



# Guidance on Implementing Adaptive Harvest Management through Domestic Legal Regulations

AEWA European Goose Management Platform

**EGMP Guidance No.1**



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Management  
through  
Domestic Legal Regulations**

*EGMP Guidance No. 1*

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## GUIDANCE ON IMPLEMENTING ADAPTIVE HARVEST MANAGEMENT THROUGH DOMESTIC LEGAL REGULATIONS

### 1. Introduction

#### 1.1. The role of the European Goose Management Platform (EGMP) in facilitating flyway-level adaptive harvest management

The Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) recognizes harvest as a legitimate use of migratory waterbirds. However, harvesting must not hinder populations' maintenance at, or restoration to, a favourable conservation status (AEWA, Article II.1); and any use of migratory waterbirds must be based on an assessment of the best available knowledge of their ecology and be sustainable for the species as well as for the ecological systems that support them (AEWA, Article III.2(b)).

The AEWA Action Plan requires that the sustainable use of certain populations<sup>1</sup> be conducted within the framework of an International Species Action Plan, which endeavours to implement the principles of adaptive harvest management<sup>2</sup> (AEWA Annex 3, Action Plan para. 2.1.1). Paragraph 4.1.1 of the AEWA Action Plan (Annex 3) further provides that “*Parties shall cooperate to ensure that their hunting legislation implements the principle of sustainable use as envisaged in this Action Plan, taking into account the full geographical range of the waterbird populations concerned and their life history characteristics*”. In an attempt to ensure that any use of migratory waterbirds in the Agreement Area is sustainable (Objective 2, AEWA Strategic Plan 2009-2018), target 2.5 of AEWA's current Strategic Plan is that the adaptive harvest management of quarry populations be ensured at the international scale. Guidance on setting up flyway-level adaptive harvest management is provided in the AEWA [Guidelines on Sustainable Harvest of Migratory Waterbirds](#).

The European Goose Management Platform (EGMP) was established under the auspices of AEWA, in response to operational paragraph 9 of AEWA Resolution 6.4. In this Resolution, the AEWA Meeting of the Parties requested the UNEP/AEWA Secretariat to establish a European multispecies goose management platform and process to address sustainable use of goose populations and to provide for the resolution of human-goose conflicts, targeting as a matter of priority Barnacle (*Branta leucopsis*), Greylag (*Anser anser*), Pink-footed (*Anser brachyrhynchus*) and Taiga Bean (*Anser fabalis fabalis*) Geese populations.

The goal of the EGMP is to provide the mechanism for a structured, coordinated and inclusive decision-making and implementation process for the sustainable use and management of goose populations in Europe, with the objective of maintaining them in, or restoring them to, a favourable conservation status, while taking into account concerns of relevant stakeholders and the pertinent legislative frameworks and regulations.

The European Goose Management International Working Group (EGM IWG) functions as the coordinating and decision-making body of the EGMP. It is supported by the EGMP Data Centre, which is responsible for collating and assessing population and harvest information, based on input from the range states. The EGM IWG meets annually (in June each year) to decide on adjustments to the management frameworks for the populations under its remit. In particular, it is responsible for monitoring the implementation of the AEWA

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<sup>1</sup> Populations listed in Categories 2 and 3 in Column A and which are marked by an asterisk, and populations listed in Category 4 in Column A.

<sup>2</sup> Adaptive harvest management is the periodic process of setting hunting regulations based on a system of population and habitat monitoring, harvest-level recording, data analysis and defining regulatory options.

International Single Species Action and Management Plans for these populations, which contain provisions for adaptive harvest management.

## 1.2. Purpose and scope of this guidance

The conditions for successful application of flyway-level adaptive harvest management include, *inter alia*, the flexibility to make adjustments to management actions, and the collection of robust data to identify the impact of such actions and to determine how they should be adjusted. This document outlines approaches for supporting these two conditions through domestic legislation. It focuses specifically on:

- (a) The annual regulation of hunting through seasons and quotas; and
- (b) The collection of harvest data.

