



BERN

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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

>>> Georgia

Entity

>>> Ministry of Environmental Protection and Agriculture of Georgia

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)

>>> 26

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

all forms of deliberate capture and keeping and deliberate killing;

No. of licences

>>> 7

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

>>> Annually local population from the regions, through the Municipal body, refers to the Ministry of Environmental Protection and Agriculture of Georgia with the facts of wild animal attacks. The local population complains about the number of wolves that attack their livestock more and more often and requests a special license for removing the individuals from the environment. In such cases, based on the Resolution of the Government of Georgia N574 "Rule for regulating the number of wild animals" the aim of which is to protect the life, health, and public safety of the population, to prevent damage to the environment, infrastructure and agricultural activities, as well as to prevent sanitary-epidemiological, agricultural and other domestic diseases, to regulate the number of wild animals (legal relations with wildlife) issues license to the Municipalities; Number of licenses are issued within specific municipalities;

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

>>> Measures to regulate the number of wild animals (removal of wild animals from the environment) can be implemented in the following cases:

- A) for the protection of the life, health, and public safety of the population;
- B) for infrastructure (including air transport safety), agricultural activities (agricultural production/harvest, domestic livestock, forest, fishing/fish farming, water resources, property, etc.) as well as prevention of damage to domestic animals. In order;
- C) in order to avoid damage to the environment;
- D) Sanitary-epidemiological (prevention and elimination of diseases), for the prevention and elimination of agricultural and other domestic diseases.

The authority empowered to declare that the conditions have been fulfilled

>>> The Ministry of Environmental Protection and Agriculture of Georgia (The Department of Environmental Supervision).

The controls involved

>>> According to the The Resolution of the Government of Georgia N574 "Rule for regulating the number of wild

animals", the municipality is obliged to immediately inform the Ministry about each specific case of removal of a wild animal from the environment and to provide appropriate documentation. The Department of Environmental Supervision shall supervise the implementation of the measure for the regulation of the number of wild animals defined by this Article by the Municipality. The municipality is obliged to inform the department in advance about the deadlines for the regulation measure.

Additional details

Where appropriate, please add a text providing information on:

Information on the conservation status of the derogated species

>>> According to the final conclusions of Emerald Network biogeographical evaluation seminar for species and habitats for Armenia, Azerbaijan and Georgia, 2017, *Canis lupus* was evaluated as having status "Sufficient", therefore having favorable conservation status.

Alternative solutions considered and scientific data to compare them

>>> Awareness raising among local population in terms of entering the wolf habitat with the livestock;

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

>>> The regulation of the number of wild animals shall take into account the provisions of Article 3 of the Regulation approved by the Order of the Minister of Environment and Natural Resources Protection of Georgia of December 27, 2013 № 95 on the "Rules for Extraction of Wildlife Objects, their Species, Terms and Permits for Extraction" Prohibitions / requirements set forth in paragraphs 8 to 9 and Article 4.

