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

- COMPLAINANT REPORT -

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To:

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**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.ⁱ 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.ⁱⁱ 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».ⁱⁱⁱ

In Norway, the number of wolves has been reduced over the past three monitoring seasons^{iv} 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.^v

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.^{vi} 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,^{vii} 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.^{viii} 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.^{ix} 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.^x 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.^{xi}

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.^{xii}

In the report published by the Environmental Board in autumn 2023, the board advised against any further reduction of the wolf population target.^{xiii} 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.”*^{xiv} 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.^{xv} 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.^{xvi} 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,^{xvii} but goes also against the jurisprudence of the Court of Justice of the European Union (CJEU). In the case C-601/22,^{xviii} Advocate General Ćapeta refers to the Tapiola-judgment^{xix} 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.*”^{xx} (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.^{xxi} 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.^{xxii} 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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ⁱ <https://brage.nina.no/nina-xmlui/handle/11250/3131698>

ⁱⁱ The number of wolves in the border area is registered with the factor of 0,5.

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

^{iv} One monitoring season lasts from 1 October until 31 March.

^v <https://brage.nina.no/nina-xmlui/handle/11250/3131698>

^{vi} Ibid.

^{vii} 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).

^{viii} <https://www.miljodirektoratet.no/aktuelt/nyheter/2024/april-2024/har-flyttet-genetisk-viktig-ulv/>

^{ix} 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.

^x 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.

^{xi} 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.

^{xii} 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.

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

^{xiv} <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.

^{xv} <https://www.naturvardsverket.se/om-oss/regeringsoppdrag/slutredovisade-regeringsoppdrag/forvaltningen-av-varg/>

^{xvi} 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.”

^{xvii} <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.

^{xviii} 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>

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

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

^{xxi} <https://www.naturvardsverket.se/49e29c/contentassets/c8545357e38842859beaaf4d2ff68c02/bilagor-till-analys-av-vargens-referensvarde.pdf>

^{xxii} 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.”