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Expansion of Golden jackals across Europe creates tricky legal issues

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Golden jackals (*Canis aureus*) are advancing across Europe. From its traditional range in the southeast of the continent, the species is undergoing a remarkable northward and westward range expansion, the drivers of which are not yet fully understood. Increasingly, jackals are turning up in places without historic records of the species. It is surprising, therefore, that the golden jackal remains something of a neglected species from the perspectives of conservation research, policy and law – certainly when compared with the larger carnivores. Considerable confusion has arisen among experts and decision-makers across Europe, and the species has become the subject of several misconceptions.

This complex and intriguing state of affairs is the focus of a new study, conducted at the crossroads of biology and law,

published in the journal *Biodiversity and Conservation*.

Remarkable range expansion

Besides addressing various legal issues, the new study reviews the development of the golden jackal's range expansion. It provides an up-to-date overview of the species' current European range, based on prior studies and incorporating many recent records (see distribution map). Jackals have already been spotted as far as Switzerland, Germany, Poland, northern Ukraine, Belarus and even the Baltic states.

The golden jackal is *not* an (invasive) alien species

The case of the golden jackal is different from the ongoing European range expansions of wolves (*Canis lupus*) and other large European carnivores. The latter can be properly characterized as comebacks (recoveries), whereas it is uncertain to what extent this is the case for the jackal. In this connection, the question whether golden jackals appearing outside their known historic range are to be considered alien species – whether invasive or not – has been a source of confusion. Such confusion is unnecessary. Widely accepted definitions agreed under international legal instruments (e.g., Convention on Biological Diversity, Bern Convention on the Conservation of European Wildlife and Natural Habitats) make it quite clear that the term 'alien species' only encompasses creatures originating from introductions outside their regular range made *by man*.

In light of the species' impressive recent expansion, for golden jackals spotted in traditionally unlikely places like Switzerland or Estonia, the assumption should be that they arrived there on their own feet. Such jackals should thus *not* be regarded as alien species, and are *not* subject to international commitments concerning the control or eradication of invasive alien species. This may only be different when there is concrete evidence indicating that particular animals originate from a human introduction.

As jackals advance, their international legal status follows

A review of national legislation in the countries where jackals have been recorded indicates that the species' legal status varies considerably from one country to the next. The study also shows, however, that current *international* legal obligations limit the freedom of countries to decide how they wish to deal with golden jackals, including recently arriving ones. In general terms, the Bern Convention requires European states to keep jackal populations out of danger. Moreover, in EU member states the Habitats Directive imposes distinct limitations on national policy and management options regarding the golden jackal, including in scenarios where jackals are

spreading to areas without historic records of their presence. The species is listed as a 'species of Community interest' in Annex V of the Directive. As the jackals venture across the EU, the corresponding legal regime travels along with them.

Some control of jackals might be appropriate, but eradication is not

For EU member states, this entails that any killing of golden jackals must be compatible with the maintenance or achievement of a Favourable Conservation Status. To ensure this, the species must be systematically monitored. National policies preventing golden jackals from establishing and aiming for the species' eradication are incompatible with obligations under EU law. Besides the scope for national authorities to allow lethal control of golden jackals, further issues addressed in the study include the prospects for transboundary cooperation at the population level, and the responses required when jackals potentially hybridize with wolves or dogs, for instance preventing the destabilization of jackal and wolf social groups.

The golden jackal is illustrative of wider issues

The case of the golden jackal in Europe does not stand alone. As more and more species can be expected to expand beyond their historic ranges under influence of global environmental changes, the studies' findings have implications also beyond the golden jackal.

For more details, see:

A. Trouwborst, M. Krofel & J.D.C. Linnell. 2015. Legal Implications of Range Expansions in a Terrestrial Carnivore: The Case of the Golden Jackal (*Canis aureus*) in Europe. *24 Biodiversity and Conservation* (published online 27 June 2015, DOI 10.1007/s10531-015-0948-y: <http://link.springer.com/article/10.1007/s10531-015-0948-y>

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3

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