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AND NATURAL HABITATS

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**Standing Committee**

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**Bureau of the Standing Committee**

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

**- COMPLAINANT REPORT -**

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To: \_\_\_\_\_

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

In reference to the letter of 11 October 2024 of the Bureau to the Standing Committee of the Bern Convention, complainants NOAH – for animal rights, Margareth Konst, asst. prof. Stefanie Reinhardt and prof. Ragnhild Sollund (referred to as “complainants”) are hereby submitting an update report to the Standing Committee meeting to be held on 2-6 December 2024 in Strasbourg.

**Summary**

*Regional authorities have proposed new quotas for the population control of wolves in Norway in winter and spring 2025. The total wolf culling quota is at 39 wolves out of a population of around 58-60 wolves, and it may potentially result in more than 50% of wolves in Norway to be culled. The proposal on “Action plan for biodiversity” to achieve the targets agreed in The Kunming-Montreal Biodiversity Framework does not include any targets to improve the conservation status of the wolf, and only refers to the politically agreed target of 4-6 reproductive wolf packs. This indicates that the government intends to continue the current restrictive policy of keeping the wolf at the critically endangered level in Norway also in the years to come. The Norwegian government is also still considering the reduction of the population target for wolves, despite the clear recommendation by the Norwegian Environment Agency against such a reduction. The government of Sweden has recently announced their plan to reduce the wolf population in Sweden to 170 wolves in the coming years. Although a few efforts have been made to protect so-called genetically important wolves (immigrant wolves from the Finnish Karelian population), the inbreeding coefficient is very high (0.23). At least 52 wolves have been culled in the North of Finland in 2024, considerably reducing the likelihood of successful migration of wolves from the Finnish Karelian population to South Scandinavia. Since 2019, the Norwegian government has allowed culling in the wolf zone based on “other overriding public interests”, with the aim of keeping the wolf population at the level of 4-6 reproductive wolf packs. The zone-based management is applied in a way that makes culling the norm and where the wolf can be culled without any damage having occurred, on 95% of the land territory of Norway (outside the wolf zone). So, the zone-based management has been practiced in a way where the zoning itself has been used as the legal ground to justify culling of wolves and is, in fact, largely a lethal prevention measure. No alternative measures are considered outside the wolf zone. The results from scientific research show that non-lethal solutions are more effective in dealing with conflict and promoting long-term co-existence between humans and large carnivores. The Norwegian government should adopt immediate countermeasures regarding the destructive wolf culling policy in Norway, such as abstaining from culling entire wolf packs in the wolf zone and allowing the wolf population to increase so that it is no longer critically endangered in Norway.*

**1. New wolf culling quotas adopted for winter and spring 2025**

The regional large carnivore committees in Norway have adopted new quotas for the population control of wolves (reduction of the number of wolf packs) in the wolf zone in winter 2025, and for the culling of wolves outside the wolf zone (mostly lone wandering wolves, but also territory-marking pairs) in winter and spring 2025. The committees have so far adopted decisions to cull 12 wolves in three wolf packs in the wolf zone (where two of the packs have its territory in the border area between Norway and Sweden) and 27 wolves outside the wolf zone. This means that the culling quota is at **39 wolves out of a population of around 58-60 wolves** and it may potentially result in **more than 50% of wolves in Norway to be culled**. The final decision on the wolf culling quotas in 2024/2025 shall be made by the Ministry of Climate and the Environment in December 2024.

The Complainants would like to present an overview of the wolf culling quotas for population control in the last 8 years, starting with the year when Norwegian authorities for the first time permitted culling of wolf packs in the wolf zone:

2016/2017 – 8 wolves killed out of a quota of 20 wolves,

2017/2018 – 24 wolves killed out of a quota of 42 wolves,  
2018/2019 – 15 wolves killed out of a quota of 33 wolves,  
2019/2020 – 13 wolves killed out of a quota of 32 wolves,  
2020/2021 – 25 wolves killed out of a quota of 37 wolves,  
2021/2022 – 30 wolves killed out of a quota of 51 wolves,  
2022/2023 – 12 wolves killed out of a quota of 47 wolves,  
2023/2024 – 18 wolves killed out of a quota of 44 wolves.

The complainants note that the actual number of wolves killed in the respective years is higher, as these numbers only reflect wolves culled for population control. Each year around 6 wolves have been culled for damage control, and altogether 47 wolves have been culled for this purpose since 2016/2017, in addition to the numbers provided above. **This makes the total number of wolves culled in Norway in the last 8 years 192 wolves** while the total quota for population control was set at **306 wolves**.

According to the biennial report of 2021-2022 submitted by the Norwegian government to the Bern Convention, 63 wolves were culled in this period. The Government has further reported that “Population is viable, but reduced”. It remains unclear on what basis the government has made such a statement, taking into account that the wolf is listed as “critically endangered” (CR) on the Norwegian Red List of Species 2021, and “is categorized as “endangered” (EN) in Sweden. It should also be noted that the Scandinavian wolf population is the only population in Europe that is categorized as “vulnerable” (VU) according to the IUCN Red List criteria (D1). It is written in the overview presented at the Standing Committee meeting in 2022: “*The management policies (low population goals and high hunting/control quotas) in Norway (and recently proposed in Sweden) dramatically affect the future conservation prospects of the overall population, and there is no common management plan at the population level.*”<sup>i</sup> It is also important to reiterate that a Norway conducts a zoning policy where the wolf is excluded from 95% of Norway’s land territory.

