



## **BERN**

### **Biennial Report 2021-2022**

Article 9 to the Bern Convention permits exceptions from the obligations accepted by Contracting Parties in pursuance of Articles 4 to 8. The possibility of derogating from the mentioned articles of the Convention is subject to two very clearly defined general conditions, and some non cumulative specific reasons, listed exhaustively in Article 9.

The two general conditions that must be met are:

- a. that there is no other satisfactory solution; and
- b. that the exception will not be detrimental to the survival of the population concerned.

These two conditions are mandatory and cumulative.

The specific reasons for which the exceptions may be granted are the following:

- i. for 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 (please, specify);
- iv. for the purposes of research and education, of repopulation, of 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)

These specific reasons are mandatory and non cumulative.

According to Article 9§2, Contracting Parties shall report every two years to the Standing Committee on the exceptions made. The reports must specify:

- a. the populations which are or have been subject to the exceptions and, when practical, the number of specimens involved;
- b. the means authorised for the killing or capture;
- c. the conditions of risk and the circumstances of time and place under which such exceptions were granted;
- d. 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;
- e. the controls involved.



## **Respondent details**

Country

>>> Switzerland

Entity

>>> Federal Office for the Environment FOEN

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

Article 6 of the Convention prohibits the following:

- a) all forms of deliberate capture and keeping and deliberate killing;
- b) the deliberate damage to or destruction of breeding or resting sites;
- c) the deliberate disturbance of wild fauna, particularly during the period of breeding, rearing and hibernation, insofar as disturbance would be significant in relation to the objectives of this Convention;
- d) the deliberate destruction or taking of eggs from the wild or keeping these eggs even if empty;
- e) the possession of and internal trade in these animals, alive or dead, including stuffed animals and any readily recognisable part or derivative thereof, (where this would contribute to the effectiveness of the provisions of this article).

## Vertebrates

### MAMMALS > CARNIVORA

#### Canidae

#### Canis lupus

#### Confirmation of a derogation of this species

Please confirm that a derogation for this species has occurred in the country

There is a derogation concerning this species

No. of specimens involved (when practical)

>>> 240

Authorised action (art. 6, a. to f.)

all forms of deliberate capture and keeping and deliberate killing;

No. of licences

>>> 30

You have attached the following Web links/URLs to this answer.

Wolf - Losses in Switzerland - According to the Swiss wolf concept (DE, FR, IT), every dead wolf (natural mortalities, legal and illegal killings) is to be sent immediately and intact to the Centre for Fish and Wildlife Health (FIWI) at the University of Bern for diagnosis. Additionally, KORA will receive all data for the monitoring of the populations. The number of losses in the carnivore populations and their causes are important indices for the status of the population. Most of the registered dead wolves in Switzerland died due to human causes. However, it must be kept in mind, that it is less likely to find a wolf which died from natural causes. The most frequent known cause of death for wolves in Switzerland is the legally permitted shooting based on the Konzept Wolf Schweiz. This prescribes that, for individuals or packs which have killed a certain number of farm animals within a defined timeframe or have been a considerable threat to humans, a shooting permit can be issued. Since wolves cannot be individually identified in the wild, the shooting perimeter is closely coupled to the damage perimeter to shoot the actual damage causing wolf. Further important causes of wolf losses in Switzerland are traffic collisions and illegal killings.

Reasons for issuing of licences (art. 9, i. to v.)

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

Impact on population

>>> none

After their eradication, wolves have started recolonising Switzerland in 1996. With only a few exceptions, all wolves in Switzerland originated from the Italian and Alpine populations. This can be determined based on the unique genetic haplotype HW22 only found in these populations. Due to the large mobility of wolves, we expect wolves from other populations to immigrate to Switzerland. The first pack was established in 2012 in the Calanda area, in the canton of Grisons. By January 2023, the number of packs has grown to 18 Swiss and 5 cross-border.

You have attached the following Web links/URLs to this answer.

Wolf - Distribution in Switzerland

Conditions of risk and the circumstances and the time and place under which exceptions were granted

>>> Depredation on livestock is the most important cause for conflict around the return of the wolf, but it is also the most obvious evidence of its presence. AGRIDEA is the national centre for consultation on livestock

protection. Information on livestock protection is published on the website [herdenschutzschweiz.ch](http://herdenschutzschweiz.ch) and in the annual reports *Jahresberichten Herdenschutz*. Sheep are the livestock species depredated most often (over 90%). Larger species like cattle and horses are only very rarely killed by wolves. The vast majority of farm animals killed by wolves is unprotected. The differentiation between livestock kills caused by wolves and domestic dogs is not easy and only a genetic analysis can provide certainty.

The Swiss wolf concept (DE, FR, IT) prescribes that damages caused by wolves on farm animals and agriculture crops are to be compensated by the Confederation (80%) and the respective canton (20%). The cantons need to report their information on livestock depredation to the Federal Office each year until the end of October. The *Konzept Wolf Schweiz* also defines conditions, under which damage-causing wolves can be authorised to be legally killed and damage-causing packs can be regulated.