The document is drafted specifically for populations of species in respect of which processes are in place for adaptive harvest management within the framework of an International Single Species Action or Management Plan. It is intended to assist states in evaluating whether their current laws and policies are adequate for implementing the EGM IWG's decisions on adaptive harvest management and, where they are not, it suggests how to address this. It does not pre-empt the EGM IWG's decisions in respect of any specific species and is not legally binding.

In formulating this guidance, lessons were drawn from the European states that are already endeavouring to implement adaptive harvest management, and examples of these states' experiences are provided throughout the document. Recommendations are summarized in part 1.3 and elaborated upon in parts 2 to 3. Model language for domestic legislative provisions is provided in the *Appendix*. Both the recommendations and the model language are designed to describe 'ideal' approaches. Not all recommendations included will necessarily be appropriate for all legal systems, and it is for each state to determine whether or how to implement the recommended actions, whilst having regard to their obligations under AEWA and other international instruments.

The document focuses only on those aspects of hunting legislation that are relevant for the adaptive harvest management of species with regular hunting seasons. It is not intended to provide general guidance on the legal regulation of hunting. However, broader guidance of this nature can be found in, *inter alia*, the AEWA [\*Guidelines on National Legislation for the Protection of Species of Migratory Waterbirds and their Habitats\*](#).<sup>3</sup>

Legal provisions for implementing adaptive harvest management should be supported with appropriate enforcement measures aimed at ensuring compliance. Implementation of some of the measures suggested in this guidance will also require additional financial resources.

## 1.3. Summary of key recommendations

1.3.1. *Ensuring that regulations used to implement adaptive harvest management can be adjusted annually and expeditiously in response to decisions by the EGM IWG*

- (a) Recommendations for states which choose to adjust the length of hunting seasons as a means of implementing international decisions concerning adaptive harvest management, made within the framework of an International Single Species Action or Management Plan:

1. If legislation prescribes the factors to be considered when setting hunting seasons, ensure that these include relevant international decisions concerning adaptive harvest management;

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<sup>3</sup> These Guidelines provide states with advice on developing domestic legislation to implement their AEWA commitments. They include guidance on the legal regulation of, *inter alia*, the taking, possession, utilization and trade of birds from AEWA-listed populations.

2. Ensure that legislation does not explicitly require that adjustments to the length of hunting seasons occur at intervals of longer than one year;
  3. Ensure that it is possible to implement a complete closure of the hunting season where this is called for by an international decision concerning adaptive harvest management, made within the framework of an International Single Species Action or Management Plan;
  4. If adjustments to the length of hunting seasons are necessary, endeavour to make such adjustments before the start of the hunting season;
  5. Regarding legislation which prescribes the length of hunting seasons:
    - Ensure that procedures for amending such legislation can, where necessary, be put in motion shortly after decisions of the EGM IWG;
    - Alternatively, use such legislation to prescribe general hunting seasons, but make provision for limited extensions and/or restrictions when specified conditions related to adaptive harvest management are satisfied;
  6. Ensure that hunting seasons are not extended into the stages of reproduction and rearing or return to rearing grounds unless this would not have an unfavourable impact on populations' conservation status. For EU Member States, ensure (per Article 7(4) of the Birds Directive) that hunting is prohibited during these periods. The killing of birds during the pre-nuptial migration and/or reproduction periods carried out under a derogation in the absence of other satisfactory solutions, e.g. to prevent agricultural damage or in the interest of air safety (per Article 9 of the Birds Directive), is not part of hunting and should remain out of the scope of the hunting regulation;
  7. EU Member States ensure that any take of birds under derogation complies with Article 9 of the Birds Directive.
  8. Consider whether it is possible and desirable to expedite the rule-making process by delegating the authority to extend/reduce hunting seasons for certain populations of species to a lower level of government;
  9. Consider whether it is possible and desirable to expedite the consultation requirements for adjusting the length of hunting seasons for relevant populations of species;<sup>4</sup>
  10. Consider reducing any intervals between the issuance of adjustments to the length of hunting seasons and the entry into force of such adjustments;
  11. Ensure that adjustments to the length of hunting seasons are expeditiously communicated to hunters;
  12. Ensure that, where the regulatory process for implementing adaptive harvest management deviates from the ordinary process for adjusting the length of hunting seasons, this process is accompanied by appropriate awareness-raising to enhance stakeholder support, particularly within the hunting community.
- (b) Recommendations for states which choose to adjust the size of seasonal quotas as a means of implementing international decisions concerning adaptive harvest management, made within the framework of an International Single Species Action or Management Plan:
1. If legislation prescribes the factors to be considered when setting hunting quotas, ensure that these include relevant international decisions concerning adaptive harvest management;

