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**Second report
on the application of Directive No 79/409/EEC
on the conservation of wild birds**

(presented by the Commission)

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INTRODUCTION

Directive 79/409/EEC on the conservation of wild birds is one of the most important pieces of EC environmental legislation. It was indeed the first European directive on the conservation of nature in general in that it concerns the protection not only of birds but also of their habitats. It is therefore of major importance for the management of natural resources in Europe.

As with all EC directives, directive 79/409/EEC is a binding legal instrument: Member States must comply with the obligations it imposes upon them by adopting the necessary laws, regulations and administrative arrangements and by modifying their practices so as to comply with the provisions laid down in the directive. For compliance to be achieved, the Council allowed Member States a period of two years as of the notification date of the directive (April 1979).

To mark the ten years since directive 79/409/EEC entered into force, it was decided to produce a report assessing the directive's contribution to the conservation of bird fauna in the Community. The main purpose of this report is to highlight what has been achieved as a result of the directive and to underline application problems which have yet to be solved.

This report summarises the provisions taken by Member States and constitutes a comprehensive information document on the implementation of the directive over the period 1981 - 1991.

The first part deals with Community aspects (the directive itself, the role of the Commission) and other legal instruments concerning the conservation of birds, adopted at EC or international level.

The second part deals with the implementation of the directive by the Member States. The implementation of its main provisions are presented on a subject-by-subject and a country-by-country basis to provide a clear picture of the measures which have been taken in the various fields (hunting, habitats, conservation of species etc.) to protect wild birds.

The third part presents the problems relating to implementation of the directive by the Member States.

This report was compiled from information contained in the national reports submitted to the Commission by Member States under Articles 12 and 9 of the directive. It is also based on additional information gathered from the

ministries of environment and non-governmental organisations in the 12 EC countries.

The report was compiled with a view to presenting the situation in the Member States as extensively as possible but it does not claim to be exhaustive. For practical reasons, regional differences in the laws and other measures adopted in Spain, Italy and Germany in the fields covered by this report have not been taken into account. The study is confined to an assessment of measures adopted at national level for all EC Member States except Belgium¹ and the United Kingdom².

This report is intended for persons from all areas concerned with the conservation of wild birds: central, regional and local government, research institutes, environmental protection groups, hunting associations and ornithologists at large.

Given the various threats European birds are faced with, this report will hopefully contribute to improving their conservation by encouraging those who are in charge of nature protection at all levels to maintain the efforts made and to tighten and extend controls to safeguard wild birds occurring in Europe and ensure their survival.

1) For Belgium, the regions of Flanders and Wallonia were dealt with separately
2) For the United Kingdom, Great Britain (comprising England, Scotland and Wales) and Northern Ireland were dealt with separately except where derogations and research are concerned

BACKGROUND AND PURPOSE OF THE DIRECTIVE _____

Following scientific research conducted by the Commission, it was found that the number of species of European birds was falling and, in addition, the population levels of some species were declining sharply. In view of the serious threat that this posed to the conservation of natural heritage, it became necessary to adopt specific protection measures to deal with the different factors influencing population levels of wild birds. Since a large number of European species are migratory, it was recognised that the protection of wild birds is a transboundary problem entailing shared responsibilities at European level.

Directive 79/409/EEC, adopted by the Council on April 2 1979, establishes a general system of protection for all species of naturally occurring birds in the wild state in the European territory of the Member States. The purpose of the directive is to protect and manage these species and to regulate the hunting, capture, killing and sale of such species.

FORCE OF THE DIRECTIVE _____

■ General obligations

First and foremost, it must be emphasised that this directive concerns birds as well as their eggs, nests and habitats (Article 1).

There is a general obligation on the Member States to take the requisite measures to maintain their bird populations at a level which corresponds in particular to ecological, scientific and cultural requirements, while taking account of economic and recreational requirements (Article 2).

The general system of protection for birds (Article 5) prohibits:

- * deliberate killing or capture
- * deliberate destruction of, or damage to, their nests and eggs or removal of their nests
- * taking their eggs in the wild and keeping these eggs even if empty
- * deliberate disturbance of these birds particularly during the breeding and rearing period and keeping birds belonging to species which may not be hunted or captured.

1) *Belgium (B), Denmark (DK), France (F), Germany (D), Greece (G), Ireland (IRL), Italy (I), Luxembourg (L), Netherlands (NL), Portugal (P), Spain (E), United Kingdom (UK)*

• Measures concerning habitats

Since the destruction of natural and semi-natural environments is the most serious threat to birds, directive 79/409/EEC focusses on preserving, maintaining and re-establishing a sufficient diversity and area of habitats. In particular, this includes the creation of protected areas and biotopes and the re-establishment of destroyed biotopes (Article 3).

Annex I primarily lists vulnerable and rare species and those in danger of extinction. Such species are to be the subject of special conservation measures concerning their habitat in order to ensure their survival and reproduction. The original list of 74 species making up Annex I of the directive was amended twice: by directive 85/411/EEC and by directive 91/244/EEC. There are now 175 species and subspecies listed in this Annex (see Annex 3 of this report).

Member States must classify the most suitable territories (both land and marine areas) in number and size as special protection areas (SPAs) for the conservation of these species. Similar measures must be taken for regularly occurring migratory species not listed in Annex I. Particular attention is to be paid to the protection of wetlands and especially those of international importance as laid down in the Ramsar Convention.

Member States must send the Commission information on the measures they have adopted so that it can coordinate them with a view to establishing a coherent network. In addition, Member States must take appropriate steps to avoid pollution or deterioration of habitats both inside and outside special protection areas (Article 4).

• Restrictions on sale

The sale of wild birds (including the transport, keeping and offering for sale) is prohibited. The ban concerns live or dead birds and any readily recognisable parts or derivatives of such birds.

Sale of the seven species of birds listed in Annex III part 1 is not prohibited provided that the birds have been legally acquired (i.e. killed or captured). The 19 other species listed in Annex III part 2 (formerly ten species, amended by directive 91/244/EEC) may be exempted from this prohibition by Member States but they must first consult the Commission (Article 6).

• Hunting and killing

The 72 species listed in Annex II may be hunted under national legislation but Member States are to ensure that hunting does not jeopardise conservation efforts. Annex II of the directive is in two parts: the 24 species in the first part may be hunted anywhere in EC territory whereas the 48

species in the second part may be hunted only in certain Member States (indicated in the Annex). Whatever the case, the practice of hunting must comply with the principles of wise use and ecologically balanced control of the species of birds concerned.

In particular, Member States are to ensure that species which may be hunted are not hunted during the rearing season nor during the various stages of reproduction. Migratory species which may be hunted are not to be hunted during their period of reproduction or during their return to their breeding grounds (Article 7).

Annex IV of the directive lists certain methods of capturing and killing birds (including snares, nets, poisoned bait, blind or mutilated live birds used as decoys) and methods of hunting using means of transport (aircraft, motor vehicles, boats) all of which are prohibited. The general principle is a ban on the use of all means, arrangements or methods used for the large-scale or non-selective capture or killing of birds or capable of causing the local disappearance of a species (Article 8).

■ Derogations

Member States may derogate from the provisions concerning the general system of protection, sale, hunting and killing where there is no other satisfactory solution. Such derogations must be taken according to a procedure and for reasons which are expressly defined in Article 9 of the directive. These reasons are:

- * in the interests of public health and safety
- * in the interests of air safety
- * to prevent serious damage to crops, livestock, forests, fisheries and water
- * for the protection of flora and fauna
- * for the purposes of research and teaching, of re-population and re-introduction
- * to permit, under strictly supervised conditions and on a selective basis, the capture, keeping or other judicious use of certain birds in small numbers.

An annual report of the derogations authorised by the Member States must be compiled by the latter and submitted to the Commission. The Commission must at all times ensure that the consequences of these derogations are not incompatible with the directive.

■ The ORNIS Committee

A Committee was set up in accordance with Article 16 of the Directive to adapt the directive to technical and scientific progress : the ORNIS Committee. It consists of representatives of Member States, most of whom occupy positions within the nature conservation department of their country's Ministry of the Environment, and is chaired by a representative of DG XI at the Commission. The Committee meets at least once a year to discuss problems encountered by the various countries in implementing the provisions of the directive and to consider possible amendments to the directive (Article 16). In addition, this Committee is assisted in its work by a scientific working group made up of experts from the 12 EC countries.

■ Other measures

Member States are to encourage research and any work required for the purpose of protection, management and use of birds (Article 10).

Every three years, Member States are to submit to the Commission a report on the implementation of national provisions taken to comply with the directive (Article 12).

Member States may introduce stricter protection measures than those provided for under the directive (Article 14).

OTHER COMMUNITY ASPECTS ---

■ The FFH directive (Fauna, Flora and Habitats)

Within the framework of its Fourth Action Programme on the Environment (1987 - 1992), the Commission drafted a proposal for a directive on the protection of natural and semi-natural habitats and wild fauna and flora. In view of the serious threats to the natural environment from intensive farming, urbanisation, road building and hydraulic works, this new directive, adopted by the Council on May 21 1992, is a response to the urgent need to protect habitats which are vital for the reproduction and survival of many species of flora and fauna.

It is important to specify that the FFH directive complements directive 79/409/EEC on the conservation of wild birds and does not replace it.

Certain management measures for the FFH Directive's Special Areas of Conservation, as laid down in Article 6 of this Directive, could become applicable to the Special Protection Areas foreseen in Article 4 of the wild birds directive. The habitats covered by the new directive include estuaries, marshes, salt meadows, bogs heathland, natural grassland and forests.

■ TECHNICAL AND SCIENTIFIC WORK

The Commission's Directorate General (DG) XI is in charge of administering directive 79/409/EEC and monitoring its implementation in the Member States. In addition, it promotes applied research on a regular basis on specific topics concerning the protection of birds (see Annex 1 of this report). Topics dealt with include population levels, the impact of hunting and migration routes within EC territory. The purpose of this research is to assess the impact of measures adopted under the directive by Member States and to determine what further steps are necessary to improve the situation.

The ORNIS Committee has also addressed certain biological concepts contained in directive 79/409/EEC, such as :

- (i) Explanation of the concept "taking account of economic and recreational requirements" (Article 2) in relation to the taking of birds (by hunting and capture):

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- 1) *Directive 92/43/EEC of 21/5/92 on the conservation of natural habitats and of wild fauna and flora, O.J. L 206 of 22.7.1992, p. 7*
 - 2) *Reminder of Article 7 of the FFH directive:
Obligations arising under Article 6 (2), (3) and (4) of this directive shall replace any obligations arising under the first sentence of Article 4 (4) of directive 79/409/EEC in respect of areas classified pursuant to Article 4 (1) or similarly recognised under Article 4 (2) thereof, as from the date of implementation of this directive or the date of classification or recognition by a Member State under directive 79/409/EEC, where the latter date is later.*

The main conclusions from the general understanding of population dynamics and the theory for the taking (hunting and capture) of migratory birds are as follows. Low levels of taking are likely to have little effect on spring population size. Moderate levels of taking are unlikely to cause populations to decline but will reduce the size of the spring population. Very high levels of taking will lead to a decline in populations, and for most species the level of taking at which this will occur is unknown.

It is in the interest both of conservationists and hunters to ensure that bird populations do not undergo long-term declines. Better data and modelling of the population dynamics of sedentary and migratory birds subject to taking is needed. In the absence of such information, high levels of taking should be avoided.

- (ii) Meaning of the concept "during the rearing season nor during the various stages of reproduction (and dependence)" (Article 7, para 4)

The entire rearing season is encompassed by the various stages of reproduction and dependence.

Thus the period of reproduction and dependence begins when the nesting territory is defended and ends when the young become independent (see Annex IV to this report).

- (iii) Meaning of the concept "during their period of reproduction or during their return to their rearing grounds" (Article 7, para 4)

The entire period of reproduction is encompassed by the various stages of reproduction and dependence i.e the period of reproduction and dependence which has been defined for all species, whether migratory or sedentary.

The concept must therefore be taken to mean the period from the beginning of the annual geographical migration towards the reproduction areas until the end of the various stages of reproduction and dependence. For geese, these stages are considered to end with the fledging of the young.

- (iv) Explanation of the notion of "wise use" (Article 7, para 4)

For species which may be hunted, the impact of hunting on spring populations is two-fold:

- a reduction of the population size
- a reduction of available habitats

A reduction in the size of spring populations means:

- that the number of birds is lower than it would be if there were no hunting
- or that the population reserve is smaller in size
- or that the emigration and colonisation potential is reduced

The latter two factors determine the ability of a species to adapt to a changing environment. It is thus important for fauna management that the impact of hunting be assessed in terms of the level of spring populations surviving.

A reduction of available habitats occurs through two processes :

- the disturbance caused by hunting restricts the use of habitats where hunting takes place
- more importantly, animals subjected to hunting have to cover greater distances to escape hunting. This means that they cannot colonise habitats with a relatively high human presence

Species with an unfavourable conservation status are those with some populations declining within the Community or with very low population levels. It is of course generally not advisable to subject such species to hunting. In some cases, not for biological but for sociological reasons, it may however be beneficial for the conservation status of a particular species to keep hunting possible.

The combined effects of a reduction in the population size (thus its potential to colonise) and a reduction in available habitats make it necessary, in cases where it is desired to continue hunting species with an unfavourable conservation status, to compensate for the impact of hunting by positive measures for habitat management.

These measures may be adopted within restoration plans which, because the latter aim to improve the species' overall potential to reproduce, colonise and adapt to changes in the environment, must apply to all populations, peripheral as well as central. Indeed, peripheral populations play a particularly important role in the process through which species adapt to changes in the environment. In the European context, this process is fundamental.

(v) Explanation of the concept of "other judicious use"
(Article 9, paragraph 1c)

This concept is to include activities which make a vital contribution to improving the efficiency of the general system for the protection of wild birds

established by the directive. It may also include other use provided that this does not jeopardise the general objectives of the directive and it may include hunting using birds of prey in the context of falconry.

(vii) Explanation of the concept of "small numbers" (Article 9, paragraph 1c):

Under Article 9, it is possible to derogate from the provisions of Articles 5, 6, 7 and 8 where there is no other satisfactory solution, particularly (subparagraph (c)) in order to permit the capture, keeping or other judicious use of certain birds. In this case, Article 9 stipulates that the derogations are only to concern "small numbers". A method to determine a quantity has been developed in order to fix a threshold below which the derogation is automatically considered as meeting the requirements of the notion of "small numbers".

- 1) The notion of "small numbers" is necessarily relative. A size cannot be small or large except in relation to another size.
- 2) That said, the question then arises as to the size to which "small numbers" are to be compared. Since all the cases of derogations concern the taking of birds i.e. an annual loss for the population affected, the most appropriate solution is to compare the numbers involved in this taking to the overall annual mortality, defined as the sum of deaths due to natural causes and to the taking of birds under Article 7 if applicable.
- 3) It is therefore proposed to fix the threshold of "small quantities" as a given percentage of the total annual mortality of the population(s) concerned by the derogation.
- 4) For sedentary species, "population concerned" means the population of the geographical region in which the derogation applies; For migratory species, it means the population of the regions from which the largest numbers of migratory birds come before passing through the region where the derogation applies during the period the latter is in force.
- 5) In order to determine an exact figure for the threshold, two approaches are possible:
 - the figure must be much lower, by at least an order of size, than those figures characteristic of the taking of birds under Article 7. A figure of 1% meets this condition.

1) p. 155, Rapport EUR 12835 (Information sur l'application de la directive 79/409/CEE)

- the taking must have a negligible effect on the population dynamics of the species concerned. A figure of 1% or less meets this condition as the parameters of population dynamics are seldom known to within less than one percentage point and bird taking amounting to less than 1% can be ignored from a mathematical point of view in model studies.

- 6) "Small numbers" should be considered as being any taking of less than 1% of the total annual mortality of the population concerned (average value) for species which may not be hunted and any taking of around 1% for species which may be hunted, it being understood that conformity with Article 9 of the directive depends in any event on compliance with the other provisions of the Article.

For takings exceeding these thresholds, an in-depth scientific analysis is conducted by the competent authority which authorises the derogation. This is in order to verify that the derogation is not incompatible with the objectives of the directive. The results of this analysis are to be presented to the ORNIS Committee.

* ACE

Under regulation (EEC) no. 1872/84 (of 28/6/84) on Action by the Community relating to the Environment (ACE), the Community could grant financial support for projects providing an incentive and aimed at maintaining or re-establishing seriously threatened biotopes which are the habitat of endangered species and are of particular importance to the Community (under directive 79/409/EEC).

To this end, the Community had earmarked a total budget of 6.5 million Ecus and financial support from the Community for such a project could amount to up to 50% of its total cost. This percentage was modified by regulation (EEC) no. 2242/87 of 23/7/87 under which – in exceptional circumstances – the financial support could be up to 75% of the total cost of the project provided that it concerned biotopes which are the habitat of species threatened with extinction in the Community. The total budget earmarked was increased to 24 million Ecus.

The ACE measures are closely linked to directive 79/409/EEC and they have made it possible to maintain and re-establish a large number of important biotopes for wild birds.

■ ACNAT

Where nature conservation is concerned, the ACE measures were replaced by Action by the Community relating to Nature Conservation (ACNAT) under regulation (EEC) no. 3907/91 of 19/12/91. The Community has earmarked a total budget of 50 million Ecus for ACNAT for a period of two years and may grant financial support for projects aimed at:

- maintaining or re-establishing biotopes which are the habitat of endangered species or seriously threatened habitats of particular importance to the Community, or at implementing measures to conserve or re-establish endangered species
- maintaining or re-establishing types of natural habitat of Community interest (e.g. marshes and salt meadows, dunes, steppes, stagnant water, heathland, natural grassland, peatbogs and forests).

In normal circumstances, financial support from the Community for such projects may be up to 50% of their cost and, in exceptional circumstances, up to 75% provided that they concern:

- biotopes or habitats of species threatened with extinction in the EC
- habitats in danger of disappearance in the EC
- species threatened with extinction in the EC

Because of their wide scope, the ACNAT measures will significantly contribute to the safeguarding of habitats and the conservation of endangered species in the EC.

LIFE

On 21.5.92, in accordance with EEC Regulation 1973/92, a financial instrument for the Environment (LIFE) was established in order to assist development and implementation of Community environment policy and legislation. The habitat and nature protection chapter of LIFE, which replaces ACNAT, allows for funding of actions which help meet the obligations under Council Directives 79/409/EEC and 92/43/EEC.

Projects must be presented by the Member States and evaluated by the Committee set up under Directive 92/43/EEC; they must also be part of the list of priority actions eligible for LIFE funding a list which is published annually in the Official Journal of the European Communities.

■ The ORNIS database

The ORNIS database was set up by the ORNIS Committee in 1991. Its purpose is to collect and provide the information necessary for implementing directive 79/409/EEC. The database brings together scientific and technical data concerning:

- population size and trends of the different species of birds
- basic information on their habitats
- basic information on aspects dealing with time and space (physical location) of their reproduction, migration and wintering
- data on the main impact of humans on their population dynamics (deliberate taking).

This database will lead to a better understanding of species biology and habitat ecology and will thus help to increase scientific knowledge in this field (for further information and the list of national contacts see Annex II of this report).

INTERNATIONAL COOPERATION ---

Besides directive 79/409/EEC, there are other international legal instruments which play an important role in the protection of wild birds:

■ The Ramsar Convention

The Convention on Wetlands of International Importance, known as the Ramsar Convention, was signed on February 2 1971. It is based on the principle that habitats of species of flora and fauna above all must be protected. Wetlands are defined as being areas of marsh, fen, peatland or water, whether permanent or temporary, with water that is static or flowing, fresh, brackish or salt (Article 1).

Land drainage and development over the last 20 - 30 years have caused a considerable reduction in the surface area of wetlands in Europe and beyond. This situation prompted the drafting of an international legal instrument.

Under the Ramsar Convention, each contracting party is to designate, within its national territory, wetlands of international importance in terms of ecology, botany, zoology, limnology or hydrology, for inclusion in an International List. In the first instance, wetlands of international importance to waterfowl at any season should be designated (Article 2). The contracting parties must also

1) *The List of Wetlands of International Importance is maintained by the International Union for the Conservation of Nature and Natural Resources (under Article 8 of the Convention).*

endeavour to co-ordinate policies and regulations concerning the conservation of wetlands and their flora and fauna (Article 5).

All the EC Member States except Luxembourg have ratified this Convention. In the latter country, a Bill for ratification was put before Parliament on December 6 1989.

• The Bonn Convention

The Convention on the Conservation of Migratory Species of Wild Animals (the Bonn Convention) was signed on June 23 1979. It concerns not only certain species of birds, but also certain species of (terrestrial and marine) mammals, reptiles and fish.