Although a few efforts have been made to protect so-called genetically important wolves (immigrant wolves from the Finnish Karelian population), the inbreeding coefficient is very high (0.23). Rovdata, who is responsible for operating, communicating and developing the Norwegian Large Predator Monitoring Program, stated the following on their website: “*In recent years, new immigrants from the Finnish-Russian population have been registered on both the Norwegian and Swedish sides, of which seven have had offspring. However, only three of these have produced offspring that have succeeded in establishing and breeding, so the Scandinavian wolf population still originates from only six unrelated individuals. The average level of inbreeding for breeding pairs is just below full-sibling mating in a larger population.*”<sup>ii</sup> It is also worth noting that at least 52 wolves have been culled in the North of Finland in 2024, considerably reducing the likelihood of successful migration of wolves from the Finnish Karelian population to South Scandinavia.

The government of Sweden has recently announced their plan to reduce the wolf population in Sweden to 170 wolves in the coming years.<sup>iii</sup> According to the press release of 16 October 2024, this new reference value for favorable conservation status for wolves shall be reported to the EU Commission in the next reporting round under the Habitats Directive in 2025. It is also important to note that the Norwegian government is still considering the reduction of the population target for wolves,<sup>iv</sup> despite the clear recommendation by the Norwegian Environment Agency against such a reduction.<sup>v</sup> The complainants express great concern over these plans of further reduction of population target levels for the wolf both in Norway and Sweden.

The wolf culling policy in Norway can set a dangerous precedent where certain states unilaterally disregard their obligations under the Convention and make the survival and viability of the wolf population totally dependent on the population found in the neighboring country. Trouwborst et al. (2017) expressed in a peer-reviewed scientific article on the Norwegian wolf policy: “*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> The authors consider that this situation is manifestly absurd. Other scientists have come to similar

conclusions.<sup>vii</sup> Norway's wolf culling policy also has a sink effect on the wolf population in Sweden and is consequently detrimental both to the survival of the Norwegian wolf population and the South Scandinavian wolf population as a whole.

It is therefore important to give a clear signal that this kind of practice is not acceptable, and the complainants encourage the Standing Committee to emphasize that responsibility to ensure the long-term survival and viability of the wolf population cannot be “delegated because a species or habitat is thriving beyond national boundaries”. As mentioned above, neither is the wolf population in Sweden “thriving”, but is “endangered”.

The complainants cannot see on what basis the government is stating that the wolf population is viable. The wolf in Norway is categorized as “critically endangered” which means that it is in danger of extinction, and the high culling quotas adopted each year are further jeopardizing the survival of the population. The Kunming-Montreal Biodiversity Framework in its target 4 calls upon states to: “*Ensure urgent management actions to halt human induced extinction of known threatened species and for the recovery and conservation of species, in particular threatened species, to significantly reduce extinction risk, as well as to maintain and restore the genetic diversity within and between populations of native, wild and domesticated species to maintain their adaptive potential, including through in situ and ex situ conservation and sustainable management practices ...*”. Strategic Plan for the Bern Convention for the period 2030 contains a similar goal and targets, providing in target 2.1. that the species listed in the Appendices to the Bern Convention and in Appendix 1 to Resolution No. 6 (1998) are at or are recovering towards a satisfactory conservation status. In September 2024, the Norwegian government published a proposal on “Action plan for biodiversity” to achieve the targets agreed in The Kunming-Montreal Biodiversity Framework.<sup>viii</sup> However, the proposal does not include any targets to improve the conservation status of the wolf (or of any other large carnivore species) in Norway, but only mentions the politically agreed target of 4-6 reproductive wolf packs. This indicates that the government intends to continue the current restrictive policy of keeping the wolf at the critically endangered level in Norway also in the years to come.<sup>ix</sup>

The complainants encourage the Standing Committee to conclude that the Norwegian government should adopt immediate countermeasures regarding the destructive wolf culling policy in Norway, such as abstaining from culling entire wolf packs in the wolf zone and allowing the wolf population to increase so that it is no longer critically endangered in Norway.

## **2. Some comments on the Government report**

The complainants would like to comment on some of the information provided by the Norwegian government in the last report to the Bureau of the Standing Committee.

According to the government report, separating wolf territories and livestock areas, by designating a zone where wolves are prioritized over other interests, is the main prevention measure. The complainants point out that the designated zone, also called the wolf zone (“management zone for wolves” in the government report) is no longer an area where wolves are prioritized over other interests, as elaborated in the second update report by the complainants. Since 2019, the Norwegian government has allowed culling in the wolf zone based on “other overriding public interests”, with the aim of keeping the wolf population at the level of 4-6 reproductive wolf packs. It should also be noted that the zone-based management is applied in a way that makes culling the norm and where the wolf can be culled without any damage having occurred, on 95% of the land territory of Norway (outside the wolf zone). So, the zone-based management has been practiced in a way where the zoning itself has been used as the legal ground to justify culling of wolves and is, in fact, to a large extent a lethal prevention measure. No alternative measures are considered outside the wolf zone. This means that culling permits are issued almost automatically even when no damage has occurred, and where capturing the wolf on a wildlife camera is in an increasing number of cases considered sufficient to issue a culling permit.

