

...the information report

SAFETY : A DUTY FOR HUNTERS, AN EXPECTATION FOR SOCIETY



In response to the petition submitted by the “Un jour, un chasseur” collective, which collected more than 120,000 signatures in November 2021, the Senate created a joint oversight mission between the Economic Affairs Committee and the Law Committee. After meeting more than 170 people in nearly 48 hours of hearings, most of which were broadcast online, and after five trips in the field to study all the demands set out in the petition, the mission lauded the sharp drop in accidents observed over the past 20 years. However, it also made 30 proposals for further progress and for ways to meet the expectations of hunters and non-hunters alike, reflecting the importance of safety issues to the future of hunting.

1. ACCIDENTS AND SAFETY IN HUNTING: WHAT PROGRESS HAS BEEN MADE?



Hunting: accounts for 4% of sports accidents



drop in hunting accidents over 20 years



drop in hunting deaths over 20 years

- **Accidents in sharp decline; a marginal component of French accidentology**

According to the latest data from the French Office for Biodiversity (OFB), over the past twenty years **the number of hunting accidents has fallen by 46% and the number of deaths by 74%**. At the same time, the number of hunters declined by only 29%, and the number of big game animals killed rose by 75%. 55% of these accidents occurred during big game hunts (wild boar, roe deer or stag).

According to the latest report from the National Institute for Public Health Surveillance (INVS), released in January 2020, **hunting accounts for only 4% of all traumatic sports accidents**, ten times less than mountain sports. **Collisions with wild animals on the roads cause more injuries than hunting. The share of accidents involving alcohol is also lower in hunting (9%) than on the roads (13 to 28% depending on the circumstances)**. Nevertheless, any accident is one too many and there are two specific features that are consistently observed in hunting accidents: the involvement of firearms, and the fact that 12% of victims are non-hunters.

However, **more than two-thirds of accidents result from gross negligence in breach of basic safety rules**. Added to this are **around a hundred incidents each year - i.e., shots fired at vehicles or houses - running the risk of tragic consequences**, plus shots fired at domestic or livestock animals.

- **Systematic legal proceedings**

According to the Ministries of the Interior and Justice, hunting accidents are systematically prosecuted. They are sanctioned under the laws on manslaughter or involuntary injury. The **criminal response rate is between 90 and 95%**. No evidence has been found of any

phenomenon of refusal to file complaints; moreover, complaints may readily be filed at any police station or gendarmerie, directly with the prosecutor, or online (preliminary report).

- **Full and unlimited compensation for victims**

For hunting, insurance is legally mandatory and systematically verified. Victims are entitled to **full compensation, with no limit to the amounts awarded.** The shooter is **presumed to be liable.** If the shooter cannot be identified, the Mandatory Third-Party Liability Insurance Guarantee Fund (FGAO) will compensate the victim.

SIA: UNE MISE EN RÉSEAU DE TOUS LES ACTEURS



- **Arms and safety: a body of legislation that is already strong**

Since 2014, the practical examination for the hunting licence has focused on safety. A single error will disqualify the applicant. About 30% of applicants fail. **Since 2019, the law has imposed safety rules** for driven hunts (fluorescent vests, information signs), made a ten-year safety training course mandatory, increased the

powers of the OFB, and provided for the establishment of a national hunting licence registry.

This national registry will be linked with two others dedicated to arms control. The first was created in 2011 and is the Automated Name-based National Registry of Individuals Prohibited from Acquiring or Possessing Firearms (Finiada); the second, the Firearms Information System (SIA), is currently being deployed. These systems are intended to help provide robust monitoring of firearms and their owners, and to ensure the effectiveness of prohibitions on the acquisition and possession of firearms.

2. SAFETY: A MATTER OF CREDIBILITY AND TRUST

Despite these positive results, hunters still need to make further progress. It is a matter of credibility and trust in the eyes of non-hunters, and **an expectation amongst hunters themselves, who are the victims in hunting accidents nine times out of ten.** Of course **there is no such thing as zero risk, but that is no reason not to pursue the goal of zero accidents. Safety must be part of hunting culture.**

A. SAFETY BEFORE THE HUNT

- **Training**

The mission found that it is appropriate first of all to **improve training for hunters.** With regard to **hunting licences**, the examinations should better account for the increased popularity of big game hunting and the spread of semi-automatic weapons, and **include a test of shooting skill.** The mission also proposed the development of **tutoring for young permit holders**, whether of minor or adult age, to facilitate the communication of regulations. Hunters should be able to perform **first aid actions** and should have adequate resources available. The mission also made three further proposals: **generalise the training of driven hunt organisers**, which is already mandatory in most federations; **supplement the ten-year safety training course with a practical component** to ensure proper assimilation of the theoretical section; and lastly, committing dangerous acts could incur a requirement to take a training course.