The contracting parties recognise that the conservation and effective management of migratory species of wild fauna require the concerted action of all States within which these species spend any part of their life cycle.

Under the Convention, immediate protection is to be provided for migratory species threatened with extinction (Article 3). Contracting parties must also pay special attention to migratory species with an unfavourable conservation status and individually or in cooperation take appropriate and necessary steps to conserve such species and their habitats (Article 2). In addition, the concluding of international agreements for the conservation and management of such species is encouraged (Article 4).

The Community and all Member States except Greece are parties to this Convention.

• The Bern Convention

The Convention on the Conservation of European Wildlife and Natural Habitats, known as the Bern Convention, was signed on September 19 1979. It is based on the principle that wild flora and fauna constitute a natural heritage which plays a vital role in maintaining biological balances. The contracting parties recognise the importance of conserving wild flora and fauna and their natural habitats, especially those species and habitats whose conservation requires the cooperation of several States. Particular emphasis is given to endangered and vulnerable (migratory) species (Article 1).

The Community and all Member States are parties to this Convention.

The EC, by virtue of its exclusive jurisdiction in the field of the protection of birds, acts for the 12 Member States within the framework of the two above Conventions.

On account of their contents, the three above-mentioned Conventions are closely linked to directive 79/409/EEC. Although they do not exclusively concern birds, their legal importance for the protection of wild birds at international level must be emphasised.

1) *Chambre des Députés*

IMPLEMENTATION
(1981 - 1991)

MEASURES TAKEN BY MEMBER STATES TO PROTECT SPAS AND HABITATS OUTSIDE SPAS (1981-1991)

Article 3:

1. *...Member States shall take the requisite measures to preserve, maintain or re-establish a sufficient diversity and area of habitats for all the species of birds referred to in Article 1.*
2. *The preservation, maintenance and re-establishment of biotopes and habitats shall include primarily the following measures:*
 - a) *creation of protected areas*
 - b) *upkeep and management in accordance with the ecological needs of habitats inside and outside the protected zones*
 - c) *re-establishment of destroyed biotopes*
 - d) *creation of biotopes*

Article 4:

1. *The species mentioned in Annex I¹⁾ shall be the subject of special conservation measures concerning their habitat in order to ensure their survival and reproduction in their area of distribution*

In this connection, account shall be taken of:

- a) *species in danger of extinction*
- b) *species vulnerable to specific changes in their habitat*
- c) *species considered rare because of small populations or restricted local distribution*
- d) *other species requiring particular attention for reasons of the specific nature of their habitat*

Trends and variations in population levels shall be taken into account as a background for evaluations.

Member States shall classify in particular the most suitable territories in number and in size as special protection areas for the conservation of these species, taking into account their protection requirements in the geographical sea and land area where this directive applies.

2. *Member States shall take similar measures for regularly occurring migratory species not listed in Annex I, bearing in mind their need for protection in the geographical land and sea area where this directive applies, as regards their breeding, moulting and wintering areas and staging posts along their migration routes. To this end, Member States shall pay particular attention to the protection of wetlands and particularly to wetlands of international importance.*

1) *See Annex 3 of this report*

3. *Member States shall send the Commission all relevant information so that it may take appropriate initiatives with a view to the coordination necessary to ensure that the areas provided for in paragraphs 1 and 2 above form a coherent whole which meets the protection requirements of these species in the geographical land and sea area where this directive applies.*
4. *In respect of the protection areas referred to in paragraphs 1 and 2 above, Member States shall take appropriate steps to avoid pollution or deterioration of habitats or any disturbances affecting the birds, in so far as these would be significant having regard to the objectives of this Article. Outside these protection areas, Member States shall also strive to avoid pollution or deterioration of habitats.*

The main measures taken by Member States since 1981 under the above-mentioned Articles of the directive are presented on the following pages in a country-by-country summary. Tables 1(i) and 1(ii) give an overview of SPAs designated throughout the EC in 1991 and, by way of comparison, in 1986 (see also pages 113 and 114).

B - BELGIUM

The Nature Conservation Act of 12/7/73, is the main statutory instrument enabling certain areas to be given protection status. In particular, it provides for the possibility to create (and to subsidise) nature reserves, forestry reserves and nature parks. For each of these three categories of protection, the law imposes, in differing degrees, protection measures and allows for the setting up of management plans.

Legislation on physical planning and the conservation of monuments and sites constitutes two other useful statutory instruments: the first provides in particular for the possibility for certain parts of Belgian territory to be set aside for nature areas (*zones naturelles*) or for areas of scientific interest (*zones d'intérêt scientifique*) when development plans² (sectoral plans) are drawn up; the second enables certain sites to be classified for their scientific value.

Since 1980, nature conservation, physical planning as well as monuments and sites fall within the competence of the Regions. To a large extent, the above-mentioned legislation remains common to the Regions even if since 1980, it has been somewhat amended or led to different measures of application depending on the Regions.

It is clear that areas protected under this legislation have served as a framework for the designation of SPAs by the Regions. Following this, the Regions have adopted a number of measures or implemented actions which ensure better protection of SPAs, particularly of those areas not concerned by the application of the above-mentioned legislation.

In Flanders

* an Order adopted by the Regional Executive on 4/12/91 carries the obligation to make an official declaration for any alteration to the vegetation in areas of biological value so that appropriate measures can be taken to protect these areas. The areas concerned (marshes, old pastures) include areas which, because of their vegetation, provide a habitat for large populations of birds during certain periods of the year.

* all municipal authorities were notified of the Order adopted by the Regional Executive (17/10/88) designating the SPAs and they were requested to take this into account in municipality management.

1) *Wet voor het natuurbehoud/Loi sur la conservation de la nature*
2) *Plans d'aménagement du territoire*

* under the Protection of Surface Water Act¹ of 26/3/71, the Flemish Department of the Environment has drawn up a surface water quality plan on a trial basis in an area where an SPA is situated.

* an Order adopted by the Régional Executive on 23/3/89 stipulates that environmental impact studies must be carried out prior to the undertaking of work or activities, in particular in certain areas included in sector plans (nature area, nature reserve, area of ecological value) as well as in Ramsar sites and SPAs. This is especially directed at construction or alteration of motorways, airports, leisure or tourist infrastructures, land regrouping and land clearing projects and hydraulic works.

* in some SPAs, specific measures have been taken, such as requiring the water table to be maintained at a certain level or classifying the area as a green area (*zone verte*). These areas have also been incorporated into a recent project to draw up a plan of action entitled "main green structure" (*structure principale verte*) for the Region of Flanders. The purpose is to designate a structured set of land areas in which a more intensive policy of nature conservation is to be implemented. The main structure will include four types of areas to be used for specific purposes:

- core areas (*zones noyaux*) where nature conservation should be the main function. These are relatively large natural areas or which encompass a large number of small natural areas;
- nature development areas (*zones de développement de la nature*) where it is possible to implement a policy of developing or re-establishing natural areas. In these areas, nature conservation is one function among others e.g. agriculture, forestry or outdoor leisure activities;
- link areas (*zones de liaison*) which offer new opportunities for migration, nesting and the protection of species which may recolonise new or abandoned sites;
- buffer areas (*zones tampon*) which are to protect core areas and development areas against harmful external influences (e.g. air pollution or a fall in surface water levels).

The regional authorities have drawn up an initial inventory of core and development areas.

In Wallonia

* in woodland areas under the forest regime (public forests) situated in SPAs, conservation objectives, particularly regarding birds, are integrated in forest development plans². For private landowners, afforestation or reforestation

1) *Wet op de bescherming van de oppervlaktewateren*
2) *Plans d'aménagements forestiers*

from broad-leaved tree species is especially encouraged when it is carried out in an SPA (5% increase in subsidy rate).

- * maps showing the core areas and the peripheral areas for each SPA have been sent to all the provinces, municipalities, institutions and administrative services concerned to varying degrees by the development of rural areas.

- * conservation requirements linked to SPA designation are taken into account by the regional authority where authorisations are issued concerning land and urban development, protection of surface water against pollution, waste, noise abatement, non navigable water courses and wateringues. The regional authority has requested municipal authorities and provinces to do likewise.

- * whenever a problem is reported in an SPA and especially in their core areas, consultation meetings are held with all the interested parties so as to maintain the biological interest of the site in question.

- * contracts for studies amounting to 7.5 million FB have been negotiated for six SPAs. The studies, involving censuses and ecological descriptions of these SPAs have either been completed or are underway. They should enable guidelines to be set up to determine measures to be taken in each type of biotope.

- * a Decree adopted by the Regional Executive on 7/9/89, amending the Nature Conservation Act, stipulates that now the designation of a site as a nature reserve takes effect as soon as the Executive has notified the owner of the site of its intention to do so. This is for a period of one year maximum pending its final statutory designation as a reserve. This provision is particularly useful when, for example, it is necessary to urgently save a site that is significant for the protection of birds.

- * an Order adopted by the Regional Executive on 8/6/89 sets up a system of protection for all wetlands the biological interest of which has been officially recognised by the Minister in charge of Nature Conservation, following advice from the National Nature Council.



- GERMANY

In Germany, there are no SPAs as such but there are 117 areas designated in compliance with Article 4 of the directive.

1) *Conseil Supérieur de la Nature*

The amended Federal Nature Conservation Act of 12/3/87 provides for six different categories of protection areas:

- nature protection areas (*Naturschutzgebiete*)
- national parks (of which there are four)
- countryside protection areas (*Landschaftsschutzgebiete*)
- nature parks
- natural monuments (*Naturdenkmäler*)
- protected features of the countryside (*geschützte Landschaftsbestandteile*)

In general, important bird areas are protected under the classification "nature protection area". They are normally designated by way of decree adopted by the regional State (Land) governments for the purpose of preserving biocenoses or biotopes of species of wild flora and fauna, for scientific reasons or because of their rarity, features or beauty.

Of the six types of protection area, nature protection areas benefit from the strictest protection. Any activity which may destroy, damage or alter these areas either wholly or in part or which may cause a constant nuisance is prohibited. Furthermore, such areas are kept under regular surveillance.

Environmental protection associations play an important role in managing nature protection areas in certain Länder. For example, the German Association for the Protection of Birds in Schleswig-Holstein and in Baden-Württemberg and the WWF in Bremen.

Such associations often own the protected areas. Some Länder (e.g. Bayern) grant subsidies of up to 50% of the purchase price to associations (or municipalities) wishing to buy areas of land for conservation purposes.

Alongside these measures, there are also private nature reserves and voluntary management agreements may be concluded between the State and landowners. Under such a contract, the landowner undertakes to implement certain measures or to refrain from certain activities. In exchange, he is given compensation payment.



- DENMARK

All the important bird areas have been classified and the results were published in 1983 in a book entitled *EF - fuglebeskyttelsesområder* (EC Bird Protection Areas). The aim of this publication was to provide guidelines for decision-makers responsible for planning and land use. A total of 111 Bird Protection Areas have been designated, covering 960.092 ha. of which 242.000 ha. (i.e. 5.6% of the total surface area of the country) are land areas and 718.000 ha. marine areas.

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- 1) *Neufassung des Bundesnaturschutzgesetzes*
 - 2) *Deutscher Bund für Vogelschutz*
 - 3) *World Wide Fund for Nature*

The Conservation of Nature Act (Law no. 530 of 10/10/84, amended by Law no. 355 of 13/5/87) provides for four types of measures aimed at habitat protection:

i) general conservation of certain habitats and important features of the countryside. This includes a ban on destruction and on land cultivation and drainage:

- natural lakes (with a surface area of more than 500 m²)
- all watercourses having a nature conservation interest (approximately 2/3 of all watercourses in Denmark)
- bogs (of more than 5.000 m²)
- salt meadows and salt marshes (of more than 3 ha)
- heaths (of more than 5 ha)
- protected strips along the whole coastline, along the banks of larger watercourses, around larger lakes and around monuments.

In the above-mentioned areas, almost any alteration requires authorisation from the nature conservation authorities. In general, the building of roads and electricity pylons also require the approval of the nature conservation authorities.

ii) land areas may be protected under an individual conservation order (easement) which guarantees full compensation to any private owner in the event of expropriation. Each individual conservation order consists of a set of detailed rules designed especially for the particular area being protected

iii) certain marine areas may be protected under ministerial conservation orders.

iv) natural monuments and national landmarks

Under the Hunting and Wildlife Administration Act (no. 294) of 9/6/82, game reserves may be created. In these areas, hunting and/or public access is prohibited wholly or in part. However, game reserves do not benefit from any habitat protection as such. In 1988, there were 82 such areas covering a total surface area of 120.000 ha.

In recent years, protection of the 111 SPAs has greatly improved:

- * firstly, in order to protect wetland habitats designated as SPAs against afforestation, the Ministry of the Environment has forbidden tree-planting except in those areas selected for the purpose of protecting woodland birds.
 - * secondly, a monitoring programme of birds in Ramsar sites and SPAs (1987-89) points to the fact that these areas fulfil their objectives to a very large extent. Furthermore, the designations have largely prevented major habitat changes within these areas.
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In addition, Danish legislation on nature conservation has been strengthened. The main measure related to bird habitats is the drafting of a new Nature Protection Bill which is currently under discussion in the Danish Parliament. Under this Bill:

- the general rules defining types of nature protection area will be simplified and amended so that all salt marshes, tidal meadows, heathland, bogs and uncultivated, grass-covered areas including fresh meadows – of more than 2.500 m² will be protected (i.e. no alteration or interference can occur unless a special licence has been granted)
- the possibility of putting certain parts of territorial waters under a nature conservation regime by a conservation order will be extended to the whole of Denmark's fishing territory (Economic Zone).

In 1989, a new Nature Management Act was adopted. Over the period 1989-94, 900 million DKR will be used for open landscape action projects within four main categories: nature management, nature restoration, State forest planting and outdoor recreational activities.

A number of projects have already been selected and initiated. Many of them will involve the restoration of various former wetlands.

In 1987, an Action Plan for the improvement of the Aquatic Environment was adopted by the Danish Parliament. The aim is to reduce by 50% the total amount of nitrogen and phosphate discharge into the environment within 3-5 years. To achieve this target, measures will be implemented at a total cost of 12 billion DKR, in three principal areas:

- farming: manure and dung must be used in a better way. Upper limits for the amount of manure which may be spread per hectare of farmland have been fixed. Compulsory vegetation cover of a certain proportion of cultivated fields is required in order to prevent the run-off of fertilisers during rainy winters.
- urban areas: waste water treatment plants must be extended and improved to cover mechanical/biological and chemical treatment. An upper limit of 8 mg N and 1.5 mg P per litre of waste water has been set for the outlet from waste water treatment plants.
- industry: the treatment of waste water must be improved.

Although the original aims have been modified since 1987, the Action Plan has already led to an improvement in the aquatic environment in streams, lakes, lagoons and the sea close to the coast.

In 1989, the National Forest and Nature Agency, drafted and published Action Plans for conservation measures in land and marine areas. These Action Plans set out basic criteria for actions to be taken and proposals for

1) Skov - og Naturstyrelsen

future protection initiatives to define high priority areas. An evaluation will also be carried out to determine the most suitable protection measures.

In 1990, the National Forest and Nature Agency initiated the drafting of a priority list of areas which are the most threatened and thus need protection and management.

E - SPAIN

Under Law 15/1975 on Protected Natural Areas¹, two types of protection area may be established:

- **Integral nature reserves of scientific interest (*reservas integrales de interés científico*).** These fall into three categories: botanical, zoological or geological reserves according to the characteristics and value of the area to be protected. Any activity which may cause destruction, deterioration, alteration, disturbance or disfigurement of the biotopes or biocenoses is prohibited. Use of these areas is strictly limited to the pursuit of the scientific and research objectives which led to their designation. There are 44 such areas.
- **natural sites of national interest (*paraje natural de interés nacional*).** These are in general small areas. The use of such areas and of the natural resources therein must be compatible with the conservation of those features of value which were the reason for the area being designated. There are 18 such areas.

Under Law 4/1989 on the conservation of natural areas and of wild flora and fauna², several types of protection area may be established:

- **nature parks (*parques naturales*).** Within these areas, it is possible to restrict the use of natural resources. Any use incompatible with the conservation objectives is prohibited. Before an area can be designated as a nature park, a management plan for its natural resources must be drawn up and approved. The aims of such plans are to:
 - * define and indicate the conservation status of the natural resources and ecosystems in the area
 - * determine the restrictions which must be imposed according to the conservation status
 - * promote the implementation of measures to conserve, restore and improve the area's natural resources

1) *Ley de espacios naturales protegidos*

2) *Ley de conservación de los espacios naturales y de la flora y fauna silvestres*

- formulate guidelines for sectoral policies and for the development of socio-economic activities, so that they are compatible with the stated requirements of the area.

There are some 60 such areas.

- national parks (*parques nacionales*) (of which there are nine)
- nature reserves (*reservas naturales*). Within these areas, the use of natural resources is restricted except for cases where the use is compatible with the conservation of the features of value to be protected. The collecting of biological or geological material is prohibited except for research and teaching purposes where it must be officially authorised. As for nature parks, before an area can be designated as a nature reserve, a management plan for its natural resources must be drafted and approved.
- natural monuments (*monumentos naturales*)
- protected landscapes (*paisajes protegidos*)

In the five types of protection areas provided for in the 1989 Law, peripheral protection (or buffer) areas may be established to prevent external factors having an impact on the ecology and landscape.

Under the Hunting Act 1/1970¹, the following may be established:

- national game refuges (*refugios nacionales de caza*) (by decree) where, for biological or scientific reasons, it is necessary to ensure the conservation of certain game species. Hunting is permanently prohibited in such areas of which there are five.
- national game reserves (*reservas nacionales de caza*) of which there are 25.

Habitats outside protected areas are generally managed by municipalities if the land is publicly owned. In the case of private property, management is in the hand of private persons. In some protected areas, there is a large part made up of private property. Consequently, the latter plays an important role in the conservation of natural areas in Spain.

Another important measure for habitat conservation was the Water Act, adopted in 1985. Under previous legislation (the Cambó Act), the drainage of wetlands and marsh areas was a priority. The 1985 Act, on the other hand, prohibits such activities and makes it compulsory to obtain formal authorisation and to conduct an environmental impact assessment before the undertaking of any activity which may alter wetlands.

1) *Ley 1/1970 de caza*

In addition, a number of regions (Comunidades Autónomas) have begun work to improve conditions in their protection areas. The most striking example is Andalucía which with the help of a large budget, has implemented a special regeneration plan for its wetlands including las Salinas del Cabo de Gata, l'Albufera de Adra and the wetlands south of Cordoba.

Similarly, Cataluña has begun improvements in its forest areas and has implemented a plan to regenerate the Delta de l'Ebro. Two other regions have drawn up plans to re-establish habitats: the Balearics where the authorities are trying to improve the management of l'Albufera des Grao and Galicia where work on the regeneration of the mouth of the river Miño (on the Spanish side) has yielded substantial improvements. Local authorities (municipalities) in this region are making efforts to protect "rías", estuaries and beaches.

Regeneration plans have been drawn up for wetlands in the regions of Castilla-La Mancha and Castilla-Leon as well as in the National Parks of Doñana and Daimiel. In the region of Valencia, management plans have been set up in the Marjal de Pego-Oliva and in the Albufera.

F - FRANCE

In 1981, a list of 118 areas of particular ecological interest or of importance for flora or fauna was prepared by the Fauna and Flora Secretariat (of the National Museum for Natural History).

This list serves as a reference and constitutes the scientific basis for designating special protection areas. For each of these areas, information is included on the municipalities concerned, the classification of the area, species of birds involved, current and future developments, particular threats and specific features. In 1991, the list was updated and completed.

A) A wide range of measures provides for habitat protection according to the objectives established in the different types of area:

- I protected areas for which the State is responsible (by legislation and regulations):
 - **nature reserves (*réserves naturelles*)**. The objective is to protect certain exceptional natural areas and elements of fauna and flora. In all, 106 cover 110.000 ha.

Areas qualified as integral reserves (*réserves intégrales*) can exist where all human activity may be forbidden in the interest of science. Upon the initiative of private landowners, some land may be classified as voluntary nature reserves (*réserves naturelles volontaires*) for a six-year period (renewable).

1) *Secrétariat de la Faune et de la Flore*
2) *Museum Nationale de l'Histoire Naturelle*

- national parks (*parcs nationaux*) which comprise a central area in which human activities are strictly regulated, if not forbidden. The aim is to ensure protection of exceptional natural sites. There are six such parks covering 345.000 ha. Around the parks, a pre-park or peripheral area has been defined and is subject to a rural development plan¹.
- classified and listed sites (*sites classés et sites inscrits*). The objective is to protect landscapes or certain natural monuments.
- biotope protection orders (*arrêtés de protection de biotopes*) adopted locally on the initiative of the Prefects for the preservation of limited areas.

