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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**

43<sup>rd</sup> meeting  
Strasbourg, 28 November - 1 December 2023

**New complaint (pending): 2022/03**

**Wolf Culling Policy in Norway  
(Norway)**

**- COMPLAINANT REPORT -**

*Document prepared by  
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To:

Bureau of the Bern Convention  
Secretariat of the Bern Convention

31 January 2023

**Update report on complaint no. 2022/03  
Wolf Culling Policy in Norway**

In reference to the letter of 7 October 2022 of the Bureau of the Bern Convention, the complainants NOAH – for animal rights, Margareth Konst, Stefanie Reinhardt and Ragnhild Sollund (referred to as “the Complainants”) would like to comment on the report by the Government of Norway of 27 July 2022, and present additional information that, in our opinion, could be useful for the further processing of the complaints by the Bureau.

The current complaints concern wolf culling in Norway in 2021-2022. The Complainants would like to inform the Bern Convention of the new culling quotas adopted by the Norwegian authorities in 2022-2023. The Ministry of Climate and Environment adopted a quota for the culling of 47 wolves in Norway in 2022-2023, of which 26 concern wolves outside the wolf zone (culling period: 1 December 2022 – 31 May 2023), and 21 concern wolves (three wolf packs) in the wolf zone near the border with Sweden (culling period: 1 January 2023 – 15 February 2023).<sup>i</sup> These new culling quotas for population control demonstrate that reducing the wolf population to a critically threatened level and heavily restricting its natural range to 5% of Norway’s land territory is a systematic and established practice in Norway. The culling quotas adopted on an annual basis constitute 2/3 of the Norwegian wolf population per year, resulting in the extermination of around 30% of the Norwegian wolf population every year.

NOAH has argued in its complaint of 12 April 2022 that by excluding the wolf from 95% of its natural range, the Norwegian authorities have breached Articles 2, 4, 6 and 9 of the Bern Convention. Whilst NOAH’s complaint first and foremost concerns wolf culling outside the wolf zone, in light of the ongoing legal case, the complaints submitted by the three other complainants focus also on the wolf culling in the wolf zone. Below, we would like to elaborate in more detail why we believe that the population target of maximum 4-6 breeding pairs with pups<sup>ii</sup> constitutes a breach of Articles 2, 6 and 9 of the Convention. The Complainants would also like to comment on the wolf management generally and on the wolf culling in the wolf zone particularly, based on the Government report of 27 July 2022.

**1. Some comments on the Government report**

*1.1. On the main elements of the wolf management in Norway*

The Government has written in the report that the two underlying objectives of the wolf management policy in Norway is to “ensure the survival of the wolf in Norwegian nature” and to “contribute to a viable wolf population in Southern Scandinavia” on the one hand, and “to maintain grazing of livestock and semi-domesticated reindeer, as well as other interests of importance in the Norwegian society”, on the other hand. The Government points out that rather than laying down a specific level, Article 2 leaves a margin of appreciation for parties to decide what level the population shall be maintained at.

The Complainants would like to highlight the following fundamental problems with the Government’s approach:

- 1.1.1. **There is no scientific assessment of the number and/or distribution of wolves in Norway to determine what is needed to ensure a) the survival of the population in Norway, 2) the viability of the wolf population in Norway, 3) Norway’s contribution to a viable wolf population in Scandinavia.**<sup>iii</sup> The population target of maximum 4-6 annual reproductions of wolves, of which 3 must occur in Norway only, is arbitrary and is not based on any scientific

assessments on the ecological capacity or the long-term viability of the wolf population in Norway.

