Biennial report on exceptions

Bern Convention

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Introduction

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

Entity

General Directorate of Nature Conservation and National Parks

APPENDIX II

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

BIRDS > PASSERIFORMES

Laniidae

All species of Laniidae (Lanius collurio)

Is there a derogation concerning this species in your country?

Please select only one option

- (●) Yes
- ( ) No

Number of specimens involved, when practical

6000

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

Tick all that apply

- [x] all forms of deliberate capture and keeping and deliberate killing
- [ ] the deliberate damage to or destruction of breeding or resting sites
- [ ] 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
- [ ] the deliberate destruction or taking of eggs from the wild or keeping these eggs even if empty
- [ ] 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

Number of licences

1000

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

Tick all that apply

- [ ] 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
- [x] v. judicious exploitation of certain wild plants in small numbers and under certain conditions

How have the activities allowed been controlled and by whom?

Rangers of the GDNCNP control the activity.

How is the selectivity granted?

No selection. The individuals of this species are caught for the purposes of falconry (Accipiter nisus). There are approximately 2000 licence owners and nearly half of them actively participate in this practice. Every licence owner has a right to capture 6 individuals of red backed shrikes. But they have to release them at the end of the season. An estimated 5% mortality rate is observed among the individuals captured.

What is the impact of the derogation on the species population?

Given that individuals are not captured for lethal purposes and the vast majority are released back into the wild at the end of the season, the derogation is not expected to have a significant impact on the overall population of the species.

The conditions of risk and the circumstances of time and place under which such exceptions were granted.

Capturing activities are conducted under controlled seasonal and spatial conditions, during migration period and in authorized areas. Although a small proportion of individuals (approximately 5%) do not survive, the overall risk to the population remains low due to strict licensing, limited quotas, and mandatory release of the majority of captured individuals.

The authority empowered to declare that the conditions have been fulfilled

General Directorate of Nature Conservation and National Parks (GDNCNP).

The controls involved in identifying whether the conditions have been fulfilled

Rangers of the GDNCNP guide and report the activity.

Additional details

Where appropriate, please indicate:

Justification for derogation for a species in an unfavourable conservation status

The population of this species is not in an unfavourable conservation status.

Where appropriate: indiscriminate means of capture and killing

Tick all that apply

- [ ] 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
- [x] 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
- [ ] Other means capable of causing local disappearance of, or serious disturbance to, populations of a species
- [ ] Not applicable

MAMMALS > ARTIODACTYLA

Bovidae

Capra aegagrus

Is there a derogation concerning this species in your country?

Please select only one option

- (●) Yes
- ( ) No

Number of specimens involved, when practical

254

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

Tick all that apply

- [x] all forms of deliberate capture and keeping and deliberate killing
- [ ] the deliberate damage to or destruction of breeding or resting sites
- [ ] 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
- [ ] the deliberate destruction or taking of eggs from the wild or keeping these eggs even if empty
- [ ] 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

Number of licences

254

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

Tick all that apply

- [ ] 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
- [x] v. judicious exploitation of certain wild plants in small numbers and under certain conditions

Please elaborate on the stated reasons for issuing of licences (art. 9, v.)

(Regarding response 'v.: judicious exploitation of certain wild plants in small numbers and under certain conditions')

How have the activities allowed been controlled and by whom?

Rangers of the GDNCNP guided the activity.

How is the selectivity granted?

By the morphological features of the individuals taken.

What is the impact of the derogation on the species population?

Quotas are determined by a scientific methods based on age and sex pyramid of the population. So the impact is very low.

The conditions of risk and the circumstances of time and place under which such exceptions were granted.

Risk of taking animals other than targeted individuals.

The authority empowered to declare that the conditions have been fulfilled

General Directorate of Nature Conservation and National Parks (GDNCNP).

The controls involved in identifying whether the conditions have been fulfilled

Rangers of the GDNCNP guide and report the activity.

Additional details

Where appropriate, please indicate:

Information on the conservation status of the derogated species

Justification for derogation for a species in an unfavourable conservation status

The population of this species is not 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

Where appropriate: indiscriminate means of capture and killing

Tick all that apply

- [ ] 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
- [x] 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
- [ ] Other means capable of causing local disappearance of, or serious disturbance to, populations of a species
- [ ] Not applicable

FALCONRY

Accipitridae

Accipiter nisus

Is there a derogation concerning this species in your country?

Please select only one option

- (●) Yes
- ( ) No

Number of birds in captivity (after entry into force of the Convention)

4000

Origin of birds:

% reared in captivity	
% imported	
% captured from the wild in the State	%1

Estimated population in the wild (in the State)

400000

Number of birds captured from the wild each year

3500

Number of birds imported (specify country of origin)

Means authorised for capture

For catching Sparrowhawks, a method involving Red-backed Shrikes or sparrows as live decoys is used, along with a triangular, movable net trapping system.