Secondly, the government mentions grants that are provided for more specific prevention and conflict-reducing measures, and that above 6 000 000 EUR has been allocated in the annual budget for prevention and conflict-reducing measures. The government has not specified how much of this budget is meant for lethal measures and what is the share to be allocated to conflict-reducing measures, including measures to raise awareness of the role of the wolf in nature and social acceptance of the species. According to the evaluation report by the Norwegian Institute of Bioeconomy Research (NIBIO), the grazing industry received the most funding for prevention and conflict mitigation measures (ca. 80%) in the period 2013-2019,<sup>x</sup> and that under the budget of prevention measures, culling for damage control received the most funding.<sup>xi</sup> Only around 14% of the total funding was allocated to conflict mitigation measures.<sup>xii</sup> In similar vein, according to the report by the Office of the Auditor General of Norway published in 2019, funding of conflict mitigation measures has been low, and varied between 2 and 8% of the funds distributed by the regional large carnivore committees in the period 2010 to 2017.<sup>xiii</sup> NIBIO has pointed out that one of the main shortcomings of the state funding scheme is the lack of a clear classification of measures and that it fails to distinguish between damage prevention and conflict mitigation measures. Due to these shortcomings, it has also been difficult to assess the actual effect of the different measures.

The Norwegian Environment Agency conducted a public hearing on the amendment of the Regulation on Prevention and Conflict Mitigation Measures in summer 2024. The Agency's proposal focused mainly on prevention measures for the grazing industry, including lethal measures. It did not address the critique by NIBIO concerning traceability and evaluation of funded measures and more emphasis on conflict mitigation. NOAH proposed to expand the Regulation's aim from "limiting nuisances to local people and other groups" to "creating acceptance for large carnivores", and to include information and communication measures as central means to achieve the aims of the Regulation, in line with target 4 of the Kunming-Montreal Global Biodiversity Framework where states are called upon to "effectively manage human-wildlife interactions to minimize human-wildlife conflict for coexistence". It is not known to the complainants how far the Agency has come with the amendment process and if any of the proposed changes have been taken on board.

In the report, the government also provided information on cooperation with Swedish authorities on carnivore management. According to the information available to the complainants, the current cooperation between Norwegian, Swedish and Finnish authorities on the management of large carnivores is first and foremost of technical character and focused on monitoring. Until now, the authorities have not engaged in exchanging information and experiences on measures that aim towards increasing social acceptance of large carnivores and co-existence and mitigating conflict over management measures, and there is no common management plan at the population level.

### **3. Concluding remarks**

The Complainants maintain that Norway is in breach of Articles 2, 4, 6 and 9 of the Bern Convention by conducting a wolf culling policy where the wolf is kept out of 95% of its territory and kept at a low level of 4-6 reproductive wolf packs on the ground of Article 9(1) indent c "overriding public interests". It is a policy where the wolf is presented as an unwanted species that is subjected to heavy culling every year.

The complainants would like to recall the letter dated 15.09.2022 by the Directorate-General of Environment of the European Commission – attached to our update report of 31.01.2023 – where the Commission emphasized that "Controlling the growth of populations of strictly protected species is not in itself a public interest", and in any case, the public interest that the authorities are trying to protect needs to be defined and accompanied by supporting evidence. The authorities have not provided any such evidence, and the Norwegian wolf culling policy is based on an unfounded assumption that culling and keeping the wolf population at the politically agreed target level of 4-6 reproductive wolf packs is the only solution for conflict mitigation.

The results from scientific research show that non-lethal solutions are more effective in dealing with conflict and promoting long-term co-existence between humans and large carnivores. In a study published in 2022, it was concluded: “*Non-lethal interventions are more likely to reduce conflict, whereas translocations and lethal interventions are mostly ineffective and/or harmful to carnivore populations, without fostering successful long-term coexistence.*”<sup>xiv</sup> In another study published in 2023, the scientists concluded: “*Culling carnivores and lethal removals remain the leading strategy to address carnivore-livestock conflict even while accumulated science suggests that non-lethal approaches are more effective ... We believe this is in part due to the lag time between scientific discovery and the dissemination of new information to policy makers and the general public ...*”<sup>xv</sup>

The complainants encourage the Standing Committee to conclude that Norway’s wolf culling policy is not in line with the Bern Convention. Such a statement is important to send a clear signal to Norway, but also to other countries in Europe that threatened species shall be legally protected, and that a different approach than culling is urgently needed in order to meet the goals and targets agreed upon in the Kunming-Montreal Biodiversity Framework, and in the Vision and the Strategic Plan for the Bern Convention for the period to 2030.

Yours Sincerely,

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31 July 2024

### **Third update report on complaint no. 2022/03 Wolf Culling Policy in Norway**

In reference to the letter of 15 April 2024 of the Bureau of the Bern Convention, complainants NOAH – for animal rights, Margareth Konst, ass. prof. Stefanie Reinhardt and prof. Ragnhild Sollund (referred to as “the Complainants”) are hereby submitting an update report to the Bureau meeting to be held in September 2024, and – as requested by the Bureau – in particular highlighting the state of the wolf population and developments concerning the management of the wolf population in Sweden.