The Complainants refer to the letter by the Norwegian Environment Agency of 20 December 2019 where the Agency informs the Secretariat of the Bern Convention that the conservation status for the wolf is reported as “Unknown”. The Agency explains this by the fact that “*The management and conservation objectives of wolf (Canis lupus) and brown bear (Ursus arctos) is decided by the Norwegian Parliament (Stortinget)*” and that “*Other parameters for the species are reported, but only if they are in conformity with the decisions of Stortinget*”. On the other hand, the Norwegian Databank for Species has assessed the conservation status of the current wolf population in Norway in 2021 and concluded that “*Wolf (Canis lupus) is assessed as critically endangered CR because the species has very few reproducing individuals in Norway (D1 criterion)*”.<sup>iv</sup>

By defining the conservation status of the wolf in Norway as “unknown”, despite its categorization as critically endangered in the Red List of Species, shows that wolf management in Norway is highly politicized. The Government claims that the delimitation of the wolf zone and the very low population target is a “necessary compromise”. However, the political aim of keeping the wolf as critically endangered is an outright prioritizing of economic and other interests such as hunting, to the detriment of the wolf, and constitutes a breach of Article 2, 4 and 6 of the Convention.

- 1.1.2. **The political objective “to contribute to a viable wolf population in Southern Scandinavia” by 4-6 breeding pairs with pups annually is not based on any political agreement** on the distribution of responsibility for the conservation of the wolf between Norway and Sweden. It is a unilateral decision by the Norwegian authorities to restrict its obligations under the Bern Convention, while leaving the main burden for ensuring the survival and viability of the wolf population in Scandinavia to Sweden.

Neither does the Large Carnivore Initiative for Europe (LCIE) consider counting on the continuity of the population with neighboring countries as acceptable practice, as long as the countries do not engage in a common action plan for the conservation of the wolf. The Complainants refer to the “Assessment of the conservation status of the Wolf (Canis lupus) in Europe”, a document prepared by the LCIE (T-PVS/Inf(2022)45), and discussed at the Standing Committee meeting in December 2022. We would particularly like to highlight the following concluding remark on pages 23-24 of the assessment:

*“Requests to manage a local/national population counting on the continuity with neighboring countries, but without formally engaging in a common action plan, are not acceptable because the impact of management decisions at local level would necessarily reverberate on the whole population. Despite the obvious benefits of the population level approach and the widespread cooperation at the technical level for monitoring and research, no neighboring European countries have so far engaged in a formal institutional action plan for a shared population.”* (Emphasis in the original)

Norway is by default obliged to contribute to the conservation of the wolf population in Scandinavia to an equal extent with its neighbor and in accordance with the Bern Convention. However, Norway has unilaterally limited its responsibilities under the Convention to protecting only a mere fraction of the wolf population. In the absence of a bilateral political agreement on the distribution of responsibilities between the two countries, Norway must, in the minimum, take active steps to ensure that the wolf is not critically endangered in Norway.

- 1.1.3. **The current wolf population in Norway has not become extinct yet only because of regular immigration of wolves from Sweden to Norway.** The Norwegian Environmental Agency has written in its assessment on the impacts of wolf culling in the wolf zone in winter 2022 (referred to in the Ministry’s decision of 22.12.21, p 13): “*Norwegian wolf management is also dependent on the Swedish management authorities maintaining a sub-population of wolves that is*

*significantly larger than the Norwegian sub-population, in order to ensure the long-term survival of the species.”*

The Complainants argue that rather than contributing to the viability of the South Scandinavian wolf population, Norway’s wolf policy has the opposite effect – the extensive culling policy acts as a sink on the wolf population in Sweden. This means that Norway actively contributes to maintaining the South Scandinavian wolf population in an endangered status, in breach of Article 2 of the Bern Convention.<sup>v</sup>

The Complainants consider it highly problematic if Norway’s wolf culling remains without criticism from the international community, as it can set a dangerous precedent where certain states are allowed to relieve themselves from Convention’s obligations and where the survival and viability of the relevant part of the population is totally dependent on the population in the neighboring country. Trouwborst et al. (2017) have expressed in an article on the Norwegian wolf policy that *“Along this line of reasoning [actively keeping wolves down to six packs in a small corner of national territory – the Complainants], the entire European wolf population west of the Russian border could be reduced to one-eighth of its current size without any violation of Article 2 of the Bern Convention occurring”*.<sup>vi</sup> This would be manifestly absurd.