II areas protected by land purchase or the implementation of special provisions on the initiative of public authorities or public utility bodies:

- regional nature parks (*parcs naturels régionaux*), numbering 27 and covering 4.100.000 ha, enable contractual work to be undertaken to preserve species, the natural environment and landscapes
- land purchased by the Coast and Lakeshore Conservation Agency²: 34.675 ha cover 456 km of shore
- land purchased by the Departmental Tax on Green Spaces³ for conservation purposes: 12.000 ha purchased to date
- State biological reserves (*réserves biologiques domaniales*) situated in forests managed by the National Forestry Office⁴ - 8.279 ha)
- land purchased and managed by private foundations (Foundation for the Preservation of Wild Faunas, Regional Site Conservation Agencies⁵ etc. - 10.000 ha)

B) In addition, for the protection of species, there exists a vast network of game reserves (*réserves de chasse*) (11.000 reserves covering 851 km of coastline, 2.346 km of waterways representing 1.838.742 ha of land) in which hunting is forbidden. This land is classified in the following categories according to its importance (depending on the species to be protected and the measures planned):

- national game reserves (*réserves nationales de chasse*) (representing large areas from 3.000 to 5.000 ha for the preservation and reconstitution of rare or threatened species)

1) *Plan d'aménagement rural*
 2) *Conservatoire du Littoral et des Rivages Lacustres*
 3) *Taxe départementale des espaces verts*
 4) *Office National des Forêts*
 5) *Fondation pour la sauvegarde de la faune sauvage*
 6) *Conservatoires régionaux des sites*

- marine game reserves (*réserves de chasse maritimes*) The aim is to ensure resting and stop-over areas for migrating birds
- river game reserves (*réserves de chasse fluviales*)
- game reserves in State forests (*réserves de chasse en forêt domaniale*)
- game reserves (*réserves de chasse*) approved locally upon request by private landowners or by recognised municipal hunting associations.

In a circular issued on 30/4/87, the Ministry of the Environment requested all Prefects to set up files on all areas within their Department which could be classified as protection areas – under management agreements rather than by means of new legal instruments.



G - GREECE

Framework Law No. 1650 of 16/10/86 contains an important chapter on the conservation of nature and landscape. The Law provides for more effective management of protection areas and gives new responsibilities to the Ministry of the Environment regarding habitat protection.

The Law provides for the classification of protection areas into five categories:

- areas of absolute protection
- areas for the conservation of nature
- national parks
- protected natural formations, protected landscapes and protected aesthetic elements
- areas for ecocodevelopment

This new classification simplifies the old system but since the Law 1650 has not yet been fully implemented, the classification of some protection areas under the old system is still being used:

- national parks
- aesthetic forests
- natural monuments
- hunting reserves (permanent)
- controlled hunting grounds (indefinite period)
- game farms
- areas where hunting is prohibited for a restricted period of time (3 to 10 years)
- landscapes of particular beauty
- protected monuments and historic places
- areas protected under the Ramsar or the Barcelona Conventions

In addition, under Law 360/1976 on environmental and physical planning issues, a number of areas of particular importance for the survival of rare species have been designated as protected areas.

The protection of wild birds' biotopes is regulated by Joint Ministerial Decision (JMD) no. 414985 of 29/11/85¹. The following are prohibited:

- the use of agricultural chemicals which are not on the market
- pollution of wetland biotopes with poisons or industrial effluents
- the carrying out of work or works which may disturb the ecological balance of protected areas without the prior approval of the Ministry of Agriculture.

Areas in which special measures are required for the management and use of their natural resources may be identified and defined by ministerial decision². Measures must thus be established in order to protect and ensure the conservation of species which are threatened with extinction, which are sensitive to any deterioration in their biotopes, which are rare owing to their small populations or their restricted area of distribution or which require special protection as a result of the specific character of their biotope.

Wetland biotopes and particularly those which have been designated of international importance under the Ramsar Convention, are areas which require special protection.

Concerning biotopes of exceptional importance, the Prefects (*Nomarchs*) may impose by decision special restrictions on grazing during the period of reproduction or may forbid land reclamation or the felling or thinning of trees in order to preserve suitable conditions for the nesting and reproduction of the species listed in Annex I of the JMD (which is identical to Annex I of the directive 79/409/EEC, first version).

Under the JMD, a considerable number of areas have been identified and designated as non-hunting grounds for a period of three to ten years.



- ITALY

In Italy, the different types of protection areas are:

- national parks (of which there are five)
- regional parks
- marine reserves including the coastline (designated by the State)
- nature reserves (created under decree no. 448 of 13/3/76). Nature reserves may be designated by the State (by ministerial decree) or by regional authorities. All natural resources are protected therein.

1) *Measures for the Management of Wild Birds (Ministry of Agriculture and Ministry of National Economy)*

2) *Ministry of Agriculture*

In addition, under Law 968/77¹, the regions and local authorities (*province* and municipalities) may designate (i) **protection areas** (*oasi di protezione*) for the refuge, reproduction and resting of wild fauna and (ii) **restocking and capture areas** for the reproduction of game species.

Similarly, **zoological reserves or restocking areas** in which birds are protected may be established under regional laws.

To ensure that action is taken at local level to conserve habitats, local authorities are obliged to draw up land-use plans which take nature conservation into account.

Within the national parks, no activities or development is permitted except grazing, forestry and limited farming. Development is prohibited on private and public property unless special official authorisation with rigid restrictions is obtained beforehand. National parks are kept under permanent surveillance.

National and regional nature reserves and marine reserves benefit from a similar degree of protection to that given to national parks but some concessions are nevertheless possible (for example intensive farming). The environment cannot be altered and any damage caused must be repaired.

Legislation on protection areas will be re-enacted under a framework law on nature reserves and parks. A bill is currently under deliberation in Parliament.

IRL - IRELAND

Protection measures required by Directive 79/409/EEC are implemented under the Wildlife Act (1976) and orders and regulations made under it. The National Parks and Wildlife Service of the Office of Public Works is the national authority responsible for the administration of the Act.

Under this Act, it is forbidden to pick, cut, uproot or take specimens of protected flora or destroy or interfere with their habitats except under licence. The conservation of representative types of ecosystems is one of the most important requirements of the Act.

Statutory protection has been given to representative types of ecosystems in Ireland. These are:

1) *Legge 27/12/77: Principi generali e disposizioni per la protezione e la tutela della fauna e disciplina della caccia*

- **nature reserves:** 71 have been established of which 64 are State-owned, seven are either privately owned or are held in joint ownership of the State and private interests. The network of reserves covers bird sites, peatlands, grasslands, sand dune systems, fens, coastal heathlands, limestone pavements and marine areas. (A further ten nature reserves are held by NGOs but these do not have statutory recognition)
- **refuges for fauna:** seven have been established. These are areas where particular species of fauna are afforded special protection
- **wildfowl sanctuaries:** there are 68 such areas. These are areas where shooting is prohibited all year round
- **management agreements:** six such agreements have been reached and are in operation. These agreements ensure that the landowner on payment of an agreed sum will manage his land in such a way as to ensure that the habitat in question is protected
- **land acquisition:** the State has an ongoing acquisition programme for rare and threatened habitats so that the highest level of protection can be afforded to them as nature reserves under the Wildlife Act 1976.

Concerning SPAs, it is prohibited under the 1985 Regulations to cause pollution or deterioration of the habitats concerned or any disturbance which might be harmful to the species listed in Annex I of the directive. In particular, it is prohibited to leave in any part of an SPA:

- organic matter
- rubble, scrap metal, glass, paper or other waste materials
- any deleterious substance i.e. any substance (including explosive substances) which, if discharged into an SPA, might cause death or injury to species of flora and fauna or might damage or destroy species of fauna and flora and their habitat – including household and industrial waste, slurry and other animal excrement, bilge water, oil etc.

These provisions do not cover changes in land use. However, most of those SPAs classified to date are owned by the National Parks and Wildlife Service and the others, although privately owned, are uninhabited islands.

Protection of habitats is also achieved through other legislation:

- **national parks:** five have been established to date all of which conform to IUCN criteria category II. Within the national parks, the only

1) *International Union for the Conservation of Nature and Natural Resources*

developments permitted are visitors facilities and visitor access compatible with conservation requirements

- **areas of scientific interest:** Ireland has identified about 1.600 ASIs. These do not have any statutory basis in their own right at present but a large number of local authorities seek to protect them by including them in their own County Development Plans and setting goals for their conservation. Planning legislation then applies.

Under Article 19 of Council Regulation 797/85, a pilot scheme for the protection of environmentally sensitive areas (ESAs) has been set up in two areas. The objective of the scheme is to contribute towards the introduction or maintenance of farming practices compatible with the requirements of the environment and natural resources or the requirements of the maintenance of the landscape and the countryside.



- LUXEMBOURG

The Conservation of Nature and Natural Resources Act of 11/8/82¹ provides for the protection of natural environments. Following a classification procedure, parts of national territory may be designated as protection areas (*zones protégées*) in order to ensure the preservation of biotopes of scientific interest and the protection of landscapes and natural monuments. In Luxembourg, the protection area is the only possible category of protection.

Concerning habitats outside protection areas, it is prohibited under this Act to clear woodlands, to alter or to reduce biotopes such as reed beds, ponds and other wetlands, hedgerows and scrub. The Act also provides for protection for river bank and lakeshore vegetation. Any construction in a green area (*zone verte* – i.e. situated outside areas earmarked for urbanisation under development plans² approved by the Minister) must be subject to a decision taken by the Ministry of Physical Planning and Environments³.

Furthermore, for a number of years, the Ministry of Physical Planning and Environment has been pursuing a policy of land purchase. Biotopes of value are thus saved from the threat of alteration. The Ministry grants subsidies to the Luxembourg Association for the Study and Protection of Birds⁴ of up to 50% on the purchase of natural habitats which the latter wishes to acquire for biotope conservation.

1) *Loi concernant la protection de la nature et des ressources naturelles*
 2) *Plans d'aménagement*
 3) *Ministère de l'Aménagement du Territoire et de l'Environnement*
 4) *Hollet fir d'Natur*

The Ministry of Water and Forests¹ drew up a list of sites which may be classified as national or regional nature reserves. This list was included in the General Declaration of Intention (GDI)² of 24/4/81 concerning the partial development plan for the natural environment. The list comprises 98 sites:

- 11 woodland areas
- 60 wetlands
- 11 dry grasslands
- 16 other reserves (peat bogs, heathland etc.)

In most cases, the sites are small (5 to 10 ha on average) surrounded by a buffer area of farmland or woodland. These sites are of interest in terms of their fauna or flora.

In 1989-90, the Ministry of Physical Planning and Environment revised and redefined the GDI list and a total of 137 sites were identified:

- 20 woodland areas
- 81 wetlands
- 13 dry grasslands
- 23 other habitats

So far, on the basis of these two versions of the list, nine sites have been classified as protection areas (the first two in 1986). The classification procedure has been started for 35 others. Sites included in this list cover a total surface area of 21.700 ha (i.e., including buffer areas, 8.3% of the country's surface area).

Under the 11/8/82 Act, the following activities may be prohibited within a protection area:

- removing plants
- driving vehicles
- building
- applying pesticides
- altering the use of the land
- excavating, extracting materials, moving the earth or using the water.

Increasingly, the Ministry is contracting out to environmental protection associations the management of protection areas and land purchased for conservation purposes. Management plans list the measures to be taken. In the case of the nine protection areas already classified, management plans have been or are currently being drawn up.

The three areas listed in the inventory of areas of major interest for the conservation of wild birds in the EC³ (SFF3 forms) are currently being reassessed in greater detail and seven areas have provisionally been identified.

1) *Ministère des Eaux et des Forêts*

2) *Déclaration d'Intention Générale*

3) *Zones de grand intérêt pour la conservation des oiseaux sauvages dans la CE*

NL - NETHERLANDS

Under the 1967 Nature Conservation Act¹, two types of protected areas may be designated in the Netherlands:

- State nature monuments (*Staatsnatuurmonumenten*). These are State-owned and cover about 200.000 ha.²
- protected nature monuments (*beschermde natuurmonumenten*), which are not State-owned and cover about 24.000 ha.²

Under this Act, no activity which may damage the environment within these two types of designated areas may be undertaken unless authorised by the Ministry of Agriculture, Nature Management and Fisheries or unless they form part of a management plan drawn up by that Ministry. There is a general ban on polluting the area and on removing, cutting, gathering or taking away any plant, flower or branch and on disturbing, taking or killing wild fauna.

Apart from these nature monuments designated under the Nature Conservation Act, there are other categories of protected areas:

* approximately 150.000 ha are owned and managed by private organisations (purchase and management are subsidised by the Ministry of Agriculture, Nature Management and Fisheries). Management plans including an ecological description exist for most of these areas.

* moreover, there are a number of national parks (*nationale parken*), so-called major areas of outstanding natural interest (*grote eenheden natuurgebieden*) and areas managed under the Policy Document on Agriculture and Nature Conservation (*Relatienota*), the latter mainly intended for the protection of meadow birds.

A draft Flora and Fauna Bill of December 1987³ (aiming at integratrating the Bird Protection Act, the Hunting Act, chapter V – dealing with flora and fauna – of the Nature Conservation Act, and the various regulations concerning trade in endangered flora and fauna) proposes a new category of protected area: the protected habitat. This is defined as an area of vital importance in its capacity as a habitat for a particular species. The provincial authorities will be responsible for designating such areas.

The following are examples of measures which have been taken to prevent pollution and habitat deterioration within SPAs:

1) *Natuurbeschermingswet*
 2) *End of 1991*
 3) *Flora- en Faunawet*

The main objective of the management plan drawn up for **Mariapeel**, is the regeneration of the peat bogs in this area and thus the conservation and restoration of its original ornithological value. Other plans being drafted are aimed at restoring the agricultural area around Mariapeel so as to improve its hydrological and ecological staté.

Certain management measures have been taken to maintain the water level in the peat bogs of the **Groote Peel**. In addition, specific measures have been taken to conserve the populations of *Grus grus*: sensitive areas have been fenced off and restrictions have been placed on hunting within and around the **Groote Peel**. A number of studies have shown that land drainage and irrigation in a 2.000 m wide agricultural belt around the **Groote Peel** may harm the ecological value of this SPA. The Dutch government has therefore decided to prohibit drainage, irrigation and groundwater extraction unless a special licence is obtained from the Ministry of Agriculture, Nature Management and Fisheries. As in the case of **Mariapeel**, there will be the possibility to restore the agricultural area around the **Groote Peel**.

In order to halt the increasing eutrophication of the **Naardermeer** due to the influx of poor quality water, a water treatment plant has been installed with the help of a government grant of NLG 4.2 million.

In the **Weerribben**, one-year contracts have been concluded between the State and farmers providing for a mowing limit in order to protect birds. Under these contracts, farmers undertake not to mow before June 15. This measure may also be introduced in areas where management agreements have been established (under the 1988 Regulation on management agreements¹⁾). A management plan has been drawn up for this SPA.

In order to prevent pollution or deterioration of habitats outside SPAs, the following measures have been or will be taken:

- purchase of land of value for the conservation of birds
- efforts to make farming practices compatible with conservation objectives in areas of major interest for birds
- promotion of optimal management of water quality in terms of nature and landscape conservation. The Water Management Act²⁾, the Surface Water Pollution Act³⁾, the Groundwater Act⁴⁾ and the Soil Protection Act⁵⁾ constitute the legal framework for a system of water management compatible with the ecological function of a particular habitat
- conservation of particular features of the landscape in rural areas with the possibility of grants being made available by national, provincial and municipal authorities

1) *Regeling Beheersovereenkomsten 1988*

2) *Wet op de waterhuishouding*

3) *Wet verontreiniging oppervlaktewater*

4) *Grondwaterwet*

5) *Wet bodembescherming*

- combatting acidification and eutrophication of important bird habitats by greater use of legal instruments: the Fertiliser Act¹, the Soil Protection Act², the Nuisance Act³ and the Atmospheric Pollution Act⁴.

The Dutch government has formulated a Nature Policy Plan (*Natuurbeleidsplan*), published in 1990, which aims at the sustainable conservation, rehabilitation and development of nature, wildlife and landscape. Part of this plan is the setting up of a national ecological network (*ecologische hoofdstructuur*), i.e. a network of areas which will constitute a lasting basis for safeguarding nationally and internationally important species and ecosystems. This structure consists of core areas, nature development areas and ecological corridors.

In addition to the Nature Policy Plan, the government has drawn up a number of other plans which are important for bird conservation, such as the Agricultural Structure Memorandum (*Structuurnota Landbouw*) and the Multiyear Crop Protection Plan (*Meerjarenprogramma Gewasbescherming*). The latter aims at a sharp reduction of the use of pesticides.



- PORTUGAL

Under Decree-Law 613/76 of 27/7/76, the following types of protection area may be established by the National Department of Parks, Reserves and Nature Conservation (SNPRCNs – within the Ministry of Environment and Natural Resources):

- total nature reserves. All aspects of nature are protected therein. No development is allowed. Any activity which may alter the dynamics of the ecosystems is prohibited. The presence of human beings is authorised for administrative and scientific purposes only
- partial nature reserves. These are established to preserve certain well-defined elements of flora and fauna, soil, geology or water resources. Adequate precautions are taken to enable their protection, scientific study and use. Partial nature reserves may therefore constitute biological, botanical, zoological, geological, aquatic or marine nature reserves
- national parks
- protected landscapes
- classified places/sites
- nature parks. These are areas of land regulated with the aim of, amongst other things, nature conservation and landscape protection. They may be made up of private or public property.

1) *Meststoffwet*
 2) *Wet bodembescherming*
 3) *Hinderwet*
 4) *Wet inzake luchtverontreiniging*
 5) *Serviço Nacional de Parques, Reservas e Conservação da Natureza*

The SNPRCN can also designate other types of areas with a view to maintaining the biological balance of the countryside:

- **areas of special ecological interest.** These are areas of great ecological value in terms of productivity, nature or the quality of their products. They must maintain the capacity to restore natural resources, thus guaranteeing the biological balance of the surrounding countryside
- **special agricultural or forestry areas.** In these areas, agricultural and forestry developments must guarantee the ecological balance of the surrounding countryside
- **rundown areas to be re-established.** These are areas where the soil or the vegetation has been destroyed, necessitating special measures to re-establish them

The SNPRCN determines the designation, the classification and the management of all the above-mentioned protection areas. In addition, it is responsible for the management of habitats outside protection areas and for providing finance for them.

The other types of protection area are:

- **bird sanctuaries.** These are areas that are well-suited for the resting, breeding or migration of one or more bird species. Within the sanctuaries, the main objective is to preserve natural conditions
- **ornithological areas to be re-established.** These are sites which, in the past, were suitable for the resting, breeding or migration of one or more bird species and which require special measures to re-establish them.

The latter two types of protection areas are set up upon the initiative of the owner of a site that is suitable for such a purpose or the SNPRCN. In each case, an agreement is concluded between both parties. The owner is responsible for the management of these areas but it must be in accordance with regulations established by the SNPRCN, with local circumstances being taken into account.

The Decree-Law no. 75/91 of 14/2/91 sets out measures for the protection of habitats of wild birds which occur on Portuguese territory: the most suitable territories in number and in size must be classified as special protection areas, established by Decree-Law, for the protection of 152 species of birds listed in Annex I of the above-mentioned Decree-Law (all of which are listed in Annex I of the directive, as amended on 6/3/91).

UK - UNITED KINGDOM

In Great Britain, the most important types of protection for bird habitats are:

- sites of special scientific interest (SSSIs). The SSSI system is the basis for habitat protection in England, Wales and Scotland. Set up by the National Parks and Access to the Countryside Act (1949), the protection of SSSIs was reinforced by the Wildlife and Countryside Act of 1981.

Under the latter Act, the Nature Conservancy Council (NCC -- a public scientific advisory body) must identify SSSIs on the basis of their flora, fauna or geological or physiographical features. The NCC must then notify local planning authorities in whose territory the site is situated, every owner and occupier of land within such a site and the Department of the Environment. The NCC is also obliged to notify the owners and occupiers of any operations likely to damage the flora and fauna or other features of the site (potentially damaging operations or PDOs). Owners and occupiers must inform the NCC of any intention on their part to undertake any of these operations so that the NCC's agreement can be sought.