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<sup>4</sup> Populations in respect of which processes are in place for adaptive harvest management within the framework of an International Single Species Action or Management Plan



2. Ensure that legislation does not explicitly require that adjustments to quotas occur at intervals of longer than one year;
3. Consider possibilities for expediting rule-making procedures (see recommendations listed under (a) above) and ensure that adjustments to the size of seasonal quotas are expeditiously communicated to hunters;
4. Ensure that reporting schemes are in place which enable authorities to track progress towards meeting seasonal quotas for relevant populations of species;<sup>5</sup>
5. Ensure that legislation empowers or directs the relevant authority to close the hunting season once the seasonal quota has been reached.

*1.3.2. Collection of hunting bag data for populations of species in respect of which processes are in place for adaptive harvest management within the framework of an International Single Species Action or Management Plan*

1. Ensure that the reporting of animals harvested is required by legislative provisions or licencing conditions;
2. Ensure that the reporting of animals harvested under a derogation under Article 9 of the Birds Directive is required by legislative provisions and licencing conditions;
3. Make the submission of previous seasons' reports a condition for the renewal of hunting licenses;
4. Empower licencing authorities to revoke hunting licences if reporting obligations are not complied with;
5. Ensure that reporting requirements take into account the need for hunting bag data at the level of sub-species or geographically separate populations (e.g. by requiring reporting of the location of shot game);
6. Require reporting throughout the hunting season, with specified deadlines after each harvest occurs. In setting deadlines for reports, further consider the need for harvest data to be made available to the AEWA Secretariat immediately after the closure of the hunting season;
7. Ensure that reporting methods are as expeditious as possible (e.g. through mobile phone applications, online or telephonic submissions);
8. Direct the relevant authorities/institutions to report harvest data to the AEWA Secretariat on an annual basis, immediately after the end of each hunting season. Where possible, include number and location (nearest possible administrative unit) of birds harvested and break data down into months, weeks or days.

## **2. Regulating Hunting on an Annual Basis to Implement Adaptive Harvest Management**

### **2.1. The need for annual adjustments**

A necessary condition for successful flyway-level adaptive harvest management is that national laws and policies be adequate for implementing international decisions. In the context of the AEWA EGMP, these decisions are made annually by the EGM IWG. In practice, this means that for those Range States in which

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<sup>5</sup> Populations in respect of which processes are in place for adaptive harvest management within the framework of an International Species Action or Management Plan.

the relevant species' hunting is allowed, it has to be possible to regulate such hunting annually, in response to the EGM IWG's determination of international quotas and decisions regarding hunting seasons.

Decisions of the EGM IWG are not directly binding upon states. However, implementing these decisions is a way of complying with AEWPA Parties' legal commitment to "*cooperate to ensure that their hunting legislation implements the principle of sustainable use [...] taking into account the full geographical range of the waterbird populations concerned and their life history characteristics*" (AEWA Annex 3, Action Plan para. 4.1.1). To the extent that implementing the EGM IWG's decisions ensures that the cumulative impact of harvest is not detrimental to a population's conservation status, doing so can also assist states in satisfying their obligations under the Bern Convention on the Conservation of European Wildlife and Natural Habitats and the European Union's Birds Directive.