In the Complainants’ view, the margin of appreciation in Article 2 cannot be stretched so far as to make conservation of a species practically redundant by keeping the population indeterminately at a critically endangered status and by leaving the main burden of ensuring a “population level in accordance with ecological, scientific and cultural requirements” to the neighboring country. Norway has unilaterally reduced its commitments under the Bern Convention regarding the wolf to a “level where the Convention would not affect it anymore”.<sup>vii</sup>

### 1.2. On the genetic situation of the South Scandinavian wolf population

The Government claims in the report that improving genetic variation is a top priority, and great emphasis is placed on protecting genetically important individuals. This claim is not true. On 12 December 2022, a genetically important Finnish immigrant wolf was shot in Kautokeino.<sup>viii</sup> Instead of relocating the wolf, the Ministry of Climate and Environment decided to permit to kill the wolf. Since 2016, only one wolf has managed to establish itself as part of the population. This is a clear sign that the administration does not place great emphasis on protecting genetically important individuals, as it claims to do.

NOAH referred in its complaint to new research evidencing that the population founder individuals of the South Scandinavian population already showed signs of inbreeding and that the Scandinavian wolf population is in genetic peril. These results are further confirmed by research published in November 2022 by scientists at Uppsala University where the urgent and strong need to secure continuous and stable immigration “to make rescue effects other than just temporary” is highlighted once more.<sup>ix</sup> This condition of continuous and stable immigration is not currently met,<sup>x</sup> and the South Scandinavian population should be considered as isolated for management purposes.<sup>xi</sup>

### 1.3. On the legal basis for culling of wolves in Norway – wolves outside the wolf zone

According to the Complainants, the almost year-around<sup>xii</sup> culling of all dispersing wolves outside the wolf zone (which covers only 5% of Norway) without applying the “serious” damage threshold, and the culling of territory-marking wolf pairs outside the wolf zone by considering the zone-based management as such an “overriding public interest”, constitute serious breaches of Article 9 of the Convention.

The Complainants would like to point out that the Supreme Court accepted as the “minimum requirements in terms of scope and seriousness” for culling outside the wolf zone that there is “*a real possibility that the dispersing wolves in question will cause damage to domestic animals in the area*”.<sup>xiii</sup>

According to the court, the application of the principle of differentiated management entails that the threshold of “seriousness” is lower outside the wolf zone and is considered to be reached by default (accruing as such from the principle itself). According to the court, any further case-by-case analysis of the scope and seriousness of damage was therefore not necessary.<sup>xiv</sup> The Supreme Court has thereby approved a policy where the threshold of “serious” regarding damage to livestock or other property is presumed to be reached in all cases where any single wolf occurs outside the wolf zone due to the principle of differentiated management.

The Complainants cannot see that such interpretation of the threshold of damage in Article 9(1)(b) is in line with the Bern Convention. All wolves pose a certain risk of damage to livestock, but this presumption of a general nature cannot, in itself, justify culling. The assessment of the threshold and the circumstances of the threat situation should be made on a case-by-case basis. Otherwise, the system of protection as established by Articles 4, 6 and 9 is made inapplicable for 95% of the territory of Norway.

When it comes to defining the principle of zone-based management as a public interest,<sup>xv</sup> the Complainants would like to refer to the letter of 15 September 2022 from the EU Commission concerning the compatibility of extensive exclusion zones for wolves with the requirements of the Habitats Directive (attached as Annex to this report).<sup>xvi</sup> The Head of Unit for Nature Conservation Mr Nicola Notaro has stated in the letter: “*The Commission services are not aware of any policy adopted by an EU Member State that would have limited the geographical distribution of a species protected under the Habitats Directive to a percentage of its national territory. This would be incompatible with the legal requirements of the Habitats Directive, given that one of the preconditions for achieving favourable conservation status is that the natural range is neither being reduced nor is likely to be reduced for the foreseeable future.*”

The Complainants ask the Bern Convention organs to look at the possibility of encouraging a harmonized practice concerning the interpretation and application of exception grounds in Article 9 of the Convention and Article 16 of the Habitats Directive.