#### **Summary**

The state of the wolf population in Norway is alarming, due to genetic depletion and a very low number of individuals. The number of wolves has reduced over the past three years from 88-91 to 58-60 wolves. Culling in winter/spring 2024 has resulted in the reduction of the wolf population by at least 25 wolves. The overall South Scandinavian wolf population has also declined since the previous monitoring season 2022/2023: the size of the overall population is estimated at 440 wolves which is 70 wolves less compared to winter 2022/2023. The management practice by Norwegian authorities shows that also the culling of genetically important and valuable individuals is the “norm” and only rarely “*in special cases*” other options are chosen. During winter and spring 2024, the County Governors issued damage prevention hunting permits for wolves before the genetics of the respective wolves had been clarified on at least three occasions. Neither is the immigration rate of new wolves into the population satisfactory in order to allow such a large-scale culling of wolves on an annual basis. The political leadership in Norway lacks willingness to consider other solutions than culling to address conflicts between human interests and wolves. The Ministry of Climate and Environment is looking into the possibilities of further reducing the population target for the wolf in Norway and further delimiting the wolf zone which today covers only 5% of the land territory of Norway. In the Complainants’ view, the Norwegian wolf policy is an example of how the concept of population-level management is gravely misused. In the culling decisions, the authorities use the transboundary population as the basis for assessing the impact of culling on the survival and state of the wolf population. This approach has not only been criticized by legal scholars and biologists but also goes against the recent jurisprudence of the Court of Justice of the European Union. The Complainants uphold their complaint in full and argue that by adopting annual decisions on the culling of wolves with the aim of keeping the wolf out of 95% of Norway’s land territory and keeping the wolf population at an extremely low level in the wolf zone – with the consequence of the wolf remaining as critically endangered (CR) on the national Red list of Species – Norway has breached Articles 2, 4, 6 and 9 of the Bern Convention and continues to do so until the present day.

#### **1. The state of the wolf population**

The most recent report of the state of the wolf population in Norway was issued on 1 June 2024 by Rovdata, SLU Viltskadecenter and Inland Norway University of Applied Sciences.<sup>xvi</sup> The report contains data on the number of wolves detected in the South Scandinavian wolf population during winter 2023/2024. According to this report, the Norwegian sub-population consists of 42-44 wolves (wolves whose habitat is only on the Norwegian territory), while another 32 wolves were found in the border areas between Sweden and Norway.<sup>xvii</sup> These numbers include wolves that have been culled or died due to other reasons.

The project’s lead scientist at the Inland Norway University of Applied Sciences, prof. Petter Wabakken has commented on the data presented in the report: «When the wolves in border areas are distributed

between the two countries, it gives 58-60 wolves [in Norway], which is the lowest number we have detected in this country since the winter of 2014/2015». <sup>xviii</sup>

In Norway, the number of wolves has been reduced over the past three monitoring seasons<sup>xix</sup> from 88-91 to **58-60 wolves**. In the predatory game management region 5 (Hedmark), which has had the most wolves in Norway over 45 years, only one wolf pack (family group) was registered after the winter's license hunting ended.<sup>xx</sup>

The overall South Scandinavian wolf population has also declined since the previous monitoring season 2022/2023. According to the report of 1 June 2024, the size of the overall population is estimated at 440 wolves which is 70 wolves less compared to winter 2022/2023. In the report by the Norwegian University of Life Sciences (NMBU), also published in June 2024, the size of the Scandinavian wolf population was assessed to be between 414 and 470 individuals in 2023/2024, with 353 to 403 individuals attributed to Sweden and 56 to 73 to Norway. According to the report, the wolf population in Scandinavia has experienced a steady decrease from 494-525 in 2021/2022 to 414-470 in 2023/2024.

Culling in winter/spring 2024 has resulted in the reduction of the population by **at least 25 wolves**. The population management hunting ended on 31 May and 18 wolves were culled since 1 December 2023, one wolf was killed in a traffic accident and one wolf has been identified as poached.<sup>xxi</sup> This number includes five wolves culled for damage prevention hunting in the period 16 February – 31 May 2024, out of a quota of 7 wolves. Since 1 June 2024, the County Governors have given several permits to cull wolves for damage prevention purposes, so far at least two wolves have been culled.

## **2. The extremely high level of inbreeding in the wolf population is not taken into account**

### ***Genetically important/valuable wolves are subjected to culling on a regular basis***

According to the Guidelines on the management of genetically important wolves in the Scandinavian wolf population as agreed between the Swedish and Norwegian authorities in 2011,<sup>xxii</sup> these individuals shall be exempted from culling as far as possible, both during population management (license) hunting and damage prevention hunting. However, the Norwegian authorities follow these Guidelines only on rare occasions.

In its expert statement of 6 November 2023, the Environmental Board stated that avoiding culling of wolves that are genetically important and ensuring a sufficient immigration rate of genetically important wolves from the Finnish-Karelian wolf population are essential prerequisites for allowing population management culling in winter 2023/2024. As the Complainants referred to in their update report of 9 February 2024, a genetically important wolf was “accidentally” shot during the license hunting in winter 2024. Several hunting permits issued for damage prevention concern wolves that have entered Norway from the northern parts of the country and who are therefore potentially genetically important individuals. During winter and spring 2024, the County Governors issued damage prevention hunting permits for wolves before the genetics of the respective wolves had been clarified on at least three occasions.