## 2.2. Overview of relevant legislative tools and general considerations

**Hunting seasons** and **quotas** are common tools for regulating hunting. Both have the potential to be adaptive management tools, provided that the limits they impose can be **adjusted**:

- (a) **Annually**; and
- (b) **In time for such adjustments to come into effect in the hunting season which follows the EGM IWG's decisions in a particular year.**

The legislation of some states allows for the hunting of particular groups of species to be regulated through special licensing/permitting schemes, through which the number of animals shot by individual hunters in the course of a season can be restricted or extended. Licenses/permits of this nature can theoretically be used to implement adaptive harvest management, provided that it is possible to adjust their conditions annually. Some states may wish to make use of this approach for certain species. However, it does not receive further consideration in this part of the guidance due to the heavy administrative burden that would accompany the use of these types of licenses/permits for goose management specifically.

Some states' legislation prescribes the factors to be considered by decision-makers when exercising their mandate to set hunting seasons or quotas. Where this is the case, these **factors should include relevant international decisions concerning adaptive harvest management, made within the framework of an International Single Species Action or Management Plan** (such as those of the EGM IWG).

In addition, legislation and policies should **recognize the need for dynamic decision-making** and **should not be framed in a way that explicitly prevents annual adjustments**. They therefore should not rigidly require that adjustments occur at intervals of longer than one year without accommodating deviations from this. Guidance on how hunting seasons and quotas can be used to enable adaptive management is provided below.

## 2.3. Hunting seasons

One approach through which states may choose to regulate harvest is by adjusting the length of hunting seasons. When used to implement adaptive harvest management, this approach should ideally be combined with **reporting requirements that apply throughout, rather than only at the end of the season** (see discussion on the collection of hunting bag data below). In some instances, a **complete closure of the season may also be necessary** to satisfy international decisions concerning adaptive harvest management, made within the framework of an International Single Species Action or Management Plan.

An important consideration for all of the approaches described below is that EU Member States must ensure that their hunting seasons are not extended into the stages of reproduction and rearing or return to rearing grounds (per Article 7(4) of the Birds Directive). Derogations from Article 7 can be granted in the absence of other satisfactory solutions for some specific reasons (e.g. in the interest of air safety or to prevent serious damage to agriculture), but such population control is not part of hunting and should remain out of the scope of the hunting regulation. Other range states must ensure that hunting does not occur during these periods if it

would have an unfavourable impact on a population's conservation status (AEWA, Annex 3, Action Plan para. 2.1.2.a).

Under some states' existing legal frameworks, it may be possible to extend and/or shorten the hunting season after the season has already begun. This approach can offer the advantage of giving authorities additional time within which to satisfy the procedural requirements for rulemaking, when regulatory adjustments are needed to implement international decisions by the EGM IWG. Nevertheless, in principle, it is preferable to **effect such changes before the start of each hunting season**. Doing so provides stakeholders with greater certainty and can thereby encourage their support of the adaptive management process.

It is common practice for hunting seasons to be prescribed through secondary legislation. One approach to adjusting such seasons in response to international decisions regarding harvest management is thus to **put the procedures for amending the relevant secondary legislation in motion shortly after the international decision has been made**.