#### 1.4. On the legal basis for culling of wolves in Norway – wolves in the wolf zone

The Government points out with regard to the concept “other overriding public interests” that it is very difficult to give a general, prior interpretation of this exception ground. The last derogation ground in Article 9(1) with its respective restrictions, is not included in Article 18 of the Norwegian Nature Diversity Act, as referred to in footnote 6 of the Government report.<sup>xvii</sup>

Norwegian authorities claim that reducing the wolf population to a certain pre-determined level is a public interest. The Government relies here on two assumptions that are not supported by any scientific nor empirical evidence: 1) in the wolf zone, the conflict is assumed to arise at the very moment when the number of breeding wolf packs exceeds the politically determined population target; 2) the only way to deal with the conflict is to control the wolf population by culling the number of wolf packs to that pre-determined level.

The Complainants argue that this kind of interpretation of the concept “overriding public interests” is not in accordance with the system of protection established in Articles 4, 6 and 9 the Convention and is outright dangerous if allowed to be used by the Contracting Parties. Such decisions are not based on any individual “case-by-case” assessment. In the decision concerning culling in the wolf zone, the Government referred only to general inconveniences experienced by certain actors – sheep farmers and hunters and an undefined local community – that the mere presence or adaptation to the presence of wolves may entail. As the wolf zone is established precisely to be an area inhabited by wolves over time, the very fact of presence of wolves was used as a justification for exception.<sup>xviii</sup>

Also, the authorities consider both the material ground and the condition of “other satisfactory manner” to be automatically fulfilled by the very fact that the population exceeds the maximum population target. There is no “thorough consideration” undertaken in accordance with “strict criteria”, as the Government claims in the report.

In the letter of 15 September 2022, the EU Commission has commented on whether population control as such can be considered a public interest under the Habitats Directive: “*Controlling the growth of*

*populations of strictly protected species is not in itself a public interest. Therefore, a Member State that reverts to derogations to control the growth of the species populations, without defining the public interest envisaged in Article 16.1 that it is trying to protect, and without supporting evidence, would not be in line with the legislation.”*

Again, the Complainants refer to the possibility of encouraging a harmonized practice in the interpretation and application of exception grounds between all Contracting Parties.

## **2. On the condition “there is no other satisfactory solution”**

When it comes to finding and implementing alternative solutions to the culling policy outside the wolf zone, then the Supreme Court has accepted the government’s approach that the principle of differentiated management makes it unnecessary to consider other satisfactory solutions outside the wolf zone, as the aim is to keep 95% of the Norwegian land territory wolf-free.<sup>xxix</sup> The Complainants cannot see this kind of approach to the obligation of finding other satisfactory solutions in Article 9(1) is in line with the Convention, considering that it would effectively make this pre-condition inapplicable in 95% of the land territory of Norway.

As regards alternative solutions to the culling policy in the wolf zone, then various measures have been implemented and funded regarding the grazing industry. In the decision on culling of wolves in the wolf zone, conflict and mistrust is assumed to arise if the population is not reduced to the maximum population target, and the culling is deemed necessary to generally mitigate conflict and create trust in wolf management.

However, the authorities have no coordinated policy on how to deal with the social dimension of conflict relating to the return of the wolf. The Norwegian Institute of Bioeconomy Research (NIBIO) conducted an evaluation of the government’s funding scheme for damage prevention and conflict mitigating measures<sup>xxx</sup> in 2020 and concluded regarding conflict mitigating measures:

*“Today, the administration distributes funds according to application. The consequence is that work on conflict mitigation becomes haphazard and unsystematic. Giving the administration an active responsibility for implementing more targeted conflict mitigation measures can lead to better coordination and management, but it requires the administration to have the competence needed to request measures that have an effect.”<sup>xxxi</sup>*