The authority empowered to declare that the conditions have been fulfilled

>>> The cantonal authorities.

2022: The cantonal authorities of Glarus, Grisons, Ticino, Valais, and Vaud.

2021: Bern, Grisons, and Valais.

The controls involved

>>> Federal office for the environment

You have attached the following Web links/URLs to this answer.

OFEV: Le loup - Le nombre de loups en Suisse n'a cessé d'augmenter ces dernières années. Les animaux migrent d'Italie et de France. Depuis 2012, les loups se reproduisent aussi à l'intérieur du pays. La Suisse n'encourage pas activement le retour du loup. Elle doit néanmoins le gérer, étant donné que l'animal a immigré naturellement.

## **Additional details**

Where appropriate, please add a text providing information on:

Information on the conservation status of the derogated species

>>> On 30 June 2021, the Federal Council adopted the revision of the Ordinance on Hunting and the Protection of Wild Mammals and Birds (Hunting Ordinance), which entered into force on 15 July 2021. In doing so, it is implementing two motions that had called for the Ordinance to be adapted within the scope of the current Hunting Act following the rejection of the revised Hunting Act by the Swiss electorate in September 2020. The cantons will now be able to intervene more rapidly in wolf populations. The revision also provides for greater protection for herds, which will help to prevent conflicts.

Under the revised Hunting Ordinance, wolf packs can be regulated once ten sheep or goats have been killed. The damage threshold is currently fifteen animals. As hitherto, an attack can only be counted if the farmer has taken measures to protect the herd beforehand (fencing or guard dogs). The damage threshold has also been specified for large livestock such as cows, horses, llamas and alpacas: two animals killed will be enough to justify intervention in the pack.

The damage threshold will also be lowered from fifteen to ten sheep or goats killed in the event of damage caused by a lone wolf, provided that herd protection measures have been taken beforehand. In the case of cows, horses, llamas and alpacas, two animals must be killed before a canton can order the wolf to be shot. In regions hitherto spared by wolves, the damage threshold will now be set at fifteen livestock animals killed in one month (compared with 25 up to now) and 25 in four months (compared to 35). Attacks on unprotected animals may also be counted as damage.

With this revision of the Hunting Ordinance, the Federal Council is also strengthening herd protection.

Effective herd protection prevents wolves from being shot. The Confederation will support more measures, such as the electrical reinforcement of pasture fences to protect against large predators, and will allocate greater financial resources for this purpose. The compensation paid to the cantons for specific measures will also be increased. In a new article, the Federal Council will also specify reasonable herd protection measures. However, herd protection will continue to be the responsibility of farmers. The Confederation will provide financial support for these measures.

On 30 June 2021, the Federal Council adopted the revision of the Hunting Ordinance, which came into force on 15 July 2021, at the start of the summer season. This revision respects the result of the popular vote on the revision of the Hunting Law and does not provide for preventive regulation of the wolf. The Confederation will continue to be responsible for interventions in wolf packs.

You have attached the following Web links/URLs to this answer.

[Le Conseil fédéral adopte la révision de l'ordonnance sur la chasse](#)

Justification for derogation for a species in an unfavourable conservation status

>>> Derogations are granted based on the Swiss wolf concept.

The Swiss wolf concept sets the following objectives:

- to create the necessary conditions for wolves to live and breed in Switzerland as part of a global alpine population ;
- to inform the public about the wolf's way of life and its important role as a predator;
- minimize conflicts with agriculture, hunting, tourism and the population concerned;

- formulate the principles applicable to damage prevention and compensation;
- prevent the presence of the wolf from causing intolerable hardship to livestock farming;
- define the criteria authorizing a) the shooting of a single wolf causing damage and b) the regulation of wolf populations which, because they are becoming established, are causing major damage to livestock or severe losses in the use of cantonal hunting grounds, or which represent a serious a serious threat to humans

You have attached the following Web links/URLs to this answer.

Plan Loup

Results of derogations (e.g. Cumulative effects and compensation measures where relevant)

>>> The Swiss wolf concept (DE, FR, IT) prescribes that damages caused by wolves on farm animals and agriculture crops are to be compensated by the Confederation (80%) and the respective canton (20%). The cantons need to report their information on livestock depredation to the Federal Office each year until the end of October.

You have attached the following Web links/URLs to this answer.

Wolf: Depredation - Depredation on livestock is the most important cause for conflict around the return of the wolf, but it is also the most obvious evidence of its presence.

Where appropriate: indiscriminate means of capture and killing

other means capable of causing local disappearance of, or serious disturbance to, populations of a species

Please specify

>>> Rifle

# EXCEPTIONS CONCERNING FALCONRY

## Falconidae

### Falco naumanni

#### Confirmation of a derogation of this species

**Please confirm that a derogation for this species has occurred in the country**

There is a derogation concerning this species

Origin of birds:

	% reared in captivity	% imported	% captured from the wild in the State

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

According to article 7 of the Convention, any exploitation of wild fauna specified in Appendix III shall be regulated in order to keep the populations out of danger.