***Example:** Denmark has successfully introduced a process for annually adjusting the hunting seasons for Pink-footed Goose (when necessary), despite the country's ordinary practice being only to amend hunting seasons at four-year intervals. The Danish Wildlife Management Council meets in mid-June and makes recommendations to the Minister concerning amendments to the hunting regulations. This enables the amendment process to be initiated shortly after the annual decisions of the EGM IWG, and for hunting seasons to be adjusted by 1 September (or by the start of the hunting season). The process has been accepted by most stakeholders. However, continued trust-building efforts are desirable.*

*Notably, in Denmark, analysis of the effect of the extended hunting season has also been enhanced through an examination of the monthly distribution of shot birds. This has been done on the basis of wing collection (which is performed for waterbirds for analysis of age composition) and recoveries of ringed geese reported shot.*

Alternatively, the annual amendment of secondary legislation can be avoided if such legislation:

- (a) **Prescribes general hunting seasons;** but also
- (b) **Makes provision for limited extensions and/or restrictions to these seasons when specified conditions related to adaptive harvest management are satisfied.**

These conditions, or the policy guidance which informs their interpretation, should refer expressly to the EGM IWG's international decision-making process.

In some states, regional or local level decision-making can be achieved more expeditiously than central decision-making. Where this is the case, it **might be appropriate for national ministries to delegate the authority** to adjust hunting seasons for certain populations of species to lower levels of government.

***Example:** Norway's current regulations on hunting and fishing times prescribe hunting seasons for a five-year period, from 1 April 2017 until 31 March 2022. However, the regulations additionally delegate authority to county governors to extend or reduce the hunting seasons for certain species. For instance, the hunting season for the Greylag Goose may be opened up to 15 days before the regular hunting season begins if a local management plan is in place; while the hunting season for the Pink-footed Goose may be shortened in Nord-Trøndelag, if the population's condition demands this (s3.1). Guidelines accompanying the regulations refer to the International Single Species Management Plan for the Pink-footed Goose and state that the county governor for Nord-Trøndelag may limit the hunting season for this species if, in a particular year, Norway's share of the agreed international quota is less than 2,000 birds.*

Regardless which of the above approaches is followed, difficulties may arise in effecting adjustments before the start of the hunting season if:

- (a) The adjustments are subject to **lengthy consultation requirements** (with the public and/or other authorities/institutions); and/or
- (b) There are **intervals between the adjustments' issuance and their entry into force (as well as their communication to hunters)**.

States may need to consider **avenues for expediting these aspects of rule-making** in order to respond timeously to international decisions on adaptive harvest management. The extent to which expedited procedures are feasible will depend upon each state's broader administrative law framework. States should also remain mindful of their commitments under the Aarhus Convention<sup>6</sup> to, *inter alia*, enable public participation in environmental decision-making.

Notably, experience has shown that it is **possible for the reduction of time lags in rule-making to be met with stakeholder support when accompanied by appropriate awareness-raising**.

***Example:** Finland regulates grouse hunting on an annual basis via Ministerial decree. The process involves an especially short public consultation period (no more than ten days in 2017, whereas the recommended period for consultation is ordinarily six weeks); and recent amendments to Finland's Hunting Act have removed the requirement that certain prohibitions or restrictions on hunting may enter into force no less than two weeks after being issued (s38). This expedited process has been supported by stakeholders because it enables hunting to be adapted to up-to-date population data (provided in mid-August from the country's wildlife-triangle monitoring counts), thereby allowing rapid reactions to population declines. Awareness-raising by the media, concerning the wildlife-triangle monitoring counts and possible need for hunting regulation, has contributed positively to stakeholder acceptance of the process. The rapid communication of regulations to hunters has been challenging, but is achieved through the publication of a printed magazine and a mobile phone application (further discussed below).*

## 2.4. Hunting quotas

Once an annual international quota has been agreed by the EGM IWG and has been allocated between Range States, some states may wish to transpose their allocation into national law by setting seasonal quotas – whether nationally, regionally, or at the level of individual hunters/groups of hunters. Mandates for establishing such quotas already appear in the hunting legislation of many countries. However, for quotas to be an effective adaptive management tool, it must again be possible for **adjustments to be made annually** following the relevant international decisions. Similar concerns to those discussed above arise in respect of the **potential need for expedited rule-making procedures and communication to hunters**. In addition, at least insofar as national or regional quotas are concerned, it has to be possible to:

- (a) **Track progress towards meeting the quota** during the course of the hunting season (in doing so, birds shot under derogation should also be taken into account); and
- (b) **Expediently suspend the hunting season** once the allocated number of animals has been harvested.