The report highlights that the administration has poor understanding of what constitutes “conflict” and which measures and management practices can be perceived as mitigating or increasing conflict, and the administration can rather increase polarization.<sup>xxii</sup> It is also important to note that it is conflict increasing if the authorities make efforts to create trust in the eyes of those parts of the society who are against wolves and totally ignore those who feel that wolves are an enrichment and who find it frustrating that wolves are culled. In this way, the authorities are flaring up the conflict and rather exacerbate the problem of distrust towards wolf management.<sup>xxiii</sup>

State-funding for conflict mitigation and damage prevention are considered under one pot under the funding scheme and support is given based on applications by private actors. According to the evaluation report by NIBIO, hunting and culling for damage prevention has received the most funding under the funding scheme for damage prevention and conflict mitigating measures in the period 2013-2019, and only around 3% of the total funding goes to conflict mitigation.<sup>xxiv</sup> But even under this 3%, further funding is granted to culling for damage prevention.<sup>xxv</sup> According to NIBIO, the funding scheme lacks a clear classification of measures and fails to distinguish between damage prevention and conflict mitigation measures.

The Complainants argue that the Government has not been able to address the social dimension of the conflict in wolf management and lacks any interest in finding out what different measures are available for conflict mitigation and what could be the potential effect of such measures.

The Government has also failed to consider research data that is available. For example, the Norwegian Institute for Nature Research (NINA) has found that there is a clear majority who like that wolves, bears, lynxes and wolverines exist in Norway. Such attitudes are more common in cities than in the countryside, but also in smaller places positive attitudes are more widespread than negative ones, and this also applies

to attitudes towards wolves. It was also established that “... *there is considerable agreement, across opinions about wolves, that hunting and other culling should be aimed at packs where all or some individuals show bold behaviour. It was pointed out that the purpose should not be to eliminate such packs either, but to provide a learning effect. ... It is equally obvious, however, that continuing as now cannot help to build trust in the authorities among those who see wolves that approach people as a problem - but who to a large extent express that they can live with wolves that behave as the Osdal-pack did. Changing the guidelines for culling would signal that local experiences are taken seriously*”.<sup>xxvi</sup>

This shows that culling of whole wolf packs has no legitimate basis and that also local people consider such culling policy as unfounded and unnecessary.

The Complainants see it as highly problematic that the Government has had very little or no focus on creating acceptance of and tolerance towards wolves in the wolf zone by non-lethal means, such as spreading information and knowledge of the importance to conserve the wolf. The NIBIO report highlights that information measures have received very little funding compared to other measures under the funding scheme for damage prevention and conflict mitigation measures.<sup>xxvii</sup> The Complainants find it unfortunate that the Government has instead actively been working towards normalizing the culling of wolves in recent years, by presenting the political aim of keeping the wolf population at a maximum population target level as the one and only conflict mitigating measure having “satisfactory” effect. This approach is in contradiction with Article 3(3) of the Bern Convention and has no support in scientific research. The Complainants argue that by culling a large part of the wolf population in Norway every year, the authorities instead promote conflict in the wolf management, and further undermine acceptance of and tolerance for wolves.

When it comes to measures relating to the grazing industry, the Government has recently removed funding for private persons and businesses in the agriculture sector to re-organize their practices and activities to align with the presence of wolves in the wolf zone, even though NIBIO in its report assessed this measure to contribute positively towards reducing damages large carnivores.<sup>xxviii</sup>

## **Conclusion**

**The Complainants ask the Bureau to elevate the complaints against Norway’s wolf culling policy from status “New” to “Possible File” and bring the issue to the agenda of the next Standing Committee meeting.**

Yours Sincerely,

Siri Martinsen	Ragnhild Sollund	Stefanie Reinhardt	Margareth Konst
CEO	Professor in criminology	Ass. Professor in ecology	
NOAH – for animal rights	University of Oslo	University of South-Eastern Norway	