The principal means of protection for these areas is a negotiated management agreement under which the owners or the occupiers of the land receive financial compensation from the NCC in return for their commitment not to carry out the PDOs or, where appropriate, a commitment to manage the land as a national nature reserve (see below) in association with the NCC. For example, during the financial year 1988-89, some £7.3 million were spent on management agreements to safeguard the conservation value of the areas. 8% of Great Britain is covered by the SSSI system which includes 5.400 sites most of which are in the hands of private landowners.

The 1981 Act also provides for other types of protection measure:

- the nature conservation order (NCO), which is made by the appropriate territorial environment Minister after consultation with the NCC to protect fauna, flora or other features of national importance against PDOs. However, if the NCC does not succeed in concluding a management agreement with owners and occupiers or in purchasing the land in question under a compulsory purchase order (CPO), then a nature conservation order will not protect a site beyond a twelve month period. Since 1981, more than 40 NCOs have been made, thus facilitating cooperation between owners and occupiers on the one hand and the NCC on the other.

1) *With effect from April 1 1991, the NCC was replaced in England, Wales and Scotland by English Nature, the Countryside Council for Wales and the Nature Conservancy Council for Scotland (NCCS) respectively. From April 1 1992, the NCCS was replaced by Scottish Natural Heritage*

- **marine nature reserves (MNRs).** These are managed by the NCC for the purposes of conserving or studying marine flora, fauna or other features of special interest in the area. By 1988, only one MNR had been created.
- **areas of special protection for birds.** Such areas may be established by Orders made with the Department of the Environment after consultation with owners and occupiers.

Other possible types of habitat protection (not under the 1981 Act) are:

- **national nature reserves (NNRs).** The NCC can establish NNRs on land owned by itself or, following the conclusion of a Nature Reserve Agreement, by voluntary conservation bodies (such as the RSPB¹) or any other private landowner or occupier. There are at present more than 200 NNRs, covering some 150 000 ha. (The creation of NNRs is provided for in the 1949 Act). In addition, local authorities may make by-laws to protect NNRs from damaging activities by a third party.
- **local nature reserves (LNRs).** The local planning authorities may designate LNRs on land belonging to them and may manage it in association with the NCC. (This measure is also provided for in the 1949 Act). As for NNRs, local authorities may make by-laws to protect LNRs from damaging activities by a third party.
- **environmentally sensitive areas (ESAs).** ESAs may be designated under Article 19 of Council Regulation 797/85 (transposed into UK law by the 1986 Agricultural Act). The ESA system is voluntary (based on management agreements with farmers) and is designed to encourage farmers, in certain selected areas, to manage their land in ways which will protect its scenic and wildlife value. The primary focus is on farming methods.
The system which is planned to run for five years at a cost of about £12 million, is being monitored to evaluate its benefits in terms of flora and fauna protection.
- **national parks**

The different territorial Environment Ministries² are responsible for designating SPAs. To provide protection for SPAs, their designation is linked to the NCC's programme for notifying and renotifying SSSIs. Before an area can be designated as an SPA, it must first be notified as an SSSI to secure the legal protection given by the provisions of the 1981 Act. Each SSSI or part SSSI may then be proposed to the appropriate territorial environment Ministry for designation as an SPA.

1) *Royal Society for the Protection of Birds*

2) *Department of the Environment, (England), Welsh Office (Wales) et Scottish Office Environment Department (Scotland)*

The Wildlife and Countryside (Amendment) Act of 1985 further increased statutory protection afforded to SSSIs. Previously, there was a period of notice between the NCC identifying the site and the site being given legal protection. During this period, there was a risk of damage. Under the 1985 Act, the period of notice was abolished and sites are protected as soon as the NCC notifies owners, occupiers and local planning authorities.

Other important legal instruments regarding SPAs are the circular 27/87 issued by the Department of the Environment (England), the circular 52/87 issued by the Welsh Office (Wales) and the circulars 1/81 and 13/91 issued by the Scottish Office Environment Department (Scotland). These circulars were transmitted to local planning authorities in the respective regions and the aim was to clarify SPA protection in the different regions.

In 1991, the RSPB embarked on a programme of preparing Habitat Action Plans for all the major ecosystems in the United Kingdom. Priority is given to the most threatened ecosystems which are of great value to birds. The aim of these plans is to identify and implement conservation actions in the areas of policy and legislation, land acquisition and management, site protection, casework and advisory efforts. In addition, each plan must evaluate the importance of the ecosystems to nature conservation.

In Northern Ireland, legislation broadly similar to the Wildlife & Countryside Act is found in the Nature Conservation and Amenity Lands Order and the Wildlife Order (both of 1985); both are administered by the Department of the Environment for Northern Ireland (DOE/NI). The types of protection for bird habitats are:

- **areas of special scientific interest (ASSIs).** These compare with SSSIs in Great Britain.
 - **marine nature reserves (MNRs).** Provision for MNRs is virtually identical to that in GB.
 - **wildlife refuges.** They are similar to areas of special protection for birds in GB.
 - **national nature reserves (NNRs).** They are almost identical to those provided for in GB.
 - **environmentally sensitive areas (ESAs).** They are designated by the Department of Agriculture for Northern Ireland with advice from DOE/NI.
-

TABLE 1 (i)

**SPECIAL PROTECTION AREAS IN THE MEMBER STATES (MS)
SITUATION AT 31/12/86**

MS	no. of SPAs	total surface area of SPAs per MS (ha)	surface area of MS (ha)	year of designation
B	-	-	3.051.810	-
D*	117	++290.998,60	24.870.930	'83
DK	111	+960.092	4.308.000	'83
E	joined the EC on 1/1/86			
F	20	151.970	54.396.460	'86
G	-	-	13.195.700	-
I	-	-	30.127.810	-
IRL	16	§3664	6.889.460	'86
L	-	-	258.640	-
NL	5	7690	4.186.300	'86
P	joined the EC on 1/1/86			
UK	21	37389,70	24.411.100	'82/'85/'86
Total:	309	1.451.804,30	225.349.710	

+ of the 960.092 ha of SPAs in Denmark, 242.000 ha are land areas and 718.000 ha are marine areas

++ of the 290.998,60 ha of SPAs in Germany, the Wadden sea covers 183.080 ha

* in Germany, the SPAs are not classified under that name but 117 areas have been designated in compliance with Article 4 of the directive. A large number of them are classified as nature reserves (*Naturschutzgebiete*)

§ this does not include cliff faces (i.e. the two SPAs: The Cliffs of Moher, Co. Clare and Horn Head, Co. Donegal)

TABLE 1 (ii)

**SPECIAL PROTECTION AREAS IN THE MEMBER STATES (MS)
SITUATION AT 26/4/91**

MS	no. of SPAs	total surface area of SPAs per MS (ha)	surface area of MS (ha)	year of designation
B	36	431.306	3.051.810	'88/'89
D*	117	++290.998,60	24.870.930	'83
DK	111	+960.092	4.308.000	'83
E	135	2.324.895,75	50.479.000	'88/'90
F	61	519.741	54.396.460	'86/'88/ '90
G	26	191.637	13.195.700	'87/'89
I	74	310.378	30.127.810	'88
IRL	20	§5548	6.889.460	'86/'90
L	4	356,06	258.640	'87/'88/'89
NL	9	52.865	4.186.300	'86/'88/'89/ '90
P	34	318.872	9.174.500	'88/'89
UK	40	128.847,10	24.411.100	'82/'85/'86/ '87/'88/'89/ '90
Total:	667	5.535.536,51	225.349.710	

+ of the 960.092 ha of SPAs in Denmark, 242.000 ha are land areas and 718.000 ha are marine areas

++ of the 290.998,60 ha of SPAs in Germany, the Wadden Sea covers 183.080 ha

* in Germany, the SPAs are not classified under that name, but 117 areas have been designated in compliance with Article 4 of the directive. A large number of them are classified as nature reserves (*Naturschutzgebiete*).

§ this does not include cliff faces (i.e. the two SPAs: The Cliffs of Moher, Co. Clare and Horn Head, Co. Donegal)

**SPECIAL MEASURES TAKEN BY MEMBER STATES
WITHIN THE GENERAL SYSTEM
OF PROTECTION FOR WILD BIRDS
(1981-1991)**

The general system of protection is laid down by Article 5:

Article 5:

.....Member States shall take the requisite measures to establish a general system of protection for all species of birds referred to in Article 1, prohibiting in particular:

- a) deliberate killing or capture by any method*
- b) deliberate destruction of, or damage to, their nests and eggs or removal of their nests*
- c) taking their eggs in the wild and keeping these eggs even if empty*
- d) deliberate disturbance of these birds particularly during the period of breeding and rearing, in so far as disturbance would be significant having regard to the objectives of this directive*
- e) keeping birds of species the hunting and capture of which is prohibited*

The main measures taken by the Member States since 1981 to protect wild birds are presented in the following country-by-country summary which is based on the information obtained.

B

The Royal decrees of 9/9/81 (Flemish region) and of 20/7/72 (Walloon region) establish the general principle that all birds belonging to species of naturally occurring birds in the wild in the European territory of the Member States where the directive applies, are protected. Exception is however made in the two regions for those birds belonging to the species classed as game by the legislation on hunting.

D

Under the Federal Decree on the Protection of Species of Wild Fauna and Flora (19/12/86)¹, special protection is given to all European birds (listed in Annex I of this Decree). This Annex comprises 77 species of birds included in Annex I of the directive and 6 included in Annex II/2 according to which these 6 species may not be hunted in Germany: *Alectoris barbara*, *Phylomachus pugnax*, *Pluvialis apricaria*, *Numenius arquata*, *Tringa totanus*, *Turdus siliacus*). Legislation on hunting at Federal and Länder level includes specific regulations for species which may be hunted, particularly the Federal Decree on the Protection of Game of 25/10/85².

DK

- * The Hunting & Wildlife Administration Act (no. 294) of 9/6/82 lays down the principle that all species of wild birds are totally protected except those which are classed as game species.
- * In 1990, the National Forest and Nature Agency established a red list (*Rødtliste*) of species of plants and animals threatened with extinction and thus needing special protection. This list includes 97 species of birds divided into six categories: extinct species, species threatened with extinction, vulnerable species, rare species, species in decline and species needing special responsibility.

E

- * Under Royal Decree 3181/1980³ of 30/12/80, strict protection is given to 344 species of birds (practically all the non-huntable species in Spain). A further 31 species were added to this list by Royal Decree 1497/1986⁴ of 6/6/86. A total of 129 species listed in Annex I and 21 species listed in Annex II/2 (of which 8 may not and 13 may be hunted in Spain according to Annex II/2) are covered by these two decrees (see Table 4 (ii) p. 56).
- * Under Law 4/1989 of 27/3/89⁵, a national list (*catálogo*) of endangered species is to be drawn up in four categories (see below). Protection of these species requires specific measures to be adopted (indicated in brackets):
 - species threatened with extinction (recovery plan/*plan de recuperación*)
 - species sensitive to changes in their habitat (habitat conservation plan/*plan de conservación del hábitat*)
 - vulnerable species (conservation plan/*plan de conservación*)
 - species of a special interest (management plan/*plan de manejo*)

1) Bundesartenschutzverordnung

2) Bundeswildschutzverordnung

3) Real decreto por el que se protegen determinadas especies de la fauna silvestre y se dictan las normas precisas para asegurar la efectividad de esta protección

4) Real decreto por el que se establecen medidas de coordinación para la conservación de especies de fauna y sus hábitat, ampliándose la lista de especies protegidas

5) Ley de conservación de los espacios naturales y de la flora y fauna silvestres

Under Royal decree 439/1990 (of 30/3/90), the following 11 species of birds (all of which are listed in Annex I of the directive) are classed in the category "threatened with extinction":

- | | |
|-----------------------|--------------------------------|
| -- Botaurus stellaris | -- Marmaronetta angustirostris |
| -- Gypactus barbatus | -- Chlamydotis undulata |
| -- Ardeola ralloides | -- Aythya nyroca |
| -- Aquila adalberti | -- Fulica cristata |
| -- Ciconia nigra | -- Oxyura leucocephala |
| -- Turnix sylvatica | |

Under Law 4/1989, a recovery plan must be established for those species in the "threatened with extinction" category. The regions are responsible for drawing up and approving these plans. Recovery plans have been drawn up for *Chlamydotis undulata*, *Oxyura leucocephala* and *Gypactus barbatus* in Navarra. When a species occurs in more than one region, as a provisional measure, a coordinated plan (*plan coordinado*) is drawn up between the different regions in which the species occurs and the national authority (ICONAs). Coordinated plans serve as a basis for the recovery plans. Coordinated plans have already been drawn up for *Gypactus barbatus*, *Aquila adalberti*, *Ciconia nigra*, *Aegyptius monachus* and *Larus audouinii*.

* In addition, 268 species of birds have been classed "of special interest".

F

- * 128 species listed in Annex I of the directive are covered by the Order of 17/4/81¹ (establishing the list of protected birds throughout French territory).
- * Some of the huntable species are protected in several regions by Prefectoral decisions prohibiting or restricting hunting.
- * *Tetrao urogallus* has been totally protected since 1985 in the following regions : Lorraine, Alsace, Franche-Comté and Rhône-Alpes (under the Orders of 10/12/85 and 11/4/91).
- * A national list (called the *livre rouge*) of species threatened with extinction or in particular danger was established in 1983 by the Secrétariat de la Faune et de la Flore (Muséum National de l'Histoire Naturelle) under the aegis of the Ministry of the Environment.

G

* The Joint Ministerial Decision (JMD) 414985 of 29/11/85 establishes the principle that all species of wild birds are protected except those classed as game species. The 75 espèces listed in Annex I of the directive (first version) are strictly protected in Greece (Annex I of the DMC is identical to Annex I of the original directive).

The JMD marks a turning point in Greek legislation on the protection of birds since according to the previous legislation, the Forestry Code (Law 86/1969), all birds were huntable except for about 30 species listed.

- * Measures have been taken to conserve the colony of *Pelecanus crispus* in the Gulf of Amvrakikos.
- * A management plan is being drawn up for *Alectoris chukar* (a species not listed in the Annexes of the directive).

1) Real decreto 439/1990 por el que se regula el Catálogo Nacional de Especies Amenazadas
 2) Comunidades Autónomas
 3) Instituto Nacional para la Conservación de la Naturaleza
 4) Arrêté fixant les listes des oiseaux protégés sur l'ensemble du territoire

I

- Under the new Law 1571 of 11/2/92 on the protection of wild birds and hunting, bird species, the populations of which live permanently or temporarily in the wild on national territory, are protected (Article 2) except for species classed as game (under Article 18 of this Law).
- 73 species from Annex I and two species from Annex II/2 (*Netta rufina* and *Cygnus olor*) benefit from special protection.

IRL

- The 1976 Wildlife Act provides for protection of all species of wild birds except for certain game species, the hunting of which is authorised annually by Ministerial Order.
- *Pyrrhula pyrrhula* is totally protected under Regulation 283/1980
- *Sterna sandvicensis*, *Sterna dougalli*, *Sterna hirundo*, *Sterna paradisaea* and *Sterna albifrons*: management of nesting sites along the East Coast (including predator control) is being carried out by the IWC and the NPWS.
- *Cygnus cygnus*: management of a site in the West of Ireland is being conducted in order to minimise disturbance.
- *Anser albifrons flavirostris*: implementation by the NPWS of management plans for flocks in County Wexford (the main area) and management plans for sites of threatened flocks in the West and Midlands.
- *Branta leucopsis*: sward management by the IWC and the NPWS in the West of Ireland site
- *Crex crex*: field advisory work is conducted by the IWC and the NPWS and there is liaison with the farming community in relation to timing and methods of cutting hay.

L

- The Grand-Ducal Regulation of 8/4/864 on the protection in whole or in part of certain species of wild fauna provides for complete protection of all birds occurring in the wild in Europe except for species classed as game and *Sturnus vulgaris*. Under this measure, *Passer domesticus*, *Passer montanus* and *Lanius* sp. were removed from the list of unprotected birds.

NL

- Under the 1936 Bird Protection Acts, all species of European wild birds are in principle protected except those classed as game.
- A species management plan (*soortbeschermingsplan*) has been drawn up for *Tetrao tetrix* and a habitat restoration plan (*Herstelplan Leefgebieden*) for *Perdix perdix*; management plans have been prepared for *Grus grus*, *Platalea leucorodia* and *Tyto alba*. For other species, similar plans are to be completed in the coming years.
- In 1985, the Ministry of Agriculture and Fisheries issued a list of 48 species threatened with extinction or particularly endangered in the Netherlands (red list).

1) *Norme per la protezione de la fauna selvatica omeoterma e per il prelievo venatorio*
 2) *Irish Wildbird Conservancy*
 3) *National Parks and Wildlife Service (see p. 31)*
 4) *Règlement grand-ducal concernant la protection intégrale et partielle de certaines espèces*

P

* With a view to protecting wild birds present on national territory, it is prohibited under Decree-Law no. 75/91 of 14/2/91, to kill, capture or keep such birds by whatever method, to destroy, damage, remove or keep their young and their eggs and to disturb them intentionally during their period of reproduction and rearing.

UK

Great Britain:

* All species of wild birds are protected under the Wildlife & Countryside Act (1981) except for species for which hunting is authorised. Special protection is given at all times to 79 species which are rare or threatened with extinction, including 43 species listed in Annex I and 11 species listed in Annex II/2: *Turdus pilaris*, *Turdus filiacus*, *Limosa limosa*, *Tringa nebularia*, *Coturnix coturnix*, *Phalommachus pugnax*, *Clangula hyemalis*, *Aythya marila*, *Melanitta nigra*, *Melanitta fusca* and *Numenius phaeopus*. (According to Annex II/2, the latter five species may be hunted in the United Kingdom).

* During the close season, the following species also benefit from special protection: *Anser anser*, *Anas acuta* and *Bucephala clangula*

* In association with the NCC¹, the RSPB² classed 117 species of birds as "species of conservation importance" in 1989. All were awarded the status of red data species. The RSPB and the NCC are currently preparing Action Plans for all these species, giving priority to the 43 most threatened.

The Action Plans aim to convert information found through research into the practical action required to counter the threats to these birds. The contents of a Species Action Plan will include a biological/ecological evaluation of the species, analysis of the threats, the necessary action to be taken, targets, a work programme and monitoring.

So far, Action Plans have been drawn up for approval for the following five species: *Milvus milvus*, *Crex crex*, *Sterna dougallii*, *Falco columbarius* and *Emberiza cirius*.

In addition, Action Plans are in advanced draft for the following 11 species:

- | | |
|-------------------------------|---------------------------------------|
| – <i>Haliaeetus albicilla</i> | – <i>Branta bernicla</i> |
| – <i>Circus pygargus</i> | – <i>Anser albifrons flavirostris</i> |
| – <i>Tetrao urogallus</i> | – <i>Circus cyaneus</i> |
| – <i>Tetrao tetrix</i> | – <i>Parus cristatus</i> |
| – <i>Loxia scotica</i> | – <i>Burhinus oedipnemus</i> |
| – <i>Tyto alba</i> | |

The RSPB along with the NCC are planning to initiate Action Plans for some 50 other red data species in the near future.

1) *Nature Conservancy Council (see p. 38)*
 2) *Royal Society for the Protection of Birds*

Northern Ireland:

• Under the Wildlife Order (NI) 1985/171, protection is given to all species of wild birds except those for which hunting is authorised. Special protection is given at all times to 56 species including 24 listed in Annex I and 9 listed in Annex II/2: *Streptopelia turtur*, *Turdus pilaris*, *Limosa limosa*, *Mergus merganser*, *Tringa nebularia*, *Coturnix coturnix*, *Philomachus pugnax*, *Melanitta nigra*, *Numenius phaeopus*. (According to Annex II/2, the latter two species may be hunted in the United Kingdom).

• During the close season, the following species benefit from special protection: *Anas strepera*, *Bucephala clangula*, *Anas acuta*, *Pluvialis apricaria*, *Aythya ferina*, *Aythya marila*, *Anas clypeata*, *Anas penelope*.

A further measure taken:

• Some vulnerable sites of *Falco peregrinus* are specially wardened; the species is protected from disturbance during the breeding season and protected from killing and taking during the remainder of the year.

SALE

The sale of wild birds is regulated by Article 6 of the directive:

Article 6:

1. *....Member States shall prohibit for all the bird species referred to in Article 1, the sale, transport for sale, keeping for sale and the offering for sale of live or dead birds and of any readily recognisable parts or derivatives of such birds.*
2. *The activities referred to in paragraph 1 shall not be prohibited in respect of the species referred to in Annex III/1, provided that the birds have been legally killed or captured or otherwise legally acquired.*
3. *Member States may, for the species listed in Annex III/2, allow within their territory the activities referred to in paragraph 1, making provision for certain restrictions, provided the birds have been legally killed or captured or otherwise legally acquired.....*

Member States granting authorisation pursuant to this paragraph shall verify at regular intervals that the conditions governing the granting of such authorisation continue to be fulfilled

4. *The Commission shall carry out studies on the biological status of the species listed in Annex III/3 and on the effects of marketing on such status....*

Annex III was amended by directive 91/244/EEC of March 6 1991 under which the nine species of Annex III part 3 were transferred to Annex III part 2. Consequently, there are now a total of 19 species listed in Annex III part 2. However, since this study deals with the 10 years' application of the directive (1981 - 1991), it seems preferable to analyse the situation concerning sale in the Member States using the original version of Annex III as established in the directive 79/409/EEC of April 2 1979.