The first of these requirements receives further discussion below in the guidance on collecting hunting bag data. The second can be facilitated through a legislative provision which either **empowers or directs the relevant authority to close the hunting season once the seasonal quota has been reached**.

***Example:** Per s10 of Finland's Hunting Act, regional quotas may be established through Ministerial decree for game animal populations that are endangered by hunting or for which this is required for the appropriate organization of hunting. Such quotas have been established for the Grey Seal and s5(2) of the Hunting Decree requires that "[a] grey seal specimen bagged as quarry shall be reported to the Finnish*

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<sup>6</sup> [The United Nations Economic Commission for Europe Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters.](#)

*Wildlife Agency within three weekdays from the time when the grey seal was bagged”. Section 5(3) of the Decree proceeds to provide that “[w]hen the quota has been fulfilled the Finnish Wildlife Agency shall order grey seal hunting in the population management area to be terminated. The order of the Finnish Wildlife Agency shall be communicated with sufficient efficiency. The termination of hunting is considered to have come to the knowledge of hunters after three days from the issue of the order.”*

### 3. Collection of Hunting Bag Data

Regular monitoring, complemented by research in certain instances, is essential for determining whether progress is being made towards meeting management objectives and for adjusting management measures to meet these objectives. The Bern Convention and the EU Birds Directive oblige states to encourage research, while AEWA contains detailed requirements on collecting various types of information and making this information available.<sup>7</sup> These include the requirements that “*Parties shall cooperate with a view to developing a reliable and harmonized system for the collection of harvest data in order to assess the annual harvest of populations listed in Table 1*” and “*shall provide the Agreement Secretariat with estimates of the total annual take for each population, when available*” (AEWA, Annex 3, Action Plan, para. 4.1.3).

AEWA does not prescribe the methods by which Parties are to collect harvest data, with the result that voluntary reporting schemes can theoretically be acceptable if implemented effectively. However, mandatory reporting by hunters is the preferred option due to its binding nature and standardized approach. Various types of legislative provisions have the potential to facilitate the collection of harvest data and may thereby assist Parties in implementing their international commitments. These are outlined below. In addition, an investigation into how hunting bag data is reported among states with hunting associations that are members of the Federation of Associations for Hunting and Conservation of the EU (FACE) is currently underway, the goal of which is to make recommendations on best practice.

In states in which possession of a valid hunting licence is a prerequisite for the hunting of game animals, reporting requirements can generally be imposed through the relevant **licencing conditions**. An incentive for reporting can be provided by making the submission of previous seasons’ reports a **condition for licence renewal**. Especially in states which require that licences be renewed at intervals of longer than one year, legislation can further authorise the **revocation of hunting licences if reporting obligations are not complied with**.

**Example:** *In Denmark, all holders of hunting licences are required to report their takings annually, and only those hunters who have submitted these reports are issued with licences for the following hunting season. This approach has resulted in a significant increase in the reporting of hunting bags. Already by the end of May, following the hunting season, reliable harvest estimates can be derived and used in the adaptive harvest management optimisation procedures for the forthcoming hunting season.*

Even in the absence of licences, **legislation can directly require reporting** in respect of all/some game animals. Alternatively, it can **authorise the relevant authorities to require reporting in specified circumstances** (e.g. in instances in which the collection of harvest data is needed for adaptive harvest management).

The licensing conditions or legislation through which reporting requirements are stipulated should specify the game animals in respect of which reporting is necessary, the procedure through which reporting is to occur, the information to be included in each report, and the deadline for reporting.

Important considerations include the following:

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<sup>7</sup> For broader guidance on the types of legislative provisions through which this can be achieved, see part IX of the AEWA [Guidelines on National Legislation for the Protection of Species of Migratory Waterbirds and their Habitats](#).