<sup>i</sup> The decision on the culling of wolves in the wolf zone has not been effectuated per 31.01.2023 as the legal validity of the decision has been challenged in court by NOAH, WWF Norway, and Association Our Carnivores. The Oslo City Court granted preliminary injunction to the plaintiffs, based on the judgment of the Court of Appeals in a similar case, issued on 6 July 2022. In that case, the Court of Appeals ruled that the wolf population target in itself is not a sufficient ground to cull wolves in the wolf zone, and that “something more” than mere inconveniences had to be demonstrated to justify culling. We refer to the letter sent to the Bureau on 13 September 2022 by NOAH for further details about this judgment, including the English translation. The government of Norway has appealed this judgment to the Supreme Court where the case will be heard on 25-27 April 2023.

<sup>ii</sup> Of these 4-6 wolf packs, at least three are to be entirely within the Norwegian territory, and the remainder are wolf packs with home ranges straddling the border area with Sweden; such border packs are counted as half packs (0.5) for management purposes.

<sup>iii</sup> The scientific assessment conducted by a group of experts in 2015, at the request of the Environmental Protection Agency of Sweden (SEPA), did not make any assessments of the Norwegian part of the wolf population, even though the Norwegian government continues to assert otherwise. The scientists referred only to the politically determined minimum target of 4-6 wolf packs in Norway, which was translated into 40 wolves. The final report by SEPA referred to 300 wolves as the scientifically based recommendation for the reference value (FRP) for the Swedish population, without mentioning any “contribution” by Norway.

<sup>iv</sup> <https://artsdatabanken.no/lister/rodlisterforarter/2021/2251>

<sup>v</sup> Nakamura, M., Rio-Maior, H., Godinho, R., Petrucci-Fonseca, F., & Álvares, F. (2021). Source-sink dynamics promote wolf persistence in human-modified landscapes: Insights from long-term monitoring. *Biological Conservation*, 256, 109075.

<sup>vi</sup> Arie Trouwborst, Floor M. Fleurke & John D.C. Linnell (2017) Norway's Wolf Policy and the Bern Convention on European Wildlife: Avoiding the “Manifestly Absurd”, *Journal of International Wildlife Law & Policy*, 20:2, 155-167, DOI: 10.1080/13880292.2017.1346357.

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<sup>vii</sup> See the Explanatory Report to the Bern Convention on the prohibition of reservations of a general nature, section 67.

<sup>viii</sup> <https://rovbase.no/indiv?id=U1418722>

<sup>ix</sup> Smeds, L., & Ellegren, H. (2022). From high masked to high realized genetic load in inbred Scandinavian wolves. *Molecular Ecology*.

<sup>\*</sup> For the population to be viable in the long term, one reproducing immigrant is required per generation, i.e. approximately every five years. <https://www.nina.no/Aktuelt/Nyhetsartikkel/ArticleId/4380/Ekstrem-innavl-hos-skandinaviske-ulver>. As only six unrelated wolves have produced reproductive offspring in 40 years, the immigration rate is almost ten years behind.

<sup>xi</sup> Laikre, L., Allendorf, F. W., Aspi, J., Carroll, C., Dalén, L., Fredrickson, R., ... & Vucetich, J. A. (2022). Planned cull endangers Swedish wolf population. *Science*, 377(6602), 162-162.

<sup>xii</sup> Except for parts of September, and the full months of October and November.

<sup>xiii</sup> HR-2021-662-A, section 85.

<sup>xiv</sup> HR-2021-662-A, sections 88 and 90.

<sup>xv</sup> Please see NOAH's complaint of 12.04.2022 on the interpretation of "other overriding public interests" Article 9(1)(c) and the zone-based management.

<sup>xvi</sup> Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora.

<sup>xvii</sup> The restrictions provided for in the fifth indent of Article 9(1) are as follows: "*under strictly supervised conditions, on a selective basis and to a limited extent, ... in small numbers*".

<sup>xviii</sup> As no concrete inconveniences nor damages could be shown to exist related to any of the wolf packs in the wolf zone, the Government used "stability of the pack" as the selection criterion for culling in its decisions for population control in 2018-2019. This resulted in the extermination of all stable wolf packs by 2020. For the wolf culling in 2021, the Ministry introduced a new criterion "area has been inhabited by wolf over a longer period of time" for selecting the wolf packs to be culled.