- **Medical fitness and alcohol**

The mission also considers it necessary to **more thoroughly verify the ability of hunters to handle a firearm and use it in the field.** In this respect, the mission proposes that hunting should be brought into line with other sports involving the use of firearms (i.e., sport shooting, ball trap and ski-biathlon), thus imposing the requirement to obtain an **annual medical certificate.** Since 2005, only one such certificate has been required, when taking the examination for the initial licence. It is also **necessary to enact a prohibition against hunting under the influence of alcohol or narcotics.** Many hunters hope for an end to the stigma they suffer due to the behaviour of a small minority.

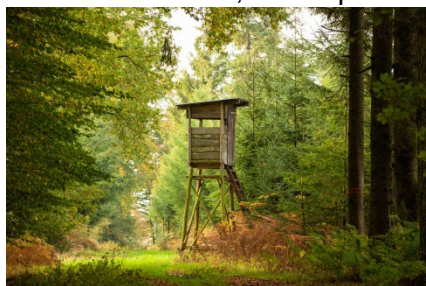
- **Local safety inspections**

Some have called for the establishment of safety distances around homes or roads, but given the range of modern firearms this would effectively lead to the prohibition of hunting in a large part of France, and would generate regulatory issues by requiring the creation of refuge areas. Accidents are the result of uncontrolled shooting and insufficient consideration of the surrounding environment. Therefore it is necessary that action be taken upstream, performing local safety inspections to better determine when, where and how hunting should be conducted. The ONF (National Forest Service) and several federations or associations of hunters have already committed to this long-term process, which should be further developed.

B. SAFETY WHILE HUNTING

- **More stringent safety regulations and systems**

Today, most of the **safety regulations** are provided as part of the Departmental Hunting Management Plans (SDGC) prepared by the hunters' federations. However, they are not uniform, and certain fundamental rules are not included or are provided only as recommendations, which prevents the OFB from sanctioning non-compliance, and can even result in the invalidation of sanctions. It is necessary to **harmonise these rules, if appropriate by legislation.**



The mission has also requested the **development of elevated hunting stands, to ensure that shots will be directed towards the ground. It has also proposed the enactment of heavier sanctions for the theft or sabotage of such safety devices.** Efforts could be made to popularise non-driven hunting methods such as stalking.

- **Mandatory declaration of driven hunts and creation of an offense of obstruction**

The law requires the posting of signage for any big game drives. But other users of natural areas may not become aware of them in a timely manner, or may already be present in the area before signage is posted. Elected officials, too, have requested to be informed of where hunting is taking place in their municipalities. Several successful experiments have been carried out, which encouraged the mission to propose that **the systematic advance declaration of hunts be required, in particular via mobile applications.**

In return, mayors could issue orders banning hunting areas when justified in light of safety concerns. On the other hand, **to prevent these declarations from being used to obstruct hunts**, the mission has requested the creation of an offense of obstruction, [modelled on the proposal passed by the Senate](#) in 2019.

- **Strengthening the hunting police**

The mission found that meeting this objective would require **a stronger role for the prefectures in the development of Departmental Hunting Management Plans**, and the possibility of enacting limits on hunting days and hours to guarantee the safety of persons. This would mean **increasing the staff and legal resources of the OFB**, but also reinforcing the authority or resources provided to other stakeholders. The mission proposes that **municipal police officers be given authority in hunting-related matters and that the prerogatives of the federations' development agents and the game wardens be clarified.**

The suspension or cancellation of hunting licences could be adapted more precisely to the gravity of the acts committed. **In case of homicide by direct fire, the perpetrator could automatically lose their hunting licence and be banned from obtaining another for ten years.**

3. HUNTERS AND NON-HUNTERS: ENJOYING NATURE TOGETHER

A. ADVOCATING COEXISTENCE RATHER THAN DIVISION

The establishment of one or more no-hunting days would supposedly help ensure that other users would be undisturbed, and that nature could be "shared." **But there is a divisive aspect to this notion of sharing, which would exclude some users for the benefit of**

others; most outdoor sports federations and other stakeholders oppose this, out of concerns that it would lead to a "slicing up" of natural areas and the exacerbation of conflicts we are already witnessing. Hunters, for their part, assert that they do not monopolise natural spaces, since the days and areas where hunting is permitted are limited, that they most often pursue this leisure activity on property that they own or rent, and that they must manage wildlife stocks, as they alone pay for the damage caused.

The mission has therefore not opted for a uniform national rule, but has held that local requests should be heard. It advocates coexistence and a framework for dialogue so that appropriate solutions can emerge. Hunting should not be practiced in the same conditions both on the outskirts of metropolitan areas and in sparsely populated rural areas.