- (a) AEWA International Single Species Action and Management Plans often apply at a level below the species level. Hunting bag data may consequently be needed at the level of **sub-species or geographically separate populations**. This should be taken into account in the framing and application of legal provisions/conditions concerning reporting, e.g. by requiring reporting of the location of the shot game (to nearest administrative unit such as municipality, postal number or county).
- (b) At a minimum, the **deadlines for reports have to take into account the need for harvest data to be made available immediately after the closure of the hunting season**, so as to be used in preparing the models presented annually to the EGM IWG.
- (c) For reporting to be effective in tracking progress towards meeting quotas, it is insufficient for reports to only be submitted at the end of the ordinary hunting season. Ideally, reporting should therefore **occur throughout the season, with specified deadlines after each harvest occurs**. As noted above, this approach is also desirable when harvest is regulated through the adjustment of hunting seasons.
- (d) To be effective in tracking progress towards meeting a quota during the hunting season, **the methods through which reports are submitted need to be as expeditious as possible**. Requiring online or telephonic submissions is thus preferable to requiring that forms be submitted via the post, with the associated delays in receipt.
- (e) **Birds killed under a derogation should also be reported expeditiously** as the figures need to be added to the hunting bag data to provide a correct estimate of the off-take.

***Example:** Recent amendments to Finland's Hunting Decree require the harvesting reports for several species – including the Bean Goose – to be filed within seven days from the harvesting of the animal. One of the means through which these reports can be submitted is “via the online service to the Finnish Wildlife Agency” (s5A).*

*The oma riista 'My Hunt' service (oma.riista.fi) was developed by the Finnish Wildlife Agency, launched in mid-2014, and has since undergone continuous development. The service provides multiple benefits for individual hunters, hunting associations and game administrators. For individual hunters, it works as a personal hunting diary and can be used through a mobile application, which inter alia allows for hunting data to be recorded in the field, with time and place automatically included. For species such as the Bean Goose, for which harvest reports are mandatory, an official report is automatically generated, which the hunter can submit via the full internet version. Once the harvest record has been made, the service notifies the hunter about the need for mandatory reporting and sends a reminder before the reporting deadline has expired. The service additionally has message functionality, facilitating the distribution of information (e.g. changes to hunting legislation) to stakeholders.*

*Since its launch, the service has received very positive feedback from various stakeholder groups, has been signed into by the vast majority of active hunters, and has been used by virtually all hunting associations. The service's source code is freely available as an Open Source (although customization is needed to meet the specific needs of each country and region): see <https://github.com/suomenriistakeskus>*

As a final point – AEWA Parties commit not only to endeavouring to collect hunting bag data, but also to make this data available to the Agreement's Secretariat, and doing so is key to the adaptive harvest management process. It is therefore advisable that national legislation **explicitly direct the relevant authorities/institutions to report harvest data to the AEWA Secretariat on an annual basis, immediately after the end of each hunting season** (regardless of whether the season is full or is prematurely suspended). The information reported should, where possible, include both the **number and locations** (nearest possible administrative unit, i.e. municipality or county level) of birds harvested, and be **broken down into months or, where possible, weeks or days**.

# Appendix

## MODEL LANGUAGE FOR DOMESTIC LEGISLATIVE PROVISIONS TO SUPPORT ADAPTIVE HARVEST MANAGEMENT

This Appendix suggests model language for domestic legislative provisions to implement adaptive harvest management through the approaches recommended in the above guidance. The language is designed specifically for populations of species in respect of which a process is in place for adaptive harvest management within the framework of an International Single Species Action or Management Plan.

Not all of the approaches described in this document will necessarily be appropriate or feasible for all Range States. It is for each state to determine whether, and to what extent, it will make use of these approaches. Where utilized by states, the approaches will need to be tailored to function effectively within each state's specific legal framework.