In the letter of 27 May 2024 on the complaint against one of the three damage prevention hunting decisions, the County Governor in Finnmark and Troms wrote: “*Wolves are sporadically registered in Finnmark, then it is most often individuals from the population in Finland and Russia, which has its northwestern outer extent towards Finnmark. As of date, we had no information about the genetics of this individual, but we assumed that it was an individual from the population in Finland and Russia. We assessed that there was little likelihood of this individual coming to contribute to the South Scandinavian wolf population as there are other individuals further south in Finland, which is significantly closer to the South Scandinavian wolf population. Regardless of the genetics of this individual, according to the County Governor’s assessment, permits for culling would probably have no significance for the maintenance of the population target for wolves laid down in section 3 of the predatory game regulations.*”. The County Governor has forwarded the complaint to the Environmental Board for final decision. However, it is alarming that the County Governor refers to the *maintenance of the population*



*target* as the criterion for assessing the detrimental effects to the survival of the wolf population, totally ignoring the precarious situation of genetic depletion in the wolf population.

In its decision of 3 July 2024, on the complaints against the quota for provisional damage prevention hunting of wolves in spring 2023, the Ministry of Climate and Environment stated the following: “*Other measures aimed at the wolves may in special cases be an alternative. This applies first and foremost in cases where genetically valuable wolves are detected outside the wolf zone. Radio-tagging for more closely following the movements of such wolves and possibly later relocation are relevant alternative measures that are assessed continuously. However, both radio-tagging and relocation of wolves are resource-intensive measures that are considered not suitable for all wolves that move outside the wolf zone.*” The Ministry requires that the County Governors “assess whether there is a risk that genetically important wandering wolves are affected” when adopting culling decisions but does not specify what consequences such an assessment should have (high risk=no culling).

The question remains how genetically important/valuable wolves “are to be exempted from culling as far as possible”. The above-mentioned decision by the Ministry indicates that culling of genetically important/valuable individuals is the “norm” and only “*in special cases*” other options are chosen. In effect, the Ministry has given a general permission to the County Governors to set aside the Guidelines as agreed between Norway and Sweden.

***The immigration rate is not satisfactory to allow large-scale culling on an annual basis***

As to the immigration rate, it remains unclear to the Complainants how this rate is assessed, as long as immigration is effective only when the established immigrant’s offspring has reproduced and thereby contributed to the genetic pool of the population. It is similarly unclear on what basis the authorities assess the immigration rate to be satisfactory, especially considering the huge uncertainties related to breeding success (and survival) of the immigrants’ offspring. The precautionary principle undoubtedly speaks against allowing large-scale culling of wolves on an annual basis, as it is practiced in Norway, and especially the culling of genetically important/valuable individuals. On the positive side, the Environmental Board organized the sedation and relocation of one genetically important wolf by helicopter into the wolf zone in April 2024.<sup>xxiii</sup> However, this event cannot be used as a justification to cull other genetically important and valuable wolves, especially when it is not yet known whether the relocated wolf has settled down in his new habitat.

The Environmental Board has highlighted in its expert statement of 6 November 2023 that the family tree of today’s Swedish-Norwegian population can be traced back to a total of ten individuals who are not known to have been born in Scandinavia. Only six of the immigrants have had cubs who in turn have had cubs on their own. The last four cases of immigrant wolves (one immigrant in 2013, two immigrants in 2016, and the last one in 2021) are not counted as the founders of the wolf population as none of their offspring have so far succeeded in reproducing. This means that the last effective immigration took place in 2013. In addition, of the 10 founders, the genes from three animals have been lost completely from the population, as all their descendants are dead; the contribution from those founders who have managed to reproduce often is minor.<sup>xxiv</sup> In 2023, the average inbreeding coefficient among the offspring in the family groups was assessed to be at 0.23 (an inbreeding coefficient of 0.25 corresponds to the offspring of a pair of siblings).

According to Laikre et al. (2022) there is strong scientific support that long-term genetic viability requires a genetically effective population size that is at least more than 500 individuals. They refer to the UN Convention on Biological Diversity that has listed  $N_e > 500$  as a headline indicator to ensure maintenance of sufficient genetic diversity allowing adaptive capacity to be met.<sup>xxv</sup> In addition, Laikre et al. argue that it is falsely assumed that immigrants from Finland are unrelated to one another, as research has shown that also some immigrants have been related to one another.<sup>xxvi</sup>

The Complainants bring these examples to the attention of the Bern Convention organs to show that the Norwegian authorities are not in practice committed to preserving the wolf population in Norway nor in Scandinavia. The authorities continue to issue culling permits even in cases where wolves have not

caused any damage to grazing animals, and in cases concerning genetically important/valuable individuals.