Authorisations for the sale of species listed in Annex III in the different Member States (1981 - 1991) are indicated in the table below, followed by relevant information on:

- the period during which the sale of these species is authorised
- measures taken to protect species listed in Annex III
- species which may be sold under national legislation but which are not listed in Annex III

TABLE 2

**AUTHORISATIONS FOR THE SALE OF SPECIES LISTED IN ANNEX III
IN THE MEMBER STATES**

Species	B	D	DK	E	F	G	I	IRL	L	NL	P	UK
Annex III/1												
<i>Anas platyrhynchos</i>	+	+	+	+	+		+	+	+	+	+	+
<i>Lagopus l. scoticus</i>								+				+
<i>Alectoris rufa</i>				+	+		+	+			+	+
<i>Alectoris barbara</i>				+			+					
<i>Perdix perdix</i>	+	+	+		+		+	+		+		+
<i>Phasianus colchicus</i>	+	+	+	+	+		+	+	+	+	+	+
<i>Columba palumbus</i>	+	+	+	+	+		+	+	+	+	+	+
Annex III/2												
<i>Anser anser</i>		+	+				+			+		
<i>Anas penelope</i>	+	+	+				+	+		+	+	+
<i>Anas crecca</i>	+	+	+				+	+		+	+	+
<i>Anas acuta</i>		+	+				+	+		+	+	+
<i>Aythya ferina</i>		+	+				+	+		+	+	+
<i>Aythya fuligula</i>			+				+	+		+	+	+
<i>Somateria mollissima</i>			+									
<i>Lagopus mutus</i>							+					+
<i>Tetrao urogallus</i>							+					+
<i>Fulica atra</i>	+	+	+				+			+	+	+
Annex III/3												
<i>Anser albifrons</i>			+							+		
<i>Anas clypeata</i>			+				+	+		+	+	+
<i>Aythya marila</i>			+					+		+		
<i>Melanitta nigra</i>			+									
<i>Tetrao tetrix</i>							+					+
<i>Pluvialis apricaria</i>							+	+		+	+	+
<i>Lymnocyptes minimus</i>			+				+	+			+	
<i>Gallinago gallinago</i>			+				+	+		+	+	+
<i>Scolopax rusticola</i>	+		+					+		+	+	+

+ : species which may be sold

COMMENTS

B

In Belgium, all species for which a hunting season has been established may be sold (dead) during the open season and for up to 10 days after the season ends (Article 10, Hunting Act, 1882). The 4 species listed in Annex III/1 referred to in the above table may be sold in the Flemish and Walloon regions. The 3 species listed in Annex III/2 and the one species listed in Annex III/3 referred to in the above table may be sold only in the Walloon region.

In the Flemish region, the sale of *Fulica atra*, *Anser anser*, *Anas crecca*, *Anas penelope* and *Scolopax rusticola* has been prohibited since 1/1/87 by the annual Orders on the opening and closing of the hunting seasons even though these Orders authorised the hunting of the 5 species for the ensuing hunting seasons.

In the Walloon region, as hunting of *Gallinago gallinago* has not been authorised since the 1990-91 season, sale of this species is no longer authorised either

D

The regulation on the sale of species which may be sold (Federal Decree on the Protection of Game of 25/10/85) does not provide for a given period for the sale of these species. Species which may be sold according to Annexes 2 and 3 of this decree are in compliance with Annex III of the directive

DK

Sale of species which may be hunted is authorised during the hunting season and for up to 8 days after the season ends. The following species not listed in Annex III may be sold under the Hunting and Wildlife Administration Act (no. 294) of 9/6/82: *Anser fabalis*, *Anser brachyrhynchus*, *Branta canadensis*, *Anas querquedula*, *Bucephala clangula*, *Clangula hyemalis*, *Melanitta fusca*, *Mergus merganser*, *Mergus serrator*, *Streptopelia decaocto*, *Numenius arquata*, *Numenius phaeopus*, *Larus ridibundus*, *Larus canus*, *Larus fuscus*, *Larus argentatus*, *Larus marinus*

E

The sale of dead specimens of species which may be sold is authorised all year round under Royal Decree 1118/1989 (15/9/89). *Columba oenas* and *Coturnix coturnix* may be sold under this decree but only in the form of processed products.

F

- The sale of species which may be sold is authorised during the hunting season under article 372 of the Rural Code.
- The sale of *Sturnus vulgaris* is authorised under the Order of 20/12/83 on the sale of certain species of birds.
- In addition, the following activities were authorised on a transitional basis:

- until 29/2/84, the import of fresh or frozen specimens of *Turdus merula*, *Turdus pilaris*, *Turdus philomelos* and *Turdus iliacus* for the sole purpose of supplying the food preservation industry excluding retailers. Door to door sale, offering for sale, retail sale or purchase of fresh or frozen specimens of these species remains prohibited.
- until 30/6/85, door to door sale, offering for sale, sale and purchase of preserved products of these species manufactured before 1/1/84

G

Under Joint Ministerial Decision No. 414985 (29/11/85), no sale of dead birds is authorised

I

- * The sale of species which may be sold is authorised during the hunting season established for the species in question (under Law 968/77, the Decree of 20/12/79 and the Decree of 4/6/82).
- * Under Law 968/77, the sale of species which may not be hunted is prohibited. It is also prohibited to sell *Scolopax rusticola* as well as dead birds smaller than *Turdus* sp. with the exception of *Sturnus vulgaris*, *Passer italiae*, *Passer montanus*, *Passer domesticus* and *Alauda arvensis* during the hunting seasons established for these 5 species (article 20 of the Law).
- * The following species not listed in Annex III may therefore be sold during the authorised hunting seasons:
Anas strepera, *Anas querquedula*, *Alectoris graeca*, *Gallinula chloropus*, *Coturnix coturnix*, *Streptopelia turtur*, *Turdus merula*, *Turdus iliacus*, *Turdus philomelos*, *Turdus pilaris*, *Vanellus vanellus*, *Rallus aquaticus*, *Numenius arquata*, *Tringa totanus*, *Philomachus pugnax* and *Limosa limosa* (under Law 968/77 and the Decree of 4/6/82)

IRL

The sale of species for which a hunting season has been established is authorised during the open season (under the Wildlife Act 1976). The sale of *Numenius arquata* is authorised since there is a hunting season for this species under Open Seasons Order. The sale of *Bucephala clangula* and *Anas strepera* (species for which there is a hunting season) is prohibited since 1982 under the Regulation 264/1982

L

The sale of all game species is authorised during the open season and for up to 10 days after the seasons ends under the Hunting Act of 30/5/84. To ensure the survival of endangered game species, the Ministry of Physical Planning and Environment may totally prohibit the offering for sale, the sale, transport for sale or door to door sale of those game species (Article 7 of the above-mentioned Act). Thus, the sale of *Scolopax rusticola* has been prohibited since the hunting season 1989-90 under the annual Ministerial Regulations on the opening and closing of the hunting seasons

NL

Under the 1954 Hunting Act, species for which a hunting season has been established by this Act (and subsequently by the Ministerial Order on the opening and closing of hunting seasons of 8/8/77), may be sold during the open season and for up to 10 days after the season ends. The sale of *Anas strepera* and *Anser fabalis* is authorised since the above-mentioned Order establishes a hunting season for these species

P

* Under the Decree-Law 274 A/88 of 3/8/88, the sale of dead specimens of species which could be hunted (laid down in the same Decree-Law) was authorised during the established hunting season and for up to 5 days after the season ended.

The following species not listed in Annex III could thus legally be sold: *Columba livia*, *Anas strepera*, *Anas querquedula*, *Coturnix coturnix*, *Turdus viscivorus*, *Turdus pilaris*, *Turdus iliacus*, *Turdus philomelos*, *Columba oenas*, *Streptopelia turtur*, *Gallinula chloropus*

* The Decree-Law 60/91 of 30/1/90, under Decree-Law 274 A/88, was adopted to more effectively control the ban on sale of specimens killed by hunting. Sale of dead specimens of species which may be hunted is now prohibited unless authorised by Ministerial Order. Any sale of dead specimens of species which may be hunted must be authorised by a Ministerial Order (*portaria*) adopted by the Ministry of Agriculture (responsible for game management). For the hunting seasons 1990 - 91 and 1991 - 92, the Ministerial Orders regulating hunting activities did not mention any act of sale.

UK

* In Great Britain, the sale of *Columba livia* and *Columba palumbus* is authorised all year round under the Wildlife & Countryside Act (1981). Sale of the following 12 species is only authorised between 1/9 and 28/2 inclusive: *Tetrao urogallus*, *Fulica atra*, *Aythya fuligula*, *Anas acuta*, *Aythya serina*, *Anas crecca*, *Anas penelope*, *Anas platyrhynchos*, *Pluvialis apricaria*, *Anas clypeata*, *Gallinago gallinago*, *Scolopax rusticola*.

* The sale of *Phasianus colchicus*, *Perdix perdix*, *Alectoris rufa*, *Lagopus lagopus scoticus*, *Lagopus mutus* and *Tetrao tetrix* is authorised during the open season and for up to 10 days after the season ends (under the Game Act of 1831)

* In Northern Ireland, the sale of *Columba palumbus* is authorised all year round under the Wildlife Order/Ni 1985/171. Under the Game Law Amendment Act/Ni of 1951, the sale of *Phasianus colchicus* (male only), *Gallinago gallinago*, *Lymnocyrtus minimus* and *Scolopax rusticola* is authorised during the open season and for up to 5 days after the season ends. The sale of *Lagopus lagopus scoticus* is prohibited by the Act although under it, this species may be hunted.

HUNTING

Hunting is regulated by Articles 7 and 8, as follows:

Article 7:

1. *Owing to their population level, geographical distribution and reproductive rate throughout the Community, the species listed in Annex II may be hunted under national legislation. Member States shall ensure that the hunting of these species does not jeopardise conservation efforts in their distribution area.*
2. *The species referred to in Annex II/1 may be hunted in the geographical sea and land area where this directive applies.*
3. *The species referred to in Annex II/2 may be hunted only in the Member States in respect of which they are indicated.*
4. *Member States shall ensure that the practice of hunting, including falconry if practised, as carried on in accordance with the national measures in force, complies with the principles of wise use and ecologically balanced control of the species of birds concerned and that this practice is compatible as regards the population of these species, in particular migratory species, with the measures resulting from Article 2. They shall see in particular that the species to which hunting laws apply are not hunted during the rearing season nor during the various stages of reproduction. In the case of migratory species, they shall see in particular that the species to which hunting regulations apply are not hunted during their period of reproduction or during their return to their rearing grounds. Member States shall send the Commission all relevant information on the practical application of their hunting regulations.*

Article 8:

1. *In respect of the hunting, capture or killing of birds under this directive, Member States shall prohibit the use of all means, arrangements or methods used for the large-scale or non-selective capture or killing of birds or capable of causing the local disappearance of a species, in particular the use of those listed in Annex IV (a).*
2. *Moreover, Member States shall prohibit any hunting from the modes of transport and under the conditions mentioned in Annex IV (b).*

Species listed in Annex II part 1 of the directive:

Although the directive authorises the hunting of 24 species throughout EC territory, the number of species which may be hunted under national legislation is lower in several Member States either because, in those countries, certain species do not occur or because one or more of the 24 species are protected by national legislation.

Table 3₁ indicates:

- the number of species listed in Annex II part 1 which may be hunted under national legislation in the various Member States (column C) as opposed to the number authorised by the directive (A) and – by way of comparison – the number of species listed in Annex II part 1 which are present in each country (B)
- the status of species listed in Annex II part 1 in the different Member States including cases of species listed in Annex II part 1 which are protected under national legislation (see comments)

Species listed in Annex II part 2 of the directive:

Although the directive authorises the hunting of the species listed in Annex II part 2 only in specified Member States, the number of species which may be hunted under national legislation in those countries is lower for the same reasons which apply to the species listed in Annex II part 1.

Table 4₁ indicates:

- the number of species listed in Annex II part 2 which may be hunted under national legislation in the various Member States (column C) as opposed to the number authorised by the directive (A) and – by way of comparison – the number of species listed in Annex II part 2 which are present in each country (B)
- the status of species listed in Annex II part 2 in the different Member States (see comments):
 - * cases of species listed in Annex II part 2 which may be hunted or which are classed as game species under national legislation in a particular country despite the fact that the directive prohibits the hunting of those species in that country
 - * cases of species which may be hunted or which are classed as game species under national legislation in a particular country yet they are not listed in Annex II part 1 or 2
 - * cases of species listed in Annex II part 2 which are protected under national legislation

Finally, Tables 5¹, 6¹ and 7¹ provide an overview of the status in the Member States of:

- the species listed in Annex II part 1 (Table 5)
- the species listed in Annex II part 2 (Table 6)
- the species not listed in Annex II but for which taking (hunting or control) is authorised (Table 7).

A country-by-country summary is then given of special measures taken by Member States for the wise use of species which may be hunted (see article 7 paragraph 4). In particular, information is provided on the efforts made to adapt the hunting seasons to the biological requirements of the species hunted.

1) *Situation at 30.06.92*

TABLE 3 (I)

STATUS OF SPECIES LISTED IN ANNEXE II PART 1 IN MEMBER STATES (MS)

MS	A ANNEX II/1 HUNTABLE SPECIES	B ANNEX II/1 SPECIES PRESENT	C ANNEX II/1 SPECIES HUNTED	COMMENTS
B	24	19	8	<p>* In Flanders, 18 of the 24 species listed in Annex II/1 are classed as game species under the Flemish Decree on Hunting of 24/7/91. Also under this decree, <i>Lagopus lagopus scoticus</i> and <i>Scolopax rusticola</i> were withdrawn from the list of species formerly classed as game species (under the Hunting Act of 1882). There is an open season for 8 species from Annex II/1.</p> <p>* Since the season 1989-90, there has no longer been an open season for <i>Scolopax rusticola</i></p>
		19	8	<p>* In Wallonia, 19 of the 24 species listed in Annex II/1 are classed as game species under the Walloon Order of 18/6/92. Also under this Order, <i>Lagopus lagopus scoticus</i> was withdrawn from the list of species formerly classed as game species (under the Hunting Act of 1882). There is an open season for 8 species from Annex II/1.</p> <p>* Since the season 1990-91, there has no longer been an open season for <i>Gallinago gallinago</i></p>
D	24	20	15	<p>* Special protection is given to <i>Alectoris rufa</i> under the Federal Decree on the Protection of Species of Wild Fauna and Flora of 19/12/86. Hunting is thus prohibited.</p> <p>* <i>Lagopus mutus</i>, <i>Anas clypeata</i>, <i>Anas strepera</i> and <i>Columba livia</i> are classed as game species under the Hunting Law of 29/9/76 but the hunting of these 4 species is prohibited (no hunting seasons established)</p>
DK	24	19	18	
E	24	21	19	Under Royal Decree 1095/1989 (8/9/89), <i>Anser fabalis</i> and <i>Perdix perdix</i> are no longer classed as game species
F	24	22	22	
G	24	20	18	<p>* As a result of a sharp decline in their populations, there has been a ban on hunting of:</p> <ul style="list-style-type: none"> - <i>Perdix perdix</i> since 1984 - <i>Anser anser</i> since 1991 <p>* <i>Alectoris chukar</i> (species not listed in Annex II/1 or II/2) may be hunted under Joint Ministerial Decision (JMD) 414985 (29/11/85)</p>
I	24	22	19	
IRL	24	22	16	Only the hunting of male specimens of <i>Phasianus colchicus</i> is authorised
L	24	18	4	<p>* The hunting of <i>Gallinago gallinago</i>, <i>Lymnocyptes minutus</i> and <i>Gallinago media</i> (the latter species listed in Annex I) has been banned since 1980. No reauthorisation for the hunting of these 3 species is planned.</p> <p>* The hunting of <i>Perdix perdix</i> has provisionally been banned since 1981 following a sharp decline in numbers</p>

TABLE 3 (II)

STATUS OF SPECIES LISTED IN ANNEX II PART 1 IN MEMBER STATES (MS)

MS	A ANNEX II/1 HUNTABLE SPECIES	B ANNEX II/1 SPECIES PRESENT	C ANNEX II/1 SPECIES HUNTED	COMMENTS
NL	24	19	15	Under the Ministerial Order of 8/8/77 on the opening and closing of hunting seasons (itself under the 1954 Hunting Law), <i>Lymnocyptes minimus</i> is classed as game species but the hunting of this species is not authorised
P	24	20	17	
UK	24	23	18	In Great Britain, special protection is given to <i>Anas querquedula</i> under the Wildlife & Countryside Act (1981)
		21	16	In Northern Ireland, <i>Anser fabalis</i> and <i>Anas querquedula</i> were withdrawn from the list of birds which may be hunted (under the Wildlife Order 1985/171) <ul style="list-style-type: none"> • Both species are protected by the same Order; special protection is given to <i>Anas querquedula</i> • <i>Perdix perdix</i>, <i>Alectoris rufa</i>, <i>Phasianus colchicus</i> (female) and <i>Alectoris chukar</i> (species not listed in Annex II/1 or II/2) may be hunted under the Game Law Amendment Act (1951) but special authorisation for hunting these species must be granted by the Department of Environment/NI

TABLE 4 (I)

STATUS OF SPECIES LISTED IN ANNEX II PART 2 IN MEMBER STATES (MS)

MS	A ANNEX II/2 HUNTABLE SPECIES	B ANNEX II/2 SPECIES PRESENT	C ANNEX II/2 SPECIES HUNTED	COMMENTS
B	7	45	0	<p>* In Flanders, the Flemish Order of 4/11/87, amending the Hunting Act of 28/2/1882 redefines the list of species of birds classed as game. Under this Order (and the Flemish Decree of 24/7/92), the 7 species which may be hunted in Belgium according to Annex II/2 are classed as game but there is no open season for any of these 7 species</p> <p>* Under the same Order, withdrawn from this list were: 6 species from Annex I: <i>Anser erythropus</i>, <i>Aythya nyroca</i>, <i>Branta leucopsis</i>, <i>Branta ruficollis</i>, <i>Tadorna ferruginea</i> and <i>Gallinago media</i>; 16 species from Annex II/2 not hutable in Belgium: <i>Branta bernicla</i>, <i>Bucephala clangula</i>, <i>Clangula hyemalis</i>, <i>Coturnix coturnix</i>, <i>Larus argentatus</i>, <i>Larus ridibundus</i>, <i>Netta rufina</i>, <i>Melanitta fusca</i>, <i>Melanitta nigra</i>, <i>Mergus serrator</i>, <i>Mergus merganser</i>, <i>Somateria mollissima</i>, <i>Turdus siliacus</i>, <i>Turdus merula</i>, <i>Turdus viscivorus</i> and <i>Turdus pilaris</i>; 13 species not listed in Annex II/1 or II/2: <i>Anas americana</i>, <i>Anas discors</i>, <i>Anser caeruleus</i>, <i>Aythya collaris</i>, <i>Mergus albellus</i>, <i>Tadorna tadorna</i>, <i>Somateria spectabilis</i>, <i>Garrulus glandarius</i>, <i>Pica pica</i>, <i>Corvus corone cornix</i>, <i>Corvus corone corone</i>, <i>Corvus frugilegus</i> and <i>Corvus monedula</i>. (Hunting of these species has not been authorised for many years)</p>
		45	0	<p>* In Wallonia, the Walloon Order of 18/6/92 amending the Hunting Act of 28/2/1882 redefines the list of species of birds classed as game. Under this Order, the 7 species which may be hunted in Belgium according to Annex II/2 are classed as game but there is no open season for any of these 7 species. (Hunting of <i>Gallinula chloropus</i> and <i>Vanellus vanellus</i> has not been authorised since the since the 1989-90 season)</p> <p>* Under the Walloon Order of 18/6/92, withdrawn from this list were the same species as in Flanders under the Flemish Order of 4/11/87 (see above list) Hunting of these species has not been authorised for many years.</p>
D	15	47	15	<p>* Under the Hunting Act of 29/9/76, the following species are classed as game species:</p> <ul style="list-style-type: none"> - <i>Mergus serrator</i>, <i>Mergus merganser</i>, <i>Bonasa bonasia</i>, <i>Coturnix coturnix</i> (species which may not be hunted in Germany according to Annex II/2). - All species of <i>Columbidae</i>, wild geese (<i>Anser</i> sp. and <i>Branta</i> sp.) and wild ducks despite the fact that <i>Somateria mollissima</i>, <i>Clangula hyemalis</i>, <i>Netta rufina</i>, <i>Anser brachyrhynchus</i>, <i>Bucephala clangula</i>, <i>Columba oenas</i> and <i>Streptopelia turtur</i> may not be hunted in Germany according to Annex II/2. - <i>Podiceps cristatus</i>, <i>Otis tarda</i>, <i>Ardea cinerea</i>, <i>Corvus corax</i>, <i>Falconidae</i> and <i>Accipitridae</i> (not listed in Annex II/1 or II/2). <p>* Hunting is prohibited for all the above-mentioned species – no hunting seasons established.</p>