### 1. Cyclical nature of decision-making and EGM IWG decisions as a factor to consider in exercising the mandate to set hunting seasons/quotas for adaptive harvest management

*Note: This language assumes the existence of enabling provisions concerning the setting of hunting quotas and seasons.*

The [name relevant authority] shall periodically (annually, or at other frequencies as necessary) adjust seasonal hunting quotas and revise the parameters of hunting seasons, on the basis of the latest scientific data for populations of species in respect of which a process for adaptive harvest management is in place within the framework of an International Single Species Action or Management Plan.

### 2. Adjusting hunting periods for adaptive harvest management without the amendment of regular hunting seasons

*Note: Insofar as allowing hunting before the start or after the end of the regular hunting season is concerned, EU Member States must ensure that their legislation does not contravene Article 7 of the Birds Directive. They therefore must not allow birds to be killed during stages of reproduction and rearing or during return to rearing grounds unless the conditions stipulated in Article 9 of the Birds Directive (on derogations) are satisfied. Range States outside the EU must, in terms of AEWA (Annex 3, Action Plan para. 2.1.2.a), ensure that any hunting during these periods does not have an unfavourable impact on populations' conservation status.*

For [name relevant species and regions], the [name relevant authority] may authorise hunting for up to [specify number of days] before the start of the regular hunting season, [and/or] up to [specify number of days] after the end of the regular hunting season when such extension is necessary for achieving the management objectives for populations of species in respect of which a process is in place for adaptive harvest management within the framework of an International Single Species Action or Management Plan.<sup>8</sup>

For EU Member States: The [species to which hunting laws apply] shall not be hunted during the rearing season, during the various stages of reproduction and during their return to their rearing grounds.

For [name relevant species and regions], the [name relevant authority] may shorten the period for which hunting is permitted during [specify relevant dates] when this is necessary for achieving the management

<sup>8</sup> In determining the appropriate numbers of days to insert into this provision, EU Member States must ensure compliance with Article 7 of the Birds Directive.

objectives for populations of species in respect of which a process is in place for adaptive harvest management within the framework of an International Single Species Action or Management Plan.

Any extensions or limitations of hunting periods in terms of these provisions shall be issued before the start of the regular hunting season and shall be communicated to hunters with sufficient efficiency. All applicable international agreements regarding populations' adaptive harvest management shall be taken into consideration.

### **3. Immediate closure of season**

The [name relevant authority] shall order the immediate closure of the hunting season, for as long a period as considered needed, if this is necessary for achieving the management objectives for populations of species in respect of which a process is in place for adaptive harvest management within the framework of an International Single Species Action or Management Plan. This shall include instances when any applicable quota has been fulfilled. The order shall be communicated to hunters with sufficient efficiency, and shall be considered to have come to the knowledge of hunters within three days of its issuance.

### **4. Reporting throughout the hunting season**

Reports of all animals harvested from the following species and sub-species shall be filed with the [name relevant authority]: [list relevant species/sub-species]. Reports shall be filed within three days of the harvesting of the animal(s), via the available online or telephonic service.

The reports submitted in terms of this provision shall include the following information: the hunter's name [and/or] identification number, the number and species (or, where relevant, sub-species) of animals harvested, the time of harvesting and information on the location where the animals were harvested.

### **5. Incentive for reporting in states that require hunting licences/permits**

The [name relevant authority] may revoke a hunting licence if the licence holder fails to comply with the reporting obligations prescribed by this Act or reports inaccurate information.

A hunting licence shall not be renewed unless the applicant has faithfully complied with the reporting obligations prescribed by this Act.

### **6. Delivery of harvest data to the AEWA Secretariat**

For populations of species in respect of which a process for adaptive harvest management is in place within the framework of an International Single Species Action or Management Plan, the [name relevant authority] shall submit a summary of the number of animals harvested, and the dates and locations of such harvests, to the appropriate international body within seven days of the closure of each hunting season.





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