### **3. Plans on the further reduction of the wolf population in Norway and in Sweden**

As pointed out in the second update report of 9 February 2024 by the Complainants, the government is planning a further reduction of the current and already very low wolf population target of 4-6 reproductions per year. In the letter of 26 February 2024 to the Parliament, the Ministry of Climate and Environment stated that the government is looking into the possibilities of further reducing the population target for the wolf in Norway. The Ministry also stated that together with the proposal for reducing the population target level, a further delimitation of the wolf zone – which today covers only 5% of the land territory of Norway – shall be considered.<sup>xxvii</sup>

In the report published by the Environmental Board in autumn 2023, the board advised against any further reduction of the wolf population target.<sup>xxviii</sup> One reason given against such reduction was that the culling quotas will need to be even higher than today, and this in itself could lead to more conflict: *“Finding a legal basis for culling could present additional challenges for management, and the level of conflict linked to the decisions to cull wolves must be expected to escalate further. More legal proceedings are to be expected.”*

In a debate held at the Parliament in May 2024 over the proposal by the Liberal Party to increase the population target for certain large carnivore species, including the wolf, the Chancellor of the Ministry of Climate and Environment made the following statement: *“I think we have the wrong focus in the large carnivore policy if we believe that there are magic solutions that will give higher populations of large carnivores, without it also creating conflicts of interest and contradictions. Therefore, I think it is better that we focus on the population targets being set correctly, and that we should manage the populations as close to these targets and have efficient and knowledge-based management. If we manage to do that, we also mitigate the conflicts and contradiction of interests that may lie in the predator policy and business activity.”*<sup>xxix</sup> This statement shows that the political leadership in Norway lacks willingness (and knowledge) to consider other solutions than culling to address conflicts between human interests and wolves. If non-lethal solutions are being stamped as “magic” and keeping the wolf population down at the politically agreed population target as the only right solution, the government’s policy and management concerning the critically endangered wolf is in breach of Articles 2, 4, 6 and 9 of the Bern Convention.

Also, the Swedish government is planning to reduce the wolf population in Sweden to 170-270 animals.<sup>xxx</sup> In light of this, Norway’s share of responsibility should correspondingly increase, in order to ensure the long-term survival of the wolf in South Scandinavia. However, as highlighted above, the Norwegian government is planning to do just the opposite. In its expert statement of 6 November 2023, the Environmental Board stated that *“To ensure the long-term survival of the species, Norwegian wolf management also depends on the Swedish administrative authorities maintaining a sub-population of wolves that is significantly larger than the Norwegian subpopulation.”* If these political aspirations in the two Nordic countries to further decrease the wolf population become a reality, even though the wolf is categorized as “Endangered” in Sweden and “Critically Endangered” in Norway, the survival of the wolf population in South Scandinavia is jeopardized to an even greater extent.

### **4. The concept of population-level management is being misused by the Norwegian authorities**

In the Complainants’ view, the Norwegian approach is an example of how the concept of population-level management is gravely misused. By resorting to the common management of the South Scandinavian wolf population, the Norwegian authorities – with the acceptance by the high judiciary in the country – have reduced Norway’s responsibility for ensuring a viable wolf population in South Scandinavia to a handful of wolves on its territory, that is to 40 wolves.<sup>xxxi</sup> In the culling decisions, the authorities use the transboundary population as the basis for assessing the impact of culling on the

survival and state of the wolf population. This approach has not only been criticized by acknowledged legal scholars and biologists,<sup>xxxii</sup> but goes also against the jurisprudence of the Court of Justice of the European Union (CJEU). In the case C-601/22,<sup>xxxiii</sup> Advocate General Ćapeta refers to the Tapiola-judgment<sup>xxxiv</sup> and states that according to her interpretation, the Court meant in the judgment that when deciding on a derogation “*the favourable status has to exist first and inevitably at the national level*”, and that “*conversely, the unfavourable national status cannot be remedied through favourable status at the cross-border level*”. She specifies that “*A different interpretation could have a negative impact on the efforts made by Member States to adopt adequate measures to improve the conservation status of a species on their territory. It could have the effect of hiding an unfavourable status in a Member State and giving the false impression that the conservation of a species is secured.*” The judgment of the CJEU in this case was issued on 11 July 2024 and the Court concluded similarly to the Advocate General: “*In this regard, it is up to the competent national authority to determine, firstly, the conservation status of the populations of the species concerned and, secondly, the impact that this derogation is likely to have on it. The assessment carried out in these two stages must be carried out, first and necessarily, at the local and national level, where the consequences of the derogation will generally be felt most immediately. It is only when the conservation status of the animal species concerned proves to be favorable at the local and national level that the assessment can, secondly, if the available data permits, be considered at the cross-border level.*”<sup>xxxv</sup> (Emphasis by the Complainants). The Complainants see no reason why the Contracting Parties of the Bern Convention that are not EU Member States, should be subjected to different rules and a harmonized practice regarding this question should be applied.

The legal and political nuances of a transboundary management are not always accounted for in the assessments of the South Scandinavian wolf population where the population found in Sweden and in Norway is considered biologically as one population.<sup>xxxvi</sup> However, as shown above, this cross-border population still needs to be protected first and foremost at the local/national level; this includes the obligation to ensure a viable population.<sup>xxxvii</sup> Moreover, the low population target of 40 wolves in Norway is not based on any scientific assessment but is a politically determined population goal subject to further reduction at any time by new political agreements, as may well be the case in the not-so-distant future. Therefore, it is not correct to automatically include this part of the cross-border population in scientific assessments.