TABLE 4 (II)

STATUS OF SPECIES LISTED IN ANNEX II PART 2 IN MEMBER STATES (MS)

MS	A ANNEX II/2 HUNTABLE SPECIES	B ANNEX II/2 SPECIES PRESENT	C ANNEX II/2 SPECIES HUNTED	COMMENTS
DK	29	44	18	<ul style="list-style-type: none"> * Since 1972, hunting of <i>Branta bernicla</i> (hunnable in DK under Annex II/2) and <i>Tetrao tetrix</i> (not hunnable in DK under Annex II/2) has not been authorised * Since 1979, hunting of <i>Gavia stellata</i>, <i>Gavia arctica</i> and <i>Gavia immer</i> (all 3 species listed in Annex I) has not been authorised * Since 1982, hunting of <i>Vanellus vanellus</i> (hunnable in DK under Annex II/2) has not been authorised. * Since 1983, hunting of <i>Limosa lapponica</i>, <i>Limosa limosa</i>, <i>Haematopus ostralegus</i>, <i>Pluvialis squatarola</i>, <i>Pluvialis apricaria</i>, <i>Tringa nebularia</i>, <i>Tringa totanus</i>, <i>Tringa erythropus</i>, <i>Calidris canutus</i> (hunnable in DK under Annex II/2), <i>Turdus merula</i>, <i>Turdus pilaris</i> (not hunnable in DK under Annex II/2), <i>Corvus corone corone</i>, <i>Corvus corone cornix</i>, <i>Corvus frugilegus</i>, <i>Pica pica</i>, <i>Corvus monedula</i>, <i>Passer domesticus</i> and <i>Garrulus glandarius</i> (species not listed in Annex II/1 or II/2) has not been authorised * All the above mentioned species are totally protected under the Hunting and Wildlife Administration Act (no. 294) of 9/6/82
E	33	43	14	<ul style="list-style-type: none"> * Under Royal Decree 1095/1989 (8/9/89), 11 species were withdrawn from the list of species classed as game: <i>Melanitta nigra</i>, <i>Mergus serrator</i>, <i>Gallinula chloropus</i>, <i>Rallus aquaticus</i>, <i>Tringa totanus</i>, <i>Turdus merula</i>, <i>Numenius arquata</i> (hunnable in Spain under Annex II/2), <i>Pterocles orientalis</i>, <i>Garrulus glandarius</i>, <i>Corvus frugilegus</i>, <i>Corvus corax</i> (these 4 species not listed in Annex II/1 or II/2). * The following 21 species are protected: <ul style="list-style-type: none"> - Under Royal Decree 3181/1980: <i>Haematopus ostralegus</i>, <i>Calidris canutus</i>, <i>Philomachus pugnax</i>, <i>Tringa erythropus</i>, <i>Tringa nebularia</i>, <i>Limosa limosa</i>, <i>Limosa lapponica</i>, <i>Numenius phaeopus</i>, <i>Larus canus</i>, <i>Pluvialis squatarola</i> and <i>Streptopelia decaocto</i> (species hunnable in Spain under Annex II/2), <i>Cygnus olor</i>, <i>Branta bernicla</i>, <i>Bucephala clangula</i>, <i>Aythya marila</i>, <i>Larus marinus</i>, <i>Mergus merganser</i> (not hunnable in Spain under Annex II/2) - Under Royal Decree 1497/1986: <i>Bonasa bonasia</i>, <i>Tetrao tetrix</i> (not hunnable in E under Annex II/2), <i>Tetrao urogallus</i>, <i>Pluvialis apricaria</i> (hunnable in E)
F	36	46	36	<ul style="list-style-type: none"> * <i>Branta bernicla</i>, <i>Cygnus olor</i>, <i>Mergus merganser</i> and <i>Mergus serrator</i> (may not be hunted in F under Annex II/2) are protected species under the Order of 17/4/81 * Under the Order of 26/6/87, the following species were removed from the list of species classed as game: <i>Anser brachyrhynchus</i> (may not be hunted in F under Annex II/2), 3 species listed in Annex I: <i>Tringa glareola</i>, <i>Gallinago media</i>, <i>Charadrius morinellus</i> and 5 other species not listed in Annex II/1 or II/2: <i>Arenaria interpres</i>, <i>Tringa ochropus</i>, <i>Charadrius hiaticula</i>, <i>Charadrius dubius</i> and <i>Charadrius alexandrinus</i>. All 9 species were formerly classed as game under the Order of 12/6/79 and the latter 8 species were hunted -hunting seasons were formerly established

TABLE 4 (III)

STATUS OF SPECIES LISTED IN ANNEX II PART 2 IN MEMBER STATES (MS)

MS	A ANNEX II/2 HUNTABLE SPECIES	B ANNEX II/2 SPECIES PRESENT	C ANNEX II/2 SPECIES HUNTED	COMMENTS
G	14	45	14	<p>* Under the Annual Hunting Regulation (itself under the JMD) establishing the list of species which may be hunted, the following species not listed in Annex II/1 or II/2 may be hunted: <i>Pica pica</i>, <i>Garrulus glandarius</i>, <i>Corvus monedula</i>, <i>Corvus corone cornix</i>, <i>Sturnus vulgaris</i>, <i>Passer domesticus</i>, <i>Passer montanus</i>, <i>Passer hispaniolensis</i>, <i>Oriolus oriolus</i> and <i>Merops apiaster</i>. The latter 2 species have not been included on the list since the 1990-91 season.</p>
I	19	47	15	<p>* Under the Decree of 4/6/82, 13 species were removed from the list of species which may be hunted: <i>Fringilla coelebs</i>, <i>Lullula arborea</i>, <i>Anthus campestris</i> (species listed in Annex I), <i>Anthus trivialis</i>, <i>Anthus pratensis</i>, <i>Fringilla montifringilla</i>, <i>Emberiza calandra</i>, <i>Chloris chloris</i>, <i>Carduelis cannabina</i>, <i>Galerida cristata</i>, <i>Anthus spinoletta</i>, <i>Coccothraustes coccothraustes</i> (species not listed in Annex II/1 or II/2) and, in view of its scarcity in Italy, <i>Limosa lapponica</i> (hunnable in Italy under Annex II/2)</p> <p>* 11 species not listed in Annex II/1 or II/2 could be hunted: <i>Passer italiae</i>, <i>Passer montanus</i>, <i>Passer domesticus</i>, <i>Sturnus vulgaris</i>, <i>Corvus monedula</i>, <i>Corvus frugilegus</i>, <i>Corvus corone corone</i> and <i>Collinus virginianus</i> (under Law 968/77 of 27/12/77) & <i>Pica pica</i>, <i>Corvus corone cornix</i> and <i>Garrulus glandarius</i> (under the Decree of 4/6/82). These 11 species may still be hunted under the new Hunting Law (no. 157) of 11/2/92 which replaces Law 968/77</p> <p>* See addendum for further information</p>
IRL	13	43	4	<p>Under the Open Seasons Amendment Order 266/1982, <i>Anser albifrons flavirostris</i> (species listed in Annex I) was withdrawn from the list of species which may be hunted but a limited hunting season was authorised in County Wexford (from 1/11/89 to 1/1/90)</p>
L	0	44	0	<p>* The hunting of <i>Corvus frugilegus</i> and <i>Corvus corone cornix</i> (species not listed in Annex II/1 or II/2) has been banned since 1982</p> <p>* Under the Ministerial Regulation of 22/11/90, 3 species (not listed in Annex II/1 or II/2) are classed as game species: <i>Corvus corone corone</i>, <i>Pica pica</i> and <i>Garrulus glandarius</i>. Hunting of these 3 species is authorised</p>
NL	3	44	3	<p>* Under the Ministerial Order of 8/8/77, <i>Gallinago media</i> (species listed in Annex I) and <i>Tetrao tetrix</i> (not hunnable in NL according to Annex II/2) are classed as game but there is no open season for these two species</p> <p>* Under this Order, all species of <i>Anatidae</i> are classed as game despite the fact that only <i>Anser albifrons</i> and <i>Aythya marila</i> may be hunted in NL under Annex II/2. (However, there are open seasons for these two species only).</p>

TABLE 4 (iv)

STATUS OF SPECIES LISTED IN ANNEX II PART 2 IN MEMBER STATES (MS)

MS	A ANNEX II/2 HUNTABLE SPECIES	B ANNEX II/2 SPECIES PRESENT	C ANNEX II/2 SPECIES HUNTED	COMMENTS
NL				<ul style="list-style-type: none"> * 6 other species not listed in Annex II/1 or II/2 are classed as game species: <i>Garrulus glandarius</i>, <i>Corvus corone corone</i>, <i>Corvus monedula</i>, <i>Pica pica</i>, <i>Corvus corone cornix</i> and <i>Corvus frugilegus</i> (NB hunting of the latter two species is not authorised)
P	10	36	9	<ul style="list-style-type: none"> * Under Decree-Law 274-A/88 (3/8/88), 12 species listed in Annex II/2 are classed as game although 3 of them may not be hunted in Portugal according to Annex II/2: <i>Vanellus vanellus</i>, <i>Limosa limosa</i> and <i>Streptopelia decaocto</i>. Since the 1989-90 season, there has been no open season for these 3 species. Under the same Decree-Law: * <i>Tetrax tetrax</i> (species listed in Annex I) is classed as game but there is no longer any open season for it * 7 other species not listed in Annex II/1 or II/2 are classed as game: <i>Corvus monedula</i>, <i>Corvus corax</i>, <i>Corvus corone corone</i>, <i>Sturnus vulgaris</i>, <i>Sturnus unicolor</i>, <i>Garrulus glandarius</i>, <i>Pica pica</i> but hunting of the latter 5 species is prohibited. Under Decree-Law 43/90 of 8/2/90, <i>Corvus monedula</i> and <i>Corvus corax</i> were withdrawn from the list of species classed as game
UK	16	46	7	<ul style="list-style-type: none"> * In Great Britain, under the Wildlife & Countryside Act (WCA) of 1981: <ul style="list-style-type: none"> - 9 species which may be hunted according to Annex II/2 are protected: <i>Pluvialis squatarola</i>, <i>Limosa lapponica</i>, <i>Numenius arquata</i>, <i>Tringa totanus</i>, <i>Clangula hyemalis</i>, <i>Aythya marila</i>, <i>Melanitta nigra</i>, <i>Melanitta fusca</i> and <i>Numenius phaeopus</i> (special protection is given to the latter 5 species) - 4 species may be taken (controlled) which may not be hunted in the UK under Annex II/2: <i>Streptopelia decaocto</i>, <i>Larus marinus</i>, <i>Larus fuscus</i> and <i>Larus argentatus</i> - 8 other species not listed in Annex II/1 or II/2 may be taken: <i>Corvus corone corone</i>, <i>Corvus monedula</i>, <i>Pica pica</i>, <i>Garrulus glandarius</i>, <i>Corvus frugilegus</i>, <i>Passer domesticus</i>, <i>Sturnus vulgaris</i>, <i>Corvus corone cornix</i>
	16	43	5	<ul style="list-style-type: none"> * In Northern Ireland, under the Wildlife Order 1985/171: <ul style="list-style-type: none"> - 11 species were withdrawn from the list of species which may be hunted: <i>Cygnus olor</i>, <i>Netta rufina</i>, <i>Somateria mollissima</i>, <i>Clangula hyemalis</i>, <i>Melanitta fusca</i>, <i>Mergus serrator</i>, <i>Pluvialis squatarola</i>, <i>Columba oenas</i>, <i>Mergus merganser</i>, <i>Melanitta nigra</i> and <i>Numenius phaeopus</i> - All 11 species are protected (special protection is given to the latter 3 species) - 3 species may be taken (controlled) which may not be hunted in the UK under Annex II/2: <i>Larus marinus</i>, <i>Larus fuscus</i> and <i>Larus argentatus</i> - 7 other species not listed in Annex II/1 or II/2 may be taken: <i>Corvus corone corone</i>, <i>Corvus corone cornix</i>, <i>Corvus monedula</i>, <i>Corvus frugilegus</i>, <i>Passer domesticus</i>, <i>Sturnus vulgaris</i>, <i>Pica pica</i>

ADDENDUM

MS

COMMENTS

E

* There are still 6 species classed as game under Royal Decree 1095/1989 which are not listed in Annex II/1 or II/2: *Sturnus unicolor*, *Sturnus vulgaris*, *Corvus corone corone*, *Corvus monedula*, *Pica pica* and *Larus cachinnans* (+ hunting seasons established for all these species except *Larus cachinnans*)

F

* Since 1985, *Tetrao urogallus* has been protected in the regions of Lorraine, Alsace, Franche-Comté & Rhône-Alpes under the Orders of 10/12/85 and 11/4/91
 * Also, under the Order of 26/6/87, 7 other species not listed in Annex II/1 or II/2 were removed from the list of species classed as game: *Corvus corone corone*, *Corvus corone cornix*, *Corvus frugilegus*, *Corvus monedula*, *Pica pica*, *Sturnus vulgaris* and *Garrulus glandarius*

I

* Also under Law 157/92: -
 - *Fringilla coelebs* & *Fringilla montifringilla* were reinstated and *Bonasa bonasia* (species not huntable in Italy according to Annex II/2) was added to the list of species which may be hunted.
 - 4 species were removed from the list of species which may be hunted: *Tringa totanus*, *Numenius arquata*, *Tetrao urogallus* and *Pluvialis apricaria* (all 4 species huntable in Italy according to Annex II/2)

KEY TO THE QUICK REFERENCE TABLES (TABLES 5, 6 AND 7)

- A** species absent in the country
- P** species protected under national legislation
 - species protected under national legislation although it may be hunted in that particular country according to Annex II to the directive
 - + species for which a hunting season is established under national legislation
 - ▲ species for which a hunting season was formerly established under national legislation
 - × species for which a hunting season is established under national legislation despite the fact that it may not be hunted in that particular country according to Annex II to the directive
- G** species classed as game under national legislation but for which no hunting season is established
- species classed as game under national legislation despite the fact that it may not be hunted in that particular country according to Annex II to the directive
- L** protected species but may be killed under licence under specific conditions laid down in national legislation despite the fact that it may not be hunted in that particular country according to Annex II to the directive
- C** species considered as a pest species which may be controlled (regulated) under specific conditions laid down in national legislation
- ▼** species considered as a pest species which may be controlled (regulated) under specific conditions laid down in national legislation despite the fact that it may not be hunted in that particular country according to Annex II to the directive
- m** male

TABLE 5

STATUS OF SPECIES LISTED IN ANNEX II PART 1 IN MEMBER STATES (MS)
QUICK REFERENCE TABLE (SITUATION AT 30.06.92)

SPECIES	MS		D	DK	E	F	G	I	IRL	L	NL	P	UK	
	F	W											GB	NIRL
<i>Anser fabalis</i>	G	G	+	+	P	+	+	P	P	P	+	P	P	AP
<i>Anser anser</i>	+	G	+	+	+	+	▲G	P	P	P	+	P	+	+
<i>Branta canadensis</i>	G	G	+	+	A	A	A	A	P	A	G	A	+	P
<i>Anas penelope</i>	+	+	+	+	+	+	+	+	+	P	+	+	+	+
<i>Anas strepera</i>	G	G	G	P	+	+	+	+	+	P	+	+	+	+
<i>Anas crecca</i>	+	+	+	+	+	+	+	+	+	P	+	+	+	+
<i>Anas platyrhynchos</i>	+	+	+	+	+	+	+	+	+	+	+	+	+	+
<i>Anas acuta</i>	G	G	+	+	+	+	+	+	+	P	+	+	+	+
<i>Anas querquedula</i>	G	G	+	+	+	+	+	+	▲P	P	G	+	P	P
<i>Anas clypeata</i>	G	G	G	+	+	+	+	+	+	P	+	+	+	+
<i>Aythya ferina</i>	G	G	+	+	+	+	+	+	+	P	+	+	+	+
<i>Aythya fuligula</i>	G	G	+	+	+	+	+	+	+	P	+	+	+	+
<i>Lagopus lagopus scoticus</i>	A	A	A	A	A	A	A	A	+	A	A	A	+	+
<i>Lagopus mutus</i>	A	A	G	A	A**	+	A	+	A	A	A	A	+	A
<i>Alectoris graeca</i>	A	A	AP	A	A	+	+	+	A	A	A	A	A	A
<i>Alectoris rufa</i>	A	A	AP	A	+	+	A	+	+	A	A	+	+	+
<i>Perdix perdix</i>	+	+	+	+	+	+	▲G	+	+	▲G	+	P	+	+
<i>Phasianus colchicus</i>	+	+	+	+	+	+	+	+	+(m)	+	+	+	+	+(m)
<i>Fulica atra</i>	+	+	+	+	+	+	+	+	P	P	+	+	+	P
<i>Lymnocyptes minimus</i>	G	G	P	+	+	+	+	+	+	▲P	G	+	P	+
<i>Gallinago gallinago</i>	G	▲G	P	+	+	+	+	+	+	▲P	+	+	+	+
<i>Scolopax rusticola</i>	▲P	+	+	+	+	+	+	+	+	+	+	+	+	+
<i>Columba livia</i>	A	A	AG	A	+	+	+	P	P	A	A	+	C	C
<i>Columba palumbus</i>	+	+	+	+C	+	+	+	+	+C	+	C	+	C	C

** N.B. the sub-species *Lagopus mutus pyrenaicus* is protected in E (Royal Decree 1497/1986)

* The species in question here is the feral pigeon and not the rock dove. The latter species is protected in GB and NIRL

TABLE 6 (i)

STATUS OF SPECIES LISTED IN ANNEX II PART 2 IN MEMBER STATES (MS)

QUICK REFERENCE TABLE (SITUATION AT 30.06.92)

MS SPECIES	B		D	DK	E	F	G	I	IRL	L	NL	P	UK	
	F	W											GB	NIRL
<i>Cygnus olor</i>	P	P	+	P	AP	P	P	P	L	P	L	A	P	▲P
<i>Anser brachyrhynchus</i>	G	G	□	+	P	P	P	P	•	P	□	A	+	+
<i>Anser albifrons</i>	G	G	+	+	P	+	+	P	•	P	+	A	+	•
<i>Branta bernicla</i>	P	P	+	▲P	P	P	P	P	P	P	L□	P	L	P
<i>Netta rufina</i>	P	P	□	P	+	+	P	P	P	P	□	P	P	▲P
<i>Aythya marila</i>	G	G	+	+	P	+	+	P	+	P	+	P	•	+
<i>Somateria mollissima</i>	P	P	□	+	P	+	P	P	•	P	□	A	P	▲P
<i>Clangula hyemalis</i>	P	P	□	+	A	+	P	P	•	P	□	A	•	▲•
<i>Melanitta nigra</i>	P	P	+	+	•	+	P	P	•	P	□	P	•	▲•
<i>Melanitta fusca</i>	P	P	+	+	P	+	P	P	•	P	□	P	•	▲•
<i>Bucephala clangula</i>	P	P	□	+	AP	+	+	P	+	P	□	A	+	+
<i>Mergus serrator</i>	P	P	□	+	•	P	P	P	•	P	□	P	L	▲P
<i>Mergus merganser</i>	P	P	□	+	P	P	P	P	•	P	□	A	L	▲P
<i>Bonasa bonasia</i>	P	P	□	A	AP	+	P	X	A	P	A	A	A	A
<i>Tetrao tetrix</i>	G	G	+	▲P	P	+(m)	A	+	A	A	□	A	+	A
<i>Tetrao urogallus</i>	A	A	+	A	•	+(m)	P	▲•	A	A	A	A	+	A
<i>Alectoris barbara</i>	A	A	AP	A	+•	A	A	+	A	A	A	A	P	A
<i>Coturnix coturnix</i>	P	P	□	P	+	+	+	+	P	P	P	+	P	P
<i>Meleagris gallopavo</i>	A	A	+	A	A	A	A	A	A	A	A	A	A	A
<i>Rallus aquaticus</i>	P	P	P	P	•	+	P	+	P	P	P	P	P	P
<i>Gallinula chloropus</i>	▲G	▲G	P	P	•	+	+	+	P	P	P	+	+	•
<i>Haematopus ostralegus</i>	P	P	P	▲•	•	+	P	P	P	P	P	P	P	P
<i>Pluvialis apricaria</i>	G	G	P	▲•	•	+	P	▲•	+	P	+	+	+	+
<i>Pluvialis squatarola</i>	P	P	P	▲•	•	+	P	P	P	P	P	P	•	▲•

