



St. Gallen, 5 January 2024

Press Release

concerning the interim orders of 3 January 2024 in the proceedings
A-6740/2023 and A-6831/2023

Shooting wolves: suspensory effect continues

The cantons of Grisons and Valais ordered the preventive shooting of certain wolf populations. Due to appeals from three environmental protection organisations the controversial wolves cannot be killed before the Federal Administrative Court's judgement.

At the end of November the Federal Office for the Environment (FOEN) approved the application of the cantons of Grisons and Valais to preventively shoot certain wolf populations. In their corresponding decisions the responsible departments in the cantons gave permission for the shooting to be done by the cantonal gamekeepers.

The environmental protection organisations Pro Natura, WWF Schweiz and Schweizer Vogelschutz (BirdLife Schweiz) filed an appeal against both decisions of the FOEN with the Federal Administrative Court (FAC) on 7 and 11 December 2023 respectively. According to Article 55 of the Administrative Procedures Act this automatically causes a suspensory effect for such appeals. The FOEN and the cantons concerned applied for the suspensory effect to be withdrawn.

The shooting of wolves is irreversible

With such applications the court always reviews the prospects of success for an appeal. It then analyses whether there are enough reasons for withdrawing the suspensory effect. And lastly it weighs the interests and checks the proportionality.

In the present case the FAC confirms in its interim order that from the point of view of the parties, there is no categorical decision prognosis. A serious disadvantage is necessary for the withdrawal of the suspensory effect. In the canton of Grisons, according to the records available, the wolf packs in question seem not to rely on livestock when herd protection measures are in place. In the canton of Valais, if the herd protection measures are improved the feared high number of livestock deaths could be reduced by 55 per cent even without shooting the wolves. On the other hand, the Court points out that through the killing of wolves a state of affairs would be created which would be irreversible. For the FAC, weighing the interests and heeding the proportionality in a summary examination leads to the maintenance of the suspensory effect. It therefore rejects the application of the FOEN and the cantons concerned.

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About the Federal Administrative Court

Located in St. Gallen, the Federal Administrative Court (FAC) was established in 2007. With its staff of 351 employees (296.1 FTE) and its 73 judges (65 FTE) it is the largest federal court in Switzerland. The Federal Administrative Court has jurisdiction to hear appeals against decisions rendered by Swiss federal administrative authorities. In specific matters, the FAC may grant review on decisions rendered by cantonal authorities. Recourse actions are also reviewed by the Court. The FAC is composed of six divisions. It renders an average of 6,500 judgments every year.