The Complainants refer to the witness statement by prof. Petter Wabakken in the legal case brought by NOAH against the government decision on the culling of a wolf pack in the wolf zone in 2020 (prof. Wabakken was the lead scientist of SKANDULV in 1998-2023 and has more than 45 years of experience in wolf research and management both in Scandinavia and internationally). In the written statement to the Supreme Court of Norway in March 2023, prof. Wabakken emphasized the extreme vulnerability of such a small wolf population to accidental causes of death and poaching so that annual reproduction of the Norwegian subpopulation is not secured (as was the case in 2007), and consequently the higher risk of extinction. Prof. Wabakken stated in his witness statement:

*“Biologically, the wolf population is common crossing the state border between Norway and Sweden, but Norway and Sweden practice quite a different management of their respective subpopulations. There is no common management plan adopted politically, biologically or legally on the setting of a population target, conservation, conflict mitigation or overall management of the wolf population. Sweden conducts its wolf management both nationally and internationally and is in practice concerned with maintaining a viable Swedish wolf population in the long-term. [...]*

*A low wolf population target in Norway in combination with a low level of survival has led to a situation where Norway is dependent on wolves born in Sweden and migrating to Norway to uphold a Norwegian sub-population in the long term. This kind of mismanagement has led to so-called “sink-source” dynamics in the common wolf population in Sweden (source) and in Norway (sink). [...]*

*As opposed to Sweden and other European countries with a wolf population, the Norwegian population target has not been determined nor assessed by independent experts in biology but adopted politically without any such prior independent assessment nor advice. On a global scale, the Norwegian population target is exceptionally low. [...] The Norwegian Registry of Species has classified the wolf as critically endangered, based on the internationally recognized IUCN-criteria. The undersigned has been working as a biologist with a focus on endangered species for decades and is not aware of any other country in the world that applies the population target as the absolute maximum number of breeding individuals*

of a critically endangered species, and where the population is subjected to culling in order to maintain the population at the critically endangered level. [...]”.

Prof. Petter Wabakken also pointed out that the policy of the Norwegian authorities where whole wolf packs with an established and stable habitat in the wolf zone are culled, can create more uncertainty and less predictability in terms of use of territory and wolves’ behaviour, and this can in turn lead to increased levels of conflict between humans and wolves, thereby having exactly the opposite effect to what the authorities have claimed in terms of conflict mitigation.

Yours Sincerely,

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<sup>i</sup> It is written in the report: “The conservation status of the 9 main biological wolf populations is assessed as “Least Concern” or “Near Threatened” except for the Scandinavian population which is assessed as “Vulnerable.” Boitani, L., Kaczensky, P., Alvares, F., Andrén, H., Balys, V., Blanco, J. C., ... & Patkó, L. (2022). Assessment of the conservation status of the Wolf (*Canis lupus*) in Europe. *Council of Europe Publishing: Strasbourg, France*. <https://rm.coe.int/inf45e-2022-wolf-assessment-bern-convention-2791-5979-4182-1-2/1680a7fa47>

<sup>ii</sup> <https://rovdata.no/Ulv/Bestandsstatus.aspx>

<sup>iii</sup> [https://www.regeringen.se/pressmeddelanden/2024/10/andring-kring-vargens-referensvarde/?mtm\\_campaign=Pressmeddelande&mtm\\_source=Pressmeddelande&mtm\\_medium=email](https://www.regeringen.se/pressmeddelanden/2024/10/andring-kring-vargens-referensvarde/?mtm_campaign=Pressmeddelande&mtm_source=Pressmeddelande&mtm_medium=email)

<sup>iv</sup> Letter by the Minister of Climate and the Environment to the environment committee of Stortinget, dated 26.02.2024.

<https://www.stortinget.no/globalassets/pdf/innstillinger/stortinget/2023-2024/inns-202324-286s-vedlegg.pdf>

<sup>v</sup> The assessment by the Norwegian Environment Agency was published in September 2023 and is mentioned in the Second update report by the Complainants, 9 February 2024.

<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.

<sup>vii</sup> Boitani, L., Kaczensky, P., Alvares, F., Andrén, H., Balys, V., Blanco, J. C., ... & Patkó, L. (2022). Assessment of the conservation status of the Wolf (*Canis lupus*) in Europe. *Council of Europe Publishing: Strasbourg, France*.

<sup>viii</sup> <https://www.regjeringen.no/no/aktuelt/ny-handlingsplan-for-naturmangfold/id3055224/>

<sup>ix</sup> The plan is currently under public consultation at the Parliament.

<sup>x</sup> Hansen, I., Strand, G. H., Krage, O., Mattisson, J., Støen, O. G., Kårstad, S., ... & Lindhjem, H. (2020). Vurdering av FKT-ordningen. *NIBIO Rapport 6 (130)*, p 80.

<sup>xi</sup> «Culling for damage control is the measure on which the most FKT-funds have been used in total, when you count the sheep and reindeer herding industry as one group». *Ibid.*, p 18.

<sup>xii</sup> *Ibid.*, p 80.

<sup>xiii</sup> Assessment of management of large carnivores. Report No. 3:13 (2018-2019) by the Office of the Auditor General of Norway. Available at: <https://www.riksrevisjonen.no/globalassets/rapporter/no-2018-2019/rovviltforvaltningen.pdf>, p 119.

<sup>xiv</sup> Lorand, C., Robert, A., Gastineau, A., Mihoub, J. B., & Bessa-Gomes, C. (2022). Effectiveness of interventions for managing human-large carnivore conflicts worldwide: Scare them off, don't remove them. *Science of the Total Environment*, 838, 156195.