• only on the Canary Islands

TABLE 6 (ii)

STATUS OF SPECIES LISTED IN ANNEX II PART 2 IN MEMBER STATES (MS)
QUICK REFERENCE TABLE (SITUATION AT 30.06.92)

MS SPECIES	B		D	DK	E	F	G	I	IRL	L	NL	P	UK	
	F	W											GB	NIRL
<i>Vanellus vanellus</i>	▲C	▲C	P	▲•	+	+	+	+	•	P	P	▲□	P	P
<i>Calidris canutus</i>	P	P	P	▲•	•	+	P	P	P	P	P	P	P	P
<i>Philomachus pugnax</i>	P	P	P	P	•	+	P	+	P	P	P	P	P	P
<i>Limosa limosa</i>	P	P	P	▲•	•	+	P	+	P	P	P	▲□	P	P
<i>Limosa lapponica</i>	P	P	P	▲•	•	+	P	▲•	P	P	P	P	•	•
<i>Numenius phaeopus</i>	P	P	P	+	•	+	P	P	P	P	P	P	•	▲•
<i>Numenius arquata</i>	P	P	P	+	•	+	P	▲•	+	P	P	P	•	+
<i>Tringa erythropus</i>	P	P	P	▲•	•	+	P	P	P	P	P	P	P	P
<i>Tringa totanus</i>	P	P	P	▲•	•	+	P	▲•	P	P	P	P	•	•
<i>Tringa nebularia</i>	P	P	P	▲•	•	+	P	P	P	P	P	P	P	P
<i>Larus ridibundus</i>	▲▼	▲▼	+	+C	+	P	P	P	P	P	▼	P	P	P
<i>Larus canus</i>	P	P	+	+C	•	P	P	P	P	P	P	P	P	P
<i>Larus fuscus</i>	P	P	+	+	+	P	P	P	▼	P	P	P	▼	▼
<i>Larus argentatus</i>	▲▼	▲▼	+	+C	+	P	P	P	▼	P	▼	P	▼	▼
<i>Larus marinus</i>	P	P	+	+	P	P	P	P	▼	P	P	P	▼	▼
<i>Columba oenas</i>	P	P	□	P	+	+	+	P	P	P	P	+	P	▲P
<i>Streptopelia decaocto</i>	P	P	+	+	+P*	+	P	P	P	P	P	▲□	▼	P
<i>Streptopelia turtur</i>	P	P	□	P	+	+	+	+	P	P	P	+	P	P
<i>Alauda arvensis</i>	P	P	P	P	P	+	+	+	P	P	P	P	P	P
<i>Turdus merula</i>	P	▲P	P	▲▼	•	+	+	+	P	P	P	•	P	P
<i>Turdus pilaris</i>	P	P	P	▲P	+	+	+	+	P	P	P	+	P	P
<i>Turdus philomelos</i>	P	P	P	P	+	+	+	+	P	P	P	+	P	P
<i>Turdus filiacus</i>	P	P	P	P	+	+	+	+	P	P	P	+	P	P
<i>Turdus viscivorus</i>	P	P	P	P	+	+	+	P	P	P	P	+	P	P

* species protected under Royal Decree 3181/1980
but hunting season established in some regions
(Comunidades Autónomas)

TABLE 7

STATUS OF SPECIES NOT LISTED IN ANNEX II BUT FOR WHICH TAKING (HUNTING OR CONTROL) IS AUTHORISED IN MEMBER STATES (MS)
 QUICK REFERENCE TABLE (SITUATION AT 30.06.92)

SPECIES	M.S.	B		D	DK	E	F	G	I	IRL	L	NL	P	UK	
		F	W											GB	NIRL
<i>Phalacrocorax carbo</i>		P	P	P	P▼	P	P	P	P	L	P	P	P	L	P
<i>Phalacrocorax aristotelis</i>		P	P	P	P▼	P	P	P	P	P	P	P	P	L	P
<i>Ardea cinerea</i>		P	P	□	P▼	P	P	P	P	L	P	P	P	L	P
<i>Branta leucopsis</i>		P	P	P	P	P	P	P	P	P	P	□	P	L	P
<i>Accipiter nisus</i>		P	P	L	L	P	P	P	P	P	P	P	P	P	P
<i>Accipiter gentilis</i>		P	P	L	L	P	P	P	P	P	P	P	P	P	P
<i>Buteo buteo</i>		P	P	L	L	P	P	P	P	P	P	P	P	P	P
<i>Alectoris chukar</i>		A	A	A	A	A	A	X	A	A	A	A	A	A	A
<i>Fringilla fringilla</i>		P	P	P	P	P	P	P	X	P	P	P	P	P	P
<i>Fringilla montifringilla</i>		P	P	P	P	P	P	P	X	P	P	P	P	P	P
<i>Oriolus oriolus</i>		P	P	P	P	P	P	▲	P	P	P	P	P	P	P
<i>Merops aptaster</i>		P	P	P	P	P	P	▲	P	P	P	P	P	P	P
<i>Corvus corone corone</i>		▲▼	▲▼	P	▲▼	X□	▼	A	X	▼	X	▼□	▼□	▼	▼
<i>Corvus corone cornix</i>		P	P	P	▲▼	A	P	▼	X	▼	▲P	□	P	▼	▼
<i>Corvus frugilegus</i>		P	▲▼	P	▲▼	P	P	P	X	▼	▲P	□	P	▼	▼
<i>Corvus monedula</i>		▲▼	▲▼	P	▲▼	X□	P	▼	X	▼	P	▼□	P	▼	▼
<i>Pica pica</i>		▲▼	▲▼	P	▲▼	X□	▼	▼	X	▼	X	▼□	▼□	▼	▼
<i>Garrulus glandarius</i>		▲▼	▲▼	P	▲▼	P	▼	▼	X	P	X	X□	▼□	▼	P
<i>Sturnus vulgaris</i>		▼	P	P	▼	X□	▼	▼	X	▼	P	▼	▼□	▼	▼
<i>Sturnus unicolor</i>		A	A	A	A	+	P	A	P	A	A	A	C	A	A
<i>Passer domesticus</i>		▼	P	P	▲▼	P	P	▼	X	▼	P	▼	P	▼	▼
<i>Passer hispancolensis</i>		A	A	A	A	P	P	▼	P	A	A	A	P	A	A
<i>Passer italiae</i>		A	A	A	A	A	A	A	X	A	A	A	A	A	A
<i>Passer montanus</i>		▼	P	P	P	P	P	▼	X	P	P	P	P	P	P

**SPECIAL MEASURES TAKEN BY MEMBER STATES
FOR THE WISE USE OF HUNTED SPECIES
(1981 - 1991)**

B

In both the Flemish and Walloon regions, for all game species, the population levels determine whether hunting is authorised or not.

Even when hunting has been authorised, it may be temporarily or permanently prohibited where circumstances such as bad weather or severe winters have a harmful effect on bird population levels.

D

The Federal Decree on Hunting Seasons of 2/4/77, establishes hunting periods during which hunting of the species listed in the Decree is authorised. Hunting is prohibited outside the periods indicated and for those game species for which no hunting season has been established.

In addition, the Länder may shorten or suspend hunting seasons. In the event of the biological balance being disturbed or serious damage being caused to crops, the Länder may, for specific areas or hunting reserves, prolong hunting seasons or establish hunting seasons for species with no hunting season laid down in the above-mentioned Decree. During the breeding period, the hunting of adult birds is prohibited until the young become independent.

DK

Hunting seasons for certain species of birds have been shortened over the last 20 years. The hunting seasons in 1983 and, in brackets, those prior to 1983 are indicated below

- * hunting season from 1/9 to 31/12 (from 1/8 to 31/12)
 - Anser fabalis
 - Anser albifrons
 - Anser brachyrhynchus
 - Branta canadensis
 - Numenius arquata
 - Numenius phaeopus

 - * hunting season from 1/9 to 29/2
 - Larus ridibundus (from 16/8 to 29/2)
 - Larus canus " "
 - Fulica atra " "
 - Larus fuscus (from 16/8 to 30/4)
 - Larus argentatus " "
 - Larus marinus " "

 - * hunting season from 1/9 to 31/12 (from 16/8 to 31/12)
 - Anas platyrhynchos
 - Anas querquedula
 - Anas crecca
-

- hunting season from 1/9 to 31/12 (from 16/8 to 31/12) (cont'd)
- *Anas acuta*
 - *Anas penelope*
 - *Anas clypeata*
 - *Gallinago gallinago*
 - *Lymnocyptes minimus*
- hunting season from 16/10 to 30/11 (from 21/10 to 30/11)
- *Phasianus colchicus* (female)
- hunting period from 1/10 to 29/2 (from 16/8 to 29/2)
- *Aythya ferina*
- hunting period from 1/10 to 31/12 (from 24/9 to 31/12 + from 1/3 to 7/4)
- *Scolopax rusticola*

E

Hunting is strictly prohibited during the period when migratory birds return to their breeding grounds in the spring. Under Royal Decree 1095/1989, of 8/9/89, this period is established throughout Spain as between 1/2 and 31/5.

The hunting season for waterfowl (established at regional level) may not begin before 15/10 (Under Royal Decree 1095/1989). The aim is to protect waterfowl species which become more vulnerable during the summer as the water level in wetlands gradually decreases. The 15/10 date corresponds to the onset of the autumn rains.

In the event of exceptional circumstances (weather or biological factors) affecting or possibly affecting locally one or several species which may be hunted, the regional authorities may impose temporary moratoriums or specific bans on the capture of these species.

When such exceptional circumstances affect all species which may be hunted in an area extending beyond a single region, temporary moratoriums and specific bans on hunting may be imposed by the Ministry of Agriculture, Fisheries and Food in association with the regional authorities in order to protect those species.

F

Decree 86-571 of 14/3/86a establishes the procedure for opening and closing hunting seasons which run from 1/9 to 29/2 for most species. This Decree also provides for shorter hunting seasons with specific opening and closing dates to take into account the status of some particularly threatened species :

- *Tetrao urogallus* (from 15/9 to 15/10)
- *Tetrao tetrix* (from 15/9 to 15/10)
- *Lagopus mutus* (from 1/9 to 11/11)
- *Alectoris graeca* (from 1/9 to 11/11)
- *Bonasa bonasta* (from 1/9 to 11/11)

In order to encourage the protection and restocking of game, the Prefect of the Department, who establishes the hunting seasons in an annual Order, may, for each species concerned:

- prohibit hunting with the aim of restoring the population
- limit the number of days during which hunting is allowed

1) *Real decreto por el que se declaran las especies objeto de caza y pesca y se establecen normas para su protección*

2) Décret 86-571 du 14.3.86 fixant les modalités d'ouverture et de clôture de la chasse

In addition, Prefects may prohibit the hunting of certain species which may be hunted (Rural Code, art. R 224-7).

Traditionally, on the Channel and Atlantic coasts and in several Departments in the Paris basin, the hunting of wildfowl used to begin on 14/7. This practice was modified recently after it was reprimanded by the Council of State (*Conseil d'Etat*) (in its decision of 7/10/88) which took the view that the breeding and rearing periods for some species were not over by that date.

The opening dates for hunting seasons take account of the development and dependence of the young. The closing dates are based on the different migration periods using data collected at regional level.



The Joint Ministerial Decision (JMD) 414985 of 29/11/85¹ establishes a list of areas where hunting is not permitted or for which special regulations or prohibitions on hunting apply e.g. national parks, permanent game reserves, hunting parks etc.

In addition, under the JMD, the Ministry of Agriculture may restrict the hunting season, the days of the week on which hunting is permitted throughout the whole country or in parts of it and the number of quarry killed if, owing to particularly harsh conditions, it is established that there is a risk of decrease in the numbers of certain species of wild birds. Thus the hunting of *Perdix perdix* and *Anser anser* has been banned since 1984 and 1991 respectively as a result of a sharp decline in their populations. Furthermore, there has been a total ban on the spring hunting of *Streptopelia turtur* since 1985.



Under the Decree of 20/12/79², as from the season 1979-80, the hunting season for certain species of birds that may be hunted was reduced as follows:

i) for the following species, the end of the hunting season was brought forward from 31/3 to 10/3 (start of the season remained unchanged: 18/8):

- | | |
|-----------------------------|-------------------------------|
| -- <i>Passer italiae</i> | -- <i>Anas querquedula</i> |
| -- <i>Passer domesticus</i> | -- <i>Aythya fuligula</i> |
| -- <i>Sturnus vulgaris</i> | -- <i>Gallinago gallinago</i> |
| -- <i>Rallus aquaticus</i> | -- <i>Columba palumbus</i> |
| -- <i>Anas penelope</i> | -- <i>Lymnocyptes minimus</i> |
| -- <i>Anas acuta</i> | -- <i>Pluvialis apricaria</i> |

ii) for the following species, the end of the season was brought forward from 31/3 to 10/3 (start of the season remained unchanged: 3rd Sunday in Sept.):

- | | |
|--------------------------------|--------------------------------|
| -- <i>Turdus philomelos</i> | -- <i>Corvus monedula</i> |
| -- <i>Turdus siliacus</i> | -- <i>Corvus frugilegus</i> |
| -- <i>Gallerida cristata</i> * | -- <i>Corvus corone corone</i> |
| -- <i>Alauda arvensis</i> | -- <i>Vanellus vanellus</i> |

iii) for the following species, the end of the season was brought forward from 31/3 to 28/2 (start of the season remained unchanged: 18/8):

1) *Joint Ministerial Decision 414985 (29/11/85): Measures for the Management of Wild Birds*
 2) *Decreto del 20.12.79 : Variazione dell'elenco delle specie cacciabili*

- | | |
|-----------------------|-----------------------|
| -- Passer montanus | -- Philomachus pugnax |
| -- Anas crecca | -- Aythya ferina |
| -- Anas strepera | -- Numenius arquata |
| -- Anas clypeata | -- Tringa totanus |
| -- Limosa lapponica * | |

iv) finally, for the following species, the end of the season was brought forward from 31/3 to 28/2 (start of the season remained unchanged: 3rd Sun in Sept):

- | | |
|-------------------|----------------------|
| -- Turdus pilaris | -- Lullula arborea * |
|-------------------|----------------------|

* species withdrawn from the list of species which may be hunted by the Decree of 4/6/82₁

The new Hunting Law (no. 157) of 11/2/92₂ replaces Law 968/77. Under the new Law 157, the hunting season was shortened for several species of birds which may be hunted (including some already affected by the Decree of 20/12/79) as follows: (the previous hunting seasons are indicated in brackets)

i) hunting season from 3rd Sunday in Sept. to 31/12:

- | | |
|-------------------------------------|---|
| -Coturnix coturnix (18/8 to 31/12)+ | -Passer italiae (18/8 to 10/3) * |
| -Streptopella turtur " " + | -Passer domesticus " " * |
| -Turdus merula " " + | -Alauda arvensis (3rd Sun in Sept. to 10/3) * |
| -Passer montanus (18/8 to 28/2) * | |

ii) hunting season from 3rd Sunday in Sept. to 31/1:

- | | |
|------------------------------------|-------------------------------------|
| -Sturnus vulgaris (18/8 to 10/3) * | -Anas platyrhynchos (18/8 to 28/2)+ |
| -Rallus aquaticus " " * | -Fulica atra " " + |
| -Anas penelope " " * | -Gallinula chloropus " " + |
| -Anas acuta " " * | -Anas crecca " " * |
| -Anas querquedula " " * | -Anas strepera " " * |
| -Aythya fuligula " " * | -Anas clypeata " " * |
| -Gallinago gallinago " " * | -Aythya ferina " " * |
| -Columba palumbus " " * | -Philomachus pugnax " " * |
| -Lymnocyptes minutus " " * | |
-
- | | |
|--|--|
| -Turdus pilaris (3rd Sunday in September to 28/2) * | |
| -Scolopax rusticola " " + | |
| -Turdus philomelos (3rd Sunday in September to 10/3) * | |
| -Turdus filiacus " " * | |
| -Corvus monedula " " * | |
| -Corvus frugilegus " " * | |
| -Corvus corone corone " " * | |
| -Vanellus vanellus " " * | |

iii) hunting season from 1/10 to 30/11:

- | | |
|---|--|
| -Lagopus mutus (3rd Sunday in September to 31/12) + | |
| -Tetrao tetrix " " + | |
| -Alectoris graeca " " + | |

+ previous hunting season -- under Law 968/77

* previous hunting season -- under the Decree of 20/12/79

Under Law 157/92, the regions may:

- bring forward the opening date of the hunting season to 1/9 for specific species

1) Decreto del 4/6/82: Variazioni all'elenco delle specie di uccelli cacciabili
 2) Legge no. 157 : Norme per la protezione della fauna selvatica oncoterna e per il prelievo venatorio. (Entered into force on 27.2.92)

provided that they also bring forward the closing date (Article 18, para. 2) so that the duration of the hunting season is not increased.

- prohibit or reduce the hunting of specific species for pre-established periods for reasons linked to their population levels or in the event of particular ecological or climatic conditions or in the event of diseases or other disasters (Article 19, para 1).

IRL

Under the Wildlife Act 1976, in the interest of conserving fauna, hunting seasons may temporarily be suspended in the event of severe weather (section 27).

There is also provision in legislation for the prohibition of hunting in specific areas: wildfowl sanctuaries. There are a total of 68 such statutory no-shooting areas throughout the country.

L

Hunting may be prohibited temporarily when it snows.

Under certain provisions of the Hunting Act of 30/5/84¹, the State or municipal authorities may rent hunting areas. This measure was taken to create game reserves. Hunting may also be prohibited in State property (State forests).

NL

Under the 1954 Hunting Act², the hunting of certain species of birds may be prohibited during the open season when their populations decline sharply (Article 20).

Discussions are currently underway at Ministerial level on the possibility of changing the opening date of the hunting season of *Anas platyrhynchos* from 24/7 to mid-August.

UK

Great Britain

Under the Wildlife & Countryside Act (1981), hunting seasons are established for the 19 species which may be hunted according to Schedule 2, part I of this Act: in general from 1/9 to 31/1. Outside these seasons (i.e. in the close season), hunting is prohibited.

The 1981 Act also makes provision for hunting to be banned by Order during the open season in the event of severe weather preventing wild birds feeding because of ice, snow and frozen ground.

Northern Ireland

Similarly, under the Wildlife (NI) Order 1985/171, hunting seasons are established for all 14 species which may be hunted according to Schedule 2, part I of the Order: from 1/9 to 31/1. Outside these hunting seasons (i.e. in the close season), hunting is prohibited. The Department of the Environment (NI) may introduce a ban on hunting during the open season in periods of severe weather.

1) *Loi du 30/5/84 modifiant et complétant la législation sur la chasse*
2) *Jachtwet*

72

DEROGATIONS AUTHORISED BY MEMBER STATES UNDER ARTICLE 9 (1981-1989)

Article 9:

1. *Member States may derogate from the provisions of Articles 5, 6, 7 and 8, where there is no other satisfactory solution, for the following reasons:*
 - a) *- in the interests of public health and safety*
- in the interests of air safety
- to prevent serious damage to crops, livestock, forests, fisheries and water
- for the protection of flora and fauna
 - b) *- for the purposes of research and teaching, of re-population, of re-introduction and for the breeding necessary for these purposes*
 - c) *- to permit, under strictly supervised conditions and on a selective basis, the capture, keeping or other judicious use of certain birds in small numbers.*
 2. *The derogations must specify:*
 - the species which are subject to the derogations*
 - the means, arrangements or methods authorised for capture or killing*
 - the conditions of risk and the circumstances of time and place under which such derogations may be granted*
 - the authority empowered to declare that the required conditions obtain and to decide what means, arrangements or methods may be used, within what limits and by whom*
 - the controls which will be carried out*
 3. *Each year, the Member States shall send a report to the Commission on the implementation of this Article*
 4. *On the basis of the information available to it, and in particular the information communicated to it pursuant to paragraph 3, the Commission shall at all times ensure that the consequences of these derogations are not incompatible with this directive. It shall take appropriate steps to this end.*
-

Member States have notified derogations from Articles 5, 6, 7 and 8 of the directive for certain species of birds. A country-by-country summary of these derogations is presented in the following tables, covering the period 1981 - 1989 unless otherwise indicated. The reasons given are divided into five categories in accordance with Article 9:

1. in the interests of public health and safety
2. in the interests of air safety
3. to prevent serious damage to crops, livestock, forests, fisheries and water
4. for the protection of flora and fauna
5. to permit, under strictly supervised conditions and on a selective basis, the capture, keeping or other judicious use of certain birds in small numbers

Derogations for scientific reasons (research, ringing etc.) or for the keeping and stuffing of dead birds have not been included.