The controls involved in identifying whether the conditions have been fulfilled

The Sparrowhawk trapping activities are conducted by people who have been issued licences for this activity. Trapping is done in autumn season and only individuals from migratory population are captured. The practitioners are allowed to capture 2 individuals from the wild and keep only one individual per winter. They are inspected in the field by teams affiliated with our Directorate General to determine whether they are carried out in accordance with the traditional trapping principles and procedures set out in the decisions of the Central Hunting Commission. Field inspections conducted by our teams are carried out in cooperation with Gendarmerie units, Police units, and sparrowhawk trapping and hunting associations.

APPENDIX III

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

MAMMALS > ARTIODACTYLA

Bovidae

Rupicapra rupicapra

Is there a derogation concerning this species in your country?

Please select only one option

- (●) Yes
- ( ) No

Number of specimens involved, when practical

21

Exceptions made

What exceptions have been made?

Article 7/2

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

Tick all that apply

- [ ] 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
- [x] v. judicious exploitation of certain wild plants in small numbers and under certain conditions

Please elaborate on the stated reasons for issuing of licences (art. 9, v.)

(Regarding response 'v.: judicious exploitation of certain wild plants in small numbers and under certain conditions')

How have the activities allowed been controlled and by whom?

Rangers of the General Directorate of Nature Conservation and National Park (GDNCNP) guide the activity.

How is the selectivity granted?

By the morphological features of the individuals taken.

What is the impact of the derogation on the species population?

Quotas are determined by a scientific methods based on age and sex pyramid of the population. So the impact is very low.

The conditions of risk and the circumstances of time and place under which such exceptions were granted

Risk of taking animals other than targeted individuals.

The authority empowered to declare that the conditions have been fulfilled

GDNCNP

The controls involved in identifying whether the conditions have been fulfilled

Rangers of the GDNCNP guide and report the activity.

Additional details

Where appropriate, please indicate:

Information on the conservation status of the derogated species

Justification for derogation for a species in an unfavourable conservation status

The population of this species isnot in anunfavourable 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

Where appropriate: indiscriminate means of capture and killing

Tick all that apply

- [ ] 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
- [x] 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
- [ ] Other means capable of causing local disappearance of, or serious disturbance to, populations of a species
- [ ] Not applicable

Cervidae

All species of Cervidae (Capreolus capreolus)

Is there a derogation concerning this species in your country?

Please select only one option

- (●) Yes
- ( ) No

Number of specimens involved, when practical

3

Exceptions made

What exceptions have been made?

Article 7/2.

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

Tick all that apply

- [ ] 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

- [x] v. judicious exploitation of certain wild plants in small numbers and under certain conditions

Please elaborate on the stated reasons for issuing of licences (art. 9, v.)

(Regarding response 'v.: judicious exploitation of certain wild plants in small numbers and under certain conditions')

How have the activities allowed been controlled and by whom?

Rangers of the GDNCNP guide the activity.

How is the selectivity granted?

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What is the impact of the derogation on the species population?

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The conditions of risk and the circumstances of time and place under which such exceptions were granted

Risk of taking animals other than targeted individuals.

The authority empowered to declare that the conditions have been fulfilled

General Directorate of Nature Conservation and National Parks (GDNCNP).

The controls involved in identifying whether the conditions have been fulfilled

Rangers of the GDNCNP guide and report the activity.

Additional details

Where appropriate, please indicate:

Information on the conservation status of the derogated species

Justification for derogation for a species in an unfavourable conservation status

The population of this species is not 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

Where appropriate: indiscriminate means of capture and killing

Tick all that apply

- [ ] 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
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- [ ] 7. Devices for illuminating targets
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- [ ] 9. Explosives
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- [ ] 11. Traps
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- [ ] 13. Gassing or smoking out
- [x] 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
- [ ] Other means capable of causing local disappearance of, or serious disturbance to, populations of a species
- [ ] Not applicable

All species of Cervidae (Cervus elaphus)

Is there a derogation concerning this species in your country?

Please select only one option

- (●) Yes
- ( ) No

Number of specimens involved, when practical

13

Exceptions made

What exceptions have been made?

Article 7/2

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

Tick all that apply

- [ ] i. protection of flora/fauna
- [ ] ii. prevention of serious damage to crops, livestock, forests, fisheries, water and other forms of property
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Results of derogations (e.g. cumulative effects and compensation measures where relevant)

Comments/notes

Where appropriate: indiscriminate means of capture and killing

Tick all that apply

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