<sup>xix</sup> HR-2021-662-A, section 94.

<sup>xx</sup> According to section 7 of the Regulation on subsidies for preventive measures against damage by large carnivores and conflict mitigation measures grants can be given to individuals, municipalities and organizations for measures intended to mitigate conflicts caused by large carnivores. The initiative will contribute to increased knowledge about and understanding of large carnivores and/or their management. Measures aimed at children and young people must be prioritized.

<sup>xxi</sup> Hansen, I., Strand, G. H., Krange, O., Mattisson, J., Støen, O. G., Kårstad, S., ... & Lindhjem, H. (2020). Vurdering av FKT-ordningen. *NIBIO Rapport 6 (130)*, p 85.

<sup>xxii</sup> NIBIO Report, p 77.

<sup>xxiii</sup> Skogen, K., Johansson, M., Figari, H., Flykt, A. & Krange, O. 2018 Erfaringer med ulv. NINA Rapport 1567. Norsk institutt for naturforskning. Available at: <https://brage.nina.no/nina-xmlui/handle/11250/2577847>

<sup>xxiv</sup> In similar vein, the report by National Audit published in 2019 established that figures from the Norwegian Environment Agency show that funds for conflict mitigation measures have varied between 2 and 8 per cent of the funds distributed by the regional large carnivore boards in the period 2010 to 2017. Assessment of management of large carnivores. Report No. 3:13 (2018-2019) by the National Audit. Available at: <https://www.riksrevisjonen.no/globalassets/rapporter/no-2018-2019/rovviltforvaltningen.pdf>

<sup>xxv</sup> NIBIO Report, p 35. At least 18% of the conflict mitigation funds in 2013-2019, but this number is probably even higher because hunting-related measures have been funded under different posts of conflict mitigation funds.

<sup>xxvi</sup> Skogen, K., Johansson, M., Figari, H., Flykt, A. & Krange, O. 2018 Erfaringer med ulv. NINA Rapport 1567. Norsk institutt for naturforskning. Available at: <https://brage.nina.no/nina-xmlui/handle/11250/2577847>

<sup>xxvii</sup> NIBIO Report, pp 79 and 112.

<sup>xxviii</sup> NIBIO Report, p 51.



Annex: Letter from the EU Commission to NOAH, 15 September 2022



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL  
ENVIRONMENT  
Directorate D – Biodiversity  
ENV.D.3 – Nature Conservation

Brussels  
ENV.D.3/NN/GM/TT

NOAH  
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Dear Ms Martinsen and Ms Vels,

Thank you for your letter of 6 June 2022 following our meeting on 3 May 2022.

The Commission services are not aware of any policy adopted by an EU Member State that would have limited the geographical distribution of a species protected under the Habitats Directive to a percentage of its national territory. This would be incompatible with the legal requirements of the Habitats Directive, given that one of the preconditions for achieving favourable conservation status is that the natural range is neither being reduced nor is likely to be reduced for the foreseeable future.

In relation to the use of derogations under Article 16.1 of the Habitats Directive, I would like to recall that any derogation must be fully in line with all the requirements therein (lack of a satisfactory alternative, not being detrimental to the maintenance of a favourable conservation status and pursuing one or several of the public interests listed in article 16.1 a-e). Controlling the growth of populations of strictly protected species is not in itself a public interest. Therefore, a Member State that reverts to derogations to control the growth of the species populations, without defining the public interest envisaged in Article 16.1 that it is trying to protect, and without supporting evidence, would not be in line with the legislation.

We once again thank you for your commitment as well as the information and assessment of the situation in Norway and Sweden. Please rest assured that we will take into account the updates that you have provided in our monitoring and upcoming exchanges with national authorities.

Yours faithfully,

*Electronically signed*

Nicola NOTARO  
Head of Unit