B. CREATE TOOLS FOR DIALOGUE

- **Objectivise and address hunting-related incidents and usage conflicts**

Several associations for the defence of non-hunters have conducted opinion surveys, highlighting the concerns and conflicts raised by hunting. Some have even set up platforms for collecting testimonials. However, these procedures often do not allow sufficient verification of the events reported to provide usable data to OFB's hunting safety network. It has thus been proposed that **the OFB create a platform for collecting reports of incidents and usage conflicts in order to develop a global and objective overview.**

- **Tools and venues for dialogue**

The FNC and FDC have already signed **charters** for this purpose with other users of natural areas. These could be expanded upon. Furthermore, **the FDCs could participate as members of the public-private management consortium for regional natural parks (PNR) and of the departmental commissions for open space, recreational sites and trails (CDESI).** Finally, the mission requests that the Ministry of Sports **include hunters in the Suricate network**, in order to better collect reports of incidents and contamination events in natural areas, since they act as managers of these sites and already play the role of environmental guardians in other domains.

TO LEARN MORE

- *Rebuilding the bonds between hunting and society, 8 projects for 2040*, White Paper, François Sommer Foundation, June 2021.
- Opinion no. 411 (2018-2019) by Ms. Anne CHAIN LARCHE on the law of 24 July 2019 establishing the French Office for Biodiversity (OFB), modifying the duties of hunters' federations, and strengthening the environmental police.



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Joint mission for improved hunting safety

http://www.senat.fr/commission/affaires_economiques/mcc_securisation_chasse.html

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30 PROPOSALS FOR GREATER HUNTING SAFETY

1. Promote a culture of safety. Establish pursuit of a goal of zero accidents as a permanent process.
2. Do not prohibit rifles, but rather update the 1982 circular prohibiting shooting at houses or roads to include them.
3. Develop safety inspections of hunting areas at the departmental and local levels.
4. Reinforce examinations for hunting licences by requiring proof of skill in handling semi-automatic weapons and a shooting performance test.
5. Generalise mentoring of young licence holders during their first year of hunting activity, and of minor-age hunters until they come of age.
6. Develop first aid training for hunters: PSC1 first aid examination mandatory to obtain a hunting licence; presence of a trained hunter and a first aid kit during collective hunts.
7. Require a day of theoretical and practical training for the possession of rifles (if not already required to obtain a hunting licence).
8. Require training for driven hunt organisers. Combine this with a requirement to obtain insurance coverage.
9. Supplement the ten-year safety training with a practical component. Render it mandatory for any approval when ten years have passed without hunting.
10. Develop training services to help correct dangerous behaviour, as decided by the FDC (departmental federation of hunters), ACCA (authorised municipal hunting associations), OFB (French Office for Biodiversity) or by public prosecutor's offices, in particular via training programs as an alternative to prosecution.
11. Enact a requirement to obtain an annual medical certificate. Harmonise hunting with other gun sports.
12. Prohibit the use of alcohol and narcotics while hunting. Harmonise the prohibited blood alcohol levels, the prohibitions on narcotics usage, and the corresponding penalties with the rules in force under the Highway Code.
13. Develop a culture of proper firearm use: training in shooting, weapon calibration, installation of hunting stands, etc.
14. Improve monitoring of weapons possession and control of Finiada registrations in case of hunting under supervision or legal proceedings, particularly in case of violence.
15. Pursue the legislative harmonisation of the primary hunting safety rules and allow prefects to arrange for revisions of the SDGC for safety reasons.

16. Support the activity of hunters' federations to promote the installation of raised hunting stands. Strengthen the penalties imposed for the theft, destruction and sabotage of safety equipment.
17. Make safety flags on guns mandatory to ensure and visibly demonstrate that they are not armed.
18. Popularise safer hunting methods, including stalking, and remove regulatory obstacles where they exist.
19. Require the mandatory prior declaration of big game hunts and encourage the enactment of decrees prohibiting access to hunting areas when justified by safety concerns. Make this information available as open data.
20. Introduce into the criminal code an offense for obstructing the conduct legal sports or leisure activities.
21. Allow prefects to limit hunting days and times to ensure the safety of persons.
22. Retain OFB staff to perform hunt police duties. Implement the order issued by from the Ministers of Justice and the Environment granting OFB inspectors increased powers to act as criminal investigations police.
23. Grant authority to municipal police forces to handle hunting police matters.
24. Clarify the powers of development agents and private game wardens so as to tighten monitoring on the part of the hunting police.
25. Allow tax deductions for expenses incurred by wolf-hunting officers in the exercise of their public service duties.
26. Clarify the duties of the departmental security commissions of the FDC in order to prevent and sanction dangerous behaviour.
27. Adjust the suspension or cancellation of hunting licences more precisely according to the gravity of violations. In case of homicide by direct fire, the perpetrator should lose their hunting licence automatically and be banned from obtaining another for ten years.
28. The establishment of a national no hunting day is not recommended. But a framework for dialogue should be established to allow local adaptations to be jointly determined by local stakeholders.
29. Create a platform for registering hunting-related incidents and usage conflicts to be managed by the OFB.
30. Develop tools for dialogue between hunters and other stakeholders in natural areas. Ensure that FDCs are members of PNRs, CDESIs, and the Suricate network. Universalize policy charters in collaboration with outdoor sports federations.