



Strasbourg, 30 August 2019
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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

39th meeting
Strasbourg, 3-6 December 2019

Possible File

**Lack of legal protection for Northern goshawk and
birds of prey
(Norway)**

- REPORT BY THE GOVERNMENT -

*Document prepared by
the Royal Norwegian Ministry of Climate and Environment*

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30 August 2019

Complaint No 2017/01: Possible file on Lack of legal protection for Northern goshawk and birds of prey in Norway

Dear Mrs. Obretenova,

We refer to your letter of 21st December 2018 to Mr. Øystein Størkensen of the Norwegian Environment Agency.

In your letter, you mention that the Standing Committee to the Bern Convention re-examined the above-mentioned complaint at its 38th meeting. The Standing Committee acknowledged the initiation of the process for amending the Nature Diversity Act in order to close the loophole and bring it in line with Article 9 of the Bern Convention. The Standing Committee decided to keep the file as a possible file, and asked Norway to report on progress in the amendment of the legislation for the 39th meeting of the Standing Committee in December 2019.

As reports submitted to the attention of the Standing Committee are usually pre-screened by the Bureau at its second annual meeting, you ask for a report, not later than 30th August 2019, on progress made.

The Norwegian Environment Agency has forwarded your letter to the Ministry of Climate and Environment.

We can inform you that we have started the process on amending the legislation. A proposal for amendment of Article 17 of the Nature Diversity Act was opened for public consultation on 6th June 2019. The proposed amendment re-introduces the term "deemed necessary" to Article 17 section 2 subsection 2. According to the proposal, the owner, or a person acting on behalf of the owner, may kill a wild animal making a direct or imminent attack on livestock, including pigs and poultry, domesticated reindeer or dogs when this is deemed necessary. The term "deemed necessary" is considered to be parallel to the term "provided that there is no other satisfactory solution" used in Article 9 of the Bern Convention. If passed, the amendment will bring Article 17 section 2 subsection 2 in line with the Convention.

The public consultation is being closed on 1st of October 2019.

The Norwegian Parliament must adopt legislative amendments. This is a comprehensive process, and a possible amendment of the Nature Diversity Act can be implemented in 2020 at the earliest.

Yours sincerely

Torbjørn Lange
Deputy Director General

Maline Salicath Gordner
Higher Executive Officer

This document is signed electronically and has therefore no handwritten signature

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The Norwegian Environment Agency