of the species concerned, if applicable)

Northern Goshawk, other birds of prey and carnivores in Norway.

3. What might be the negative effects for the specie/s or habitat/s involved?

These species can be killed/shot, even in situations where there are other options. Under the present national regulation and interpretation by the courts, BirdLife Norway point to the fact that any bird of prey may now be killed under the pretext of attack on domestic livestock. What constitutes an attack may easily be misinterpreted or misused, and may be an easy excuse to use when removing birds of prey in an area.

4. Do you know if potentially affected species or habitats also fall under the scope of other international Conventions, (for instance: RAMSAR, CMS, ACCOBAMS, Barcelona Convention, etc) or if the area has been identified as a NATURA 2000/Emerald network site?

Northern Goshawk is also included in Annex II of the Bonn Convention.

5. Do you know if there are any pending procedures at the national or international level regarding the object of your complaint?

The Government Committee for Energy and the Environment discussed a proposition to amend the Nature Diversity Act (administrative exemptions and confiscations) on 18th October 2016. However, the ministry decided not to forward a motion to change Section 2, subsection 2 of the Nature Diversity Act.

6. Any other information (existence of an Environmental Impact Assessment (EIA), size of projects, maps of the area, etc)

Please refer to our attached letter.