Measures to be taken shall include:

- i. closed seasons and/or other procedures regulating the exploitation;
- ii. the temporary or local prohibition of exploitation, as appropriate, in order to restore satisfactory population levels;
- iii. the regulation as appropriate of sale, keeping for sale, transport for sale or offering for sale of live and dead wild animals.

Exceptions to species listed in Appendix III concern the use of means of capture and killing specified in Appendix IV.

## Vertebrates

### BIRDS > PELECANIFORMES

#### Phalacrocoracidae

#### All species of Birds not included in Appendix II (Phalacrocorax carbo)

#### Confirmation of a derogation of this species

**Please confirm that a derogation for this species has occurred in the country**

There is a derogation concerning this species

No. of individuals involved (when practical)

>>> 6876

Exception made

>>> The Cormorant (Phalacrocorax carbo) is a species that can be hunted in Switzerland.

2021: 1300

2022: 960

Reasons for issuing of licences (art. 9, i. to v.)

i.: protection of flora /fauna

Impact on the population

>>> none

Conditions of risk and the circumstances and the time and place under which exceptions were granted

>>> na

The authority empowered to declare that the conditions have been fulfilled

>>> Cantonal authorities

The controls involved

>>> Federal office for the environment

#### Additional details

Where appropriate, please add a text providing information on:

Information on the conservation status of the derogated species

>>> Least Concern (LC) - common year-round

The population increase in Denmark and the Netherlands especially caused a steep rise in the Swiss wintering population in the 1980s. In 2001, the first breeding pairs occupied the islands in the Fanel nature reserve BE/NE. New colonies in lake-side trees rapidly formed and exist to this day: on Lake Zug and in Bolle di Magadino TI in 2005, and on Greifensee as well as a second colony on Lake Neuchâtel at Champ-Pittet VD in 2007. Since then, the trend has been more dynamic. The colony on Baldeggersee only lasted from 2007 to 2013. On Lake Sempach (occupied since 2010) and Lake Zurich (since 2011), nesting sites were relocated or irregularly occupied. There were also several site changes on Lake Geneva. The first colony was in Bursinel VD and existed from 2011 to 2015. Besides the colony formed in 2012 in the nature reserve Les Grangettes VD, there were smaller nesting sites on the north side of the lake. The Great Cormorant has also settled in areas just beyond the Swiss border, on Lake Constance in particular (since 1997).



Justification for derogation for a species in an unfavourable conservation status

>>> In Switzerland, the Cormorant is a huntable species, according to art. 5 of the Federal act on hunting and protection of wild mammals and birds.

Alternative solutions considered and scientific data to compare them

>>> na.

Results of derogations (e.g. Cumulative effects and compensation measures where relevant)

>>> na.

Where appropriate: indiscriminate means of capture and killing

other means capable of causing local disappearance of, or serious disturbance to, populations of a species

Please specify

>>> Rifle

## **MAMMALS > CARNIVORA**

### **Felidae**

#### **Lynx lynx**

#### **Confirmation of a derogation of this species**

**Please confirm that a derogation for this species has occurred in the country**

There is a derogation concerning this species

No. of individuals involved (when practical)

>>> 250

Exception made

>>> 1 Lynx shot

Reasons for issuing of licences (art. 9, i. to v.)

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

Impact on the population

>>> none

Conditions of risk and the circumstances and the time and place under which exceptions were granted

>>> Pursuant to Article 10bis of the Ordinance on Hunting and Protection of Wild Mammals and Birds (Hunting ordinance), the Federal Office for the Environment (FOEN) is responsible for drawing up a management plan for the lynx in Switzerland. This plan contains principles governing:

species protection and population monitoring;

preventing damage and critical situations;

encouraging preventive measures;

risk and damage assessment;

compensation for preventive measures and damage;

scaring, capture or shooting, in particular depending on the extent of the risks and damage, the scope of the intervention and prior consultation of the FOEN in the case of measures against individual lynxes;

international and inter-cantonal coordination of measures;

the harmonisation of measures taken under this Ordinance with measures taken in other taken in other environmental areas.

You have attached the following Web links/URLs to this answer.

[Plan Lynx](#) - Aide à l'exécution de l'OFEV relative à la gestion du lynx en Suisse L'objectif des plans Loup et Lynx est de créer les conditions permettant de gérer les populations croissantes de grands prédateurs en Suisse. L'enjeu est notamment de garantir la protection de la faune sauvage tout en tenant compte des intérêts de la population. Les interventions doivent être réservées aux cas où toutes les autres mesures de prévention des dégâts ont échoué. Ces plans servent avant tout aux cantons pour l'application des directives.

The authority empowered to declare that the conditions have been fulfilled

>>> Canton Bern

The controls involved

>>> Federal office for the environment

Where appropriate: indiscriminate means of capture and killing

other means capable of causing local disappearance of, or serious disturbance to, populations of a species

Please specify

>>> Rifle