Key: n/c = not communicated

COUNTRY: Belgium (Flanders)

1981-1989

REASON	SPECIES	ACTIVITY PERMITTED
1	<i>Larus ridibundus</i> <i>Larus argentatus</i>	Kill/scare
1/3	<i>Passer domesticus</i> <i>Passer montanus</i> <i>Sturnus vulgaris</i>	Kill/scare " " " "
2	<i>Larus ridibundus</i> <i>Larus argentatus</i> <i>Vanellus vanellus</i>	Kill/scare " " Kill/capture
3	<i>Anas platyrhynchos</i> <i>Columba palumbus</i>	Kill
3/4	<i>Pica pica</i> <i>Corvus monedula</i> <i>Corvus corone corone</i> <i>Garrulus glandarius</i>	Kill/scare
4	<i>Phasianus colchicus</i>	Capture of reared birds which have been released
5	<i>Accipiter gentilis</i> <i>Accipiter nisus</i> <i>Falco peregrinus</i> <i>Falco tinnunculus</i> <i>Falco cherrug</i>	Keep and transport for use in falconry <u>total no. of birds concerned:</u> 65 ('87) 66 ('88)
5	<i>Carduelis chloris</i> <i>Carduelis cannabina</i> <i>Carduelis spinus</i> <i>Fringilla coelebs</i>	Capture and keep for recreational purposes -- Capture using non-automatic cages with a maximum volume of 50 dm ³ <u>total no. of birds concerned:</u> 21.844 ('86) 22.965 ('88)
5	<i>Turdus philomelos</i> <i>Emberiza schoeniclus</i> <i>Emberiza citrinella</i> <i>Emberiza calandra</i> <i>Carduelis chloris</i> <i>Carduelis spinus</i> <i>Carduelis carduelis</i> <i>Carduelis flavirostris</i> <i>Carduelis flammea</i> <i>Carduelis cannabina</i> <i>Fringilla coelebs</i> <i>Fringilla montifringilla</i> <i>Coccothraustes coccothraustes</i> <i>Pyrrhula pyrrhula</i> <i>Loxia curvirostra</i> <i>Passer montanus</i>	Keep certain species in large cages for breeding <u>total no. of birds concerned:</u> 268.000 ('86) 285.000 ('87) 257.486 ('88)

COUNTRY: Belgium (Flanders) (cont'd)

1981 - 1989

REASON	SPECIES	ACTIVITY PERMITTED
5	<i>Phoenicopterus ruber</i> <i>Branta ruficollis</i> <i>Branta leucopsis</i> <i>Anser erythropus</i> <i>Tadorna tadorna</i> <i>Casarca ferruginea</i> <i>Netta rufina</i> <i>Bucephala clangula</i> <i>Aix sponsa</i> <i>Gyps fulvus</i> <i>Aegyptus monachus</i> <i>Alectoris rufa</i> <i>Tetrao urogallus</i> <i>Coturnix coturnix</i> <i>Francolinus francolinus</i> <i>Streptopelia turtur</i> <i>Columba oenas</i> <i>Columba livia</i> <i>Streptopelia decaocto</i> <i>Streptopelia senegalensis</i> <i>Anthropoides virgo</i> <i>Tyto alba</i> <i>Corvus corax</i> <i>Corvus frugilegus</i> <i>Corvus corone cornix</i> <i>Turdus viscivorus</i> <i>Podiceps nigricollis</i> <i>Marmaronetta angustirostris</i> <i>Clangula hyemalis</i> <i>Melanitta nigra</i> <i>Bucephala islandica</i> <i>Mergus serrator</i> <i>Lagopus mutus</i> <i>Anas formosa</i> <i>Aythya nyroca</i> <i>Mergus cucullatus</i> <i>Bucephala albeola</i> <i>Anas discors</i> <i>Branta bernicla</i> <i>Somateria mollissima</i> <i>Mergus merganser</i> <i>Oxyura leucocephala</i> <i>Turdus iliacus</i> <i>Turdus pilaris</i> <i>Turdus merula</i> <i>Piricola enucleator</i> <i>Syrnuphis paradoxus</i> <i>Alectoris chukar</i> <i>Tachybaptus ruficollis</i> <i>Gavia stellata</i> <i>Anas americana</i>	Possess under transitional measures -- During the transition to a stricter system of protection, persons already in possession of birds which could legally be kept under the previous system, were authorised to keep those particular birds until the death of the latter <u>total no. of transitional authorisations:</u> 14.600 ('85 - '89)

COUNTRY: Belgium (Flanders) (cont'd)

1981-1989

REASON	SPECIES	ACTIVITY PERMITTED
5	<i>Ciconia ciconia</i> <i>Bombus garrulus</i> <i>Serinus serinus</i> <i>Phoeniculus minor</i>	Keep <u>total no. of birds concerned:</u> 497 ('87)

COUNTRY: Belgium (Wallonia)

1981-1989

REASON	SPECIES	ACTIVITY PERMITTED
1	<i>Passer domesticus</i>	Kill/capture/transport
1/2	<i>Larus ridibundus</i> <i>Larus argentatus</i> <i>Vanellus vanellus</i>	Kill
3	<i>Columba palumbus</i> <i>Passer montanus</i> <i>Sturnus vulgaris</i>	Kill Kill/capture/transport " " "
3/4	<i>Pica pica</i> <i>Garrulus glandarius</i> <i>Corvus monedula</i> <i>Corvus frugilegus</i> <i>Corvus corone corone</i>	Kill
4	<i>Phasianus colchicus</i>	Capture of reared birds which have been released
5	<i>Falco peregrinus</i> <i>Falco biarmicus</i> <i>Falco rusticolus</i> <i>Falco cherrug</i> <i>Accipiter nisus</i> <i>Accipiter gentilis</i>	Keep and transport for falconry total no. of birds concerned: 30 ('88) 40 ('89)
5	<i>Turdus philomelos</i> <i>Emberiza citrinella</i> <i>Emberiza schoeniclus</i> <i>Pyrrhula pyrrhula</i> <i>Emberiza calandra</i> <i>Carduelis chloris</i> <i>Carduelis spinus</i> <i>Carduelis carduelis</i> <i>Carduelis cannabina</i> <i>Carduelis flammea</i> <i>Carduelis flavirostris</i> <i>Coccothraustes coccothraustes</i> <i>Fringilla coelebs</i> <i>Fringilla montifringilla</i> <i>Loxia curvirostra</i>	Capture for the purpose of supplying birds (aviculture) -- Capture using non automatic cages of 50 dm ³ max. total no. of birds concerned: 38.744 ('87) 40.664 ('88)

COUNTRY: Denmark

1987 - 1989

REASON	SPECIES	ACTIVITY PERMITTED
1	<i>Larus argentatus</i> <i>Passer domesticus</i> <i>Corvus frugilegus</i> <i>Cygnus olor</i>	Kill Capture/scare/kill Capture/mise à mort Kill
1/2	<i>Accipter nisus</i> <i>Buteo buteo</i> <i>Circus pygargus</i> <i>Falco tinnunculus</i> <i>Falco columbarius</i> <i>Calidris sp.</i> <i>Anas platyrhynchos</i> <i>Somateria mollissima</i> <i>Cygnus olor</i> <i>Perdix perdix</i> <i>Vanellus vanellus</i> <i>Pluvialis apricaria</i> <i>Haematopus ostralegus</i> <i>Tringa totanus</i> <i>Larus sp.</i>	Kill
2	<i>Larus ridibundus</i> <i>Larus carus</i> <i>Larus argentatus</i> <i>Larus fuscus</i> <i>Larus marinus</i> <i>Columba palumbus</i> <i>Vanellus vanellus</i> <i>Cygnus sp.</i> <i>Branta leucopsis</i> <i>Haematopus ostralegus</i> <i>Perdix perdix</i> <i>Phasianus colchicus</i> <i>Somateria mollissima</i> <i>Anas sp.</i> <i>Accipter nisus</i> <i>Scolopax rusticola</i> <i>Sturnus vulgaris</i> <i>Corvus frugilegus</i> <i>Corvus corone corone</i> <i>Pica pica</i> <i>Passer sp.</i> <i>Falco tinnunculus</i> <i>Columba livia</i> <i>Alauda arvensis</i> <i>Hirundo rustica</i> <i>Emberiza citrinella</i> <i>Turdus sp.</i> <i>Strigidae</i> <i>Pluvialis apricaria</i> <i>Buteo buteo</i>	Kill

COUNTRY: Denmark (cont'd)

1987 - 1989

REASON	SPECIES	ACTIVITY PERMITTED
2	<i>Columba palumbus</i> <i>Buteo lagopus</i> <i>Corvus monedula</i> <i>Corvus corax</i> <i>Fringilla coelebs</i>	Kill
3	<i>Accipiter gentilis</i> <i>Accipiter nisus</i> <i>Corvus frugilegus</i> <i>Buteo buteo</i> <i>Phalacrocorax carbo</i> <i>Anas platyrhynchos</i> <i>Anser anser</i> <i>Fulica atra</i> <i>Streptopelia decaocto</i> <i>Turdus pilaris</i> <i>Columba palumbus</i> <i>Ardea cinerea</i> <i>Larus sp.</i>	Capture/kill Capture/kill Capture/destroy nests Capture/kill Kill Capture/keep/kill Kill " " " " " " "
4	<i>Anas platyrhynchos</i> <i>Cygnus olor</i> <i>Accipiter gentilis</i> <i>Accipiter nisus</i> <i>Buteo buteo</i>	Kill " Capture/kill Capture/kill Capture/kill

COUNTRY: Spain

1986 - 1989

REASON	SPECIES	ACTIVITY PERMITTED
3	<i>Sturnus unicolor</i> <i>Sturnus vulgaris</i> <i>Pica pica</i> <i>Corvus corax</i> <i>Corvus corone corone</i> <i>Corvus monedula</i> <i>Cyanoptera cyarus</i> <i>Gallinula chloropus</i> <i>Alauda arvensis</i> <i>Turdus merula</i> <i>Turdus pilaris</i> <i>Turdus philomelos</i> <i>Turdus filacus</i> <i>Turdus viscivorus</i> <i>Passer domesticus</i> <i>Anas platyrhynchos</i> <i>Columba sp.</i> <i>Otis tetrax</i> <i>Burhinus oediceramus</i>	Capture/hunt/kill
4	<i>Larus cachinnans</i>	For the protection of <i>Larus audouinii</i> on the Chafarinas islands (as part of a conservation and management project)
5	<i>Falco peregrinus</i> <i>Falco tinnunculus</i> <i>Accipter gentilis</i> <i>Accipter nisus</i>	Capture of young by removing from nest for breeding (for falconry) <u>total no. of birds concerned:</u> 56 ('87)
5	<i>Fringillidae</i> & <i>Emberizidae</i>	Capture using nets and limes, and keeping in cages for recreational purposes (aviculture) <u>total no. of captures authorised:</u> 76.261.390 ('86) 40.470.115 ('87) 5.945.794 ('88) 3.799.557 ('89)
5	<i>Turdidae</i>	Capture using limes -- traditional hunting in eastern Spain (regions of Cataluña and Valencia) <u>total no. of captures authorised:</u> 12.902.400 ('86) 10.111.140 ('87) 17.668.492 ('88) 6.971.336 ('89)

COUNTRY: Spain (cont'd)

1986 - 1989

REASON	SPECIES	ACTIVITY PERMITTED
5	<i>Alectoris rufa</i>	Hunting using calling males during the breeding period (region of Aragón) -- Traditional hunting <u>no. of birds concerned:</u> n/c
5	<i>Turdidae</i>	Capture using "coll" type nets (in the Balearic Islands region) -- Traditional hunting <u>no. of captures authorised:</u> 1.372.032 ('89)
5	<i>Columba palumbus</i> * <i>Columba oenas</i> +	Capture using vertical nets (Navarra region) -- Traditional hunting <u>no. of birds concerned:</u> 2000 ('89)* 100 ('89)+

COUNTRY: France

1981 - 1989

REASON	SPECIES	ACTIVITY PERMITTED
1	<i>Larus argentatus</i>	Kill
2	<i>Larus ridibundus</i> <i>Larus argentatus</i> <i>Columba palumbus</i> <i>Corvus frugilegus</i> <i>Corvus corone corone</i> <i>Sturnus vulgaris</i> <i>Vanellus vanellus</i>	Kill
3/4	<i>Corvus frugilegus</i> <i>Corvus corone corone</i> <i>Sturnus vulgaris</i> <i>Pica pica</i> <i>Columba palumbus</i> <i>Garrulus glandarius</i> <i>Larus argentatus</i> <i>Larus ridibundus</i>	Kill
5	<i>Turdus merula</i> <i>Turdus pilaris</i> <i>Turdus iliacus</i> <i>Turdus viscivorus</i> <i>Turdus philomelos</i>	Capture using limes on trees in the south-east (Departments: Alpes de Haute-Provence, Alpes-Maritimes, Bouches-du-Rhône, Var & Vaucluse) -- The purpose of this type of capture is to obtain calling birds for traditional hunting <u>no. of birds concerned:</u> 50.000 ('87) 47.862 ('88)
5	<i>Alauda arvensis</i>	Capture and kill using "partes" (horizontal trap-nets) in the Departments of Gironde, Lot et Garonne, Landes, Pyrénées-Atlantiques) and using "matoles" (small cages mounted on traps) in the Departments of Lot et Garonne, Landes, Tarn et Garonne <u>no. of birds concerned:</u> 807.000 ('87) 684.000 ('88)
5	<i>Turdus merula</i> <i>Turdus pilaris</i> <i>Turdus iliacus</i> <i>Turdus viscivorus</i> <i>Turdus philomelos</i>	Capture and kill using snares in the Ardennes -- Trapping by means of horse-hair snares attached to branches baited with sorb berries or placed on the ground <u>total no. of birds concerned:</u> 10.460 ('88) 19.609 ('89)
5	<i>Vanellus vanellus*</i> <i>Pluvialis apricaria+</i> <i>Tringa nebularia</i> <i>Tringa totanus</i>	Capture and kill using trap-nets with a mesh size of at least 8 cm. in the Ardennes <u>no. of birds concerned:</u> 1917 ('88)* 8 ('88)+ 1954 ('89)*

COUNTRY: France (cont'd)

1981 - 1989

REASON	SPECIES	ACTIVITY PERMITTED
5	<i>Columba palumbus</i>	Capture and kill using "pantes" (horizontal trap-nets) in the Departments of Gers, Gironde, Landes, Lot et Garonne, Pyrénées-Atlantiques and using "partières" (vertical nets) in the Department of Pyrénées Atlantiques <u>no. of birds concerned:</u> 200.000 ('88) 200.000 ('89)
5	<i>Accipiter gentilis</i> <i>Accipiter nisus</i> <i>Falco peregrinus</i>	Capture by taking young from nest, possess and transport for the purpose of falconry <u>total no. of birds concerned:</u> 287 ('87) 18 ('88)
5	<i>Tringa glareola</i> <i>Tringa ochropus</i> <i>Branta bernicla</i> <i>Calidris alpina</i> <i>Arenaria interpres</i> <i>Charadrius hiaticula</i> <i>Charadrius alexandrinus</i> <i>Gallinago media</i>	Derogations anticipated for hunting plans which have never been established

COUNTRY: Italy

1987-1989

REASON	SPECIES	ACTIVITY PERMITTED
2	<i>Larus argentatus</i> <i>Larus minutus</i> <i>Sturnus vulgaris</i>	Kill/scare
3/4	<i>Corvus corone corone</i> <i>Corvus corone cornix</i> <i>Corvus monedula</i> <i>Corvus frugilegus</i> <i>Garrulus glandarius</i> <i>Pica pica</i> <i>Sturnus vulgaris</i> <i>Passer italiae</i> <i>Passer montanus</i> <i>Phalacrocorax carbo</i> <i>Larus argentatus</i> <i>Larus minutus</i> <i>Larus ridibundus</i>	Kill
5	<i>Alauda arvensis</i>	Capture by means of nets, for use as calling birds (Lombardia, Veneto, Friuli-Venezia-Giulia) <u>no. of birds concerned:</u> Lombardia: 3072 ('89) Veneto: 1661 ('89) Friuli-Venezia-Giulia: 4131 ('89)
5	<i>Turdus merula</i> <i>Turdus pilaris</i> <i>Turdus philomelos</i> <i>Turdus iliacus</i> <i>Sturnus vulgaris</i>	Capture by means of nets, for use as calling birds (Lombardia, Veneto, Friuli-Venezia-Giulia, Genova) <u>total no. of birds concerned, by species:</u> T. merula: 27.752 ('89) T. pilaris: 59.338 ('89) T. philomelos: 106.181 ('89) T. iliacus: 36.863 ('89) S. vulgaris: 4.663 ('89)
5	<i>Passer domesticus</i> <i>Passer montanus</i>	Capture by means of nets, for use as calling birds (Veneto, Lombardia) <u>total no. of birds concerned:</u> 526 ('89)
5	<i>Vanellus vanellus</i>	Capture by means of nets, for use as calling birds (Lombardia, Marche) <u>no. of birds concerned:</u> 448 ('89)
5	<i>Coturnix coturnix</i>	Capture by means of nets, for use as calling birds (Marche) <u>no. of birds concerned:</u> 400 ('89)

COUNTRY: Ireland

1981 - 1989

REASON	SPECIES	ACTIVITY PERMITTED
1	<i>Sturnus vulgaris</i> <i>Passer domesticus</i> <i>Larus argentatus</i> <i>Larus fuscus</i> <i>Larus marinus</i> <i>Columbidae</i> <i>Pica pica</i>	Capture/kill/scare
1	<i>Erithacus rubecula</i> <i>Fringillidae</i> <i>Motacilla alba</i> <i>Turdus merula</i>	Scare
1	<i>Hirundo rustica</i>	Remove nests
2	<i>Larus ridibundus</i> <i>Larus carus</i> <i>Larus argentatus</i> <i>Larus fuscus</i> <i>Larus marinus</i> <i>Sturnus vulgaris</i> <i>Vanellus vanellus</i> <i>Pluvialis apricaria</i> <i>Corvus monedula</i> <i>Corvus frugilegus</i> <i>Corvus corone corone</i> <i>Columbidae</i>	Capture/kill/scare
3	<i>Pica pica</i> <i>Larus fuscus</i> <i>Larus marinus</i> <i>Sturnus vulgaris</i> <i>Corvus corone corone</i> <i>Corvus corone cornix</i> <i>Corvus monedula</i> <i>Corvus frugilegus</i> <i>Columbidae</i> <i>Passer domesticus</i> <i>Phalacrocorax carbo</i>	Capture/kill/scare
3	<i>Haematopus ostralegus</i> <i>Cygnus cygnus</i> <i>Phalacrocorax carbo</i>	Scare
4	<i>Pica pica</i> <i>Corvus corone corone</i> <i>Corvus corone cornix</i> <i>Corvus monedula</i> <i>Larus ridibundus</i>	Capture/kill/scare - - - Kill/scare using decoys, alphachloralose and shooting

COUNTRY: Ireland (cont'd)

1981 - 1989

REASON	SPECIES	ACTIVITY PERMITTED
5	<i>Falco peregrinus</i> <i>Falco tinnunculus</i> <i>Accipiter nisus</i>	Take from nest and possession for falconry and captive breeding <u>total no. of birds concerned:</u> 17 ('87) 27 ('88) 37 ('89)

COUNTRY: Luxembourg

1981 - 1989

REASON	SPECIES	ACTIVITY PERMITTED
3	<i>Sturnus vulgaris</i> <i>Columba palumbus</i>	Hunt/scare Hunt
4	<i>Corvus corone corone</i> <i>Pica pica</i> <i>Garrulus glandarius</i>	Hunt/scare in order to protect small birds
5	<i>Corvus corone corone</i> <i>Pica pica</i> <i>Garrulus glandarius</i>	Occasional shooting -- traditional hunting

COUNTRY: Netherlands

1987-1989

REASON	SPECIES	ACTIVITY PERMITTED
1	<i>Ardea cinerea</i