<sup>xv</sup> Elbroch, L. M., & Treves, A. (2023). Perspective: Why might removing carnivores maintain or increase risks for domestic animals?. *Biological Conservation*, 283, 110106.

<sup>xvi</sup> <https://brage.nina.no/nina-xmlui/handle/11250/3131698>

<sup>xvii</sup> The number of wolves in the border area is registered with the factor of 0,5.

<sup>xviii</sup> <https://rovdata.no/Nyheter/ArtMID/17026/ArticleID/6584/Faerre-ulver-i-den-skandinaviske-ulvebestanden.aspx>

<sup>xix</sup> One monitoring season lasts from 1 October until 31 March.

<sup>xx</sup> <https://brage.nina.no/nina-xmlui/handle/11250/3131698>

<sup>xxi</sup> *Ibid.*

<sup>xxii</sup> Genetically important wolves are wolves who have migrated from the Finnish/Karelian wolf population to Norway (F0) and their offspring (F1). Offspring of F1-individuals are called F2-individuals (genetically valuable individuals).

<sup>xxiii</sup> <https://www.miljodirektoratet.no/aktuelt/nyheter/2024/april-2024/har-flyttet-genetisk-viktig-ulv/>

<sup>xxiv</sup> Laikre, L., Ryman, N., Kardos M., Allendorf, F. W. Review of reports on the reference value for the Swedish wolf population by Drs Philip S. Miller and Nicolas Dussex. 17 December 2023.

<sup>xxv</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>xxvi</sup> Kardos, M., Åkesson, M., Fountain, T., Flagstad, Ø., Liberg, O., Olason, P., ... & Ellegren, H. (2018). Genomic consequences of intensive inbreeding in an isolated wolf population. *Nature ecology & evolution*, 2(1), 124-131.

<sup>xxvii</sup> When and if such a proposal will be submitted to the Parliament for adoption, is yet unclear, but as the reduction of the population target level for the wolf is part of the government’s political platform 2021-2025, the proposal is expected to be made within the next 12 months.

<sup>xxxviii</sup> <https://www.miljodirektoratet.no/publikasjoner/2023/september-2023/utredning-om-endering-av-bestandsmal-for-ulv-i-norge/#:~:text=I%20rapporten%20utredes%20en%20reduksjon.endre%20gjeldende%20bestandsm%C3%A5%20for%20ulv>. Available only in Norwegian.

<sup>xxxix</sup> <https://www.stortinget.no/no/Saker-og-publikasjoner/Publikasjoner/Referater/Stortinget/2023-2024/refs-202324-05-16?m=2#112902-1-8>. Available only in Norwegian.

<sup>xxx</sup> <https://www.naturvardsverket.se/om-oss/regeringsuppdrag/slutredovisade-regeringsuppdrag/forvaltningen-av-varg/>  
<sup>xxxii</sup> The Ministry of Climate and Environment stated in its decision of 21 December 2023 on the licence hunting of wolves in the wolf zone in 2023/2024: „The Ministry considers that the fact that the wolf is an endangered species in Scandinavia, and that the Norwegian part of the southern Scandinavian population is on the Red List as critically endangered, basically speaks against opening for license hunting. The population is relatively small and isolated with major genetic challenges. At the same time, these interests weigh less heavily as a result of the fact that the population target for the wolf population has been reached, jf. HR-2023-936-A.”

<sup>xxxii</sup> <https://rm.coe.int/inf45e-2022-wolf-assessment-bern-convention-2791-5979-4182-1-2/1680a7fa47>. See also statements made by prof. A. Trouwborst, as referred to in the Second update report of 9 February 2024.

<sup>xxxiii</sup> C-601/22, Umweltverband WWF Österreich v Tiroler Landesregierung, Opinion of Advocate General Ćapeta delivered on 18 January 2024, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62022CC0601&qid=1720546453866>

<sup>xxxiv</sup> C-674/17, Luonnonsuojeluyhdistys Tapiola, <http://curia.europa.eu/juris/liste.jsf?num=C-674/17> (10 October 2019)

<sup>xxxv</sup>

<https://curia.europa.eu/juris/document/document.jsf?text=&docid=288146&pageIndex=0&doclang=EN&mode=req&dir=&occ=first&part=1&cid=2485094>

<sup>xxxvi</sup> <https://www.naturvardsverket.se/49e29c/contentassets/c8545357e38842859beaaf4d2ff68c02/bilagor-till-analys-av-vargens-referensvarde.pdf>

<sup>xxxvii</sup> See section 3 in the Second update report by the Complainants, 09.02.2024. See also p 11 of the report by C. Shine “Legal Report on the possible need to amend Appendix II of the Convention for the wolf” (T-PVS/Inf (2005) 18): “Consistent with State sovereignty, each Party has sole responsibility for developing and implementing the measures for species and habitats on national territory that it has accepted under the Convention, including decision-making on possible derogations. These national responsibilities are underpinned by general obligations for international cooperation under the Convention and customary international law. They cannot be delegated because a species or habitat is thriving beyond national boundaries (where the Party concerned has no legal or management powers). For wolves, this means that even if the portion of a population found across an international boundary is secure, this does not justify a derogation if the population on national territory is not viable or where other satisfactory solutions can be found.”