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Media relations  
P.O. Box, 9023 St. Gallen

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## Press Release

regarding judgments A-6740/2023 and A-6831/2023 of 17 June 2024

### Judgment on wolf regulation

**Authorisations to regulate wolf packs issued by the Federal Office for the Environment cannot be challenged through an organisation's right of appeal at the Federal Administrative Court.**

At the end of November 2023, the Federal Office for the Environment (FOEN) approved applications from the cantons of Graubünden and the Valais to preventively cull certain wolf populations. The competent offices of the two cantons issued two corresponding decisions ordering the cantonal wildlife authorities to cull the wolves. The environmental organisations Pro Natura, WWF Switzerland, and BirdLife Switzerland lodged appeals with the Federal Administrative Court (FAC) against the two decisions on 7 December and 11 December 2023 respectively. In January 2024, the FAC confirmed that the appeals had suspensive effect.

#### Precautionary examination of the legal situation

Given that the FOEN has authorised the culling of the wolf population up until 31 January 2024, there is no longer any immediate interest in legal protection. The legal issue in dispute, namely whether an organisation actually has the right of appeal against an authorisation issued by the FOEN, may arise again annually, however. From this perspective and by way of exception, the FAC sets aside the timeliness of the legal interest warranting protection and rules on the legal situation in the cases at hand.

To safeguard the general interest in the protection of nature and cultural heritage, the relevant federal act grants environmental protection organisations that are active nationwide in Switzerland the right of appeal ("organisations' right of appeal") against projects or orders of an authority.

The FAC notes that the management of wolf populations can only be ordered or revoked by a cantonal decision. The FOEN can neither order nor revoke culls. Any appeals by organisations can only challenge the cantonal decision, and it is up to the cantonal instances to examine the legal conformity. If, conversely, the FOEN authorisation decision was also subject to judicial review by the FAC, this would give rise to duplication and result in legal uncertainty. Organisations, therefore, do not have the right of appeal against authorisations issued by the FOEN. Consequently, the FAC dismisses the appeals.

These judgments may be appealed to the Federal Supreme Court.

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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 375 employees (314.7 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.