

Biennial Report 2015-2016

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

> Andorre

Entity

> Gouvernement

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

ANGIOSPERMAE

RANUNCOLACEAE

Aquilegia pyrenaica* subsp. *cazorlensis

Confirmation of species occurrence

Please confirm the occurrence of the species in the country

The species occurs in the country

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

AMPHIBIANS > CAUDATA

Salamandridae

Euproctus asper

Confirmation of species occurrence

Please confirm the occurrence of the species in the country

- The species occurs in the country

BIRDS > PASSERIFORMES

Certhiidae

All species of Certhiidae (Certhia familiaris)

Confirmation of species occurrence

Please confirm the occurrence of the species in the country

- The species occurs in the country

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

Cervidae

All species of Cervidae (Cervus elaphus)

Confirmation of species occurrence

Please confirm the occurrence of the species in the country

The species occurs in the country

No. of individuals involved (when practical)

> 4

Exception made

> Il n'y a pas de population stable de cerfs en Andorre, uniquement des individus solitaires provenant des pays voisins

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

Bovidae

Ovis musimon (Ovis aries)

Confirmation of species occurrence

Please confirm the occurrence of the species in the country

The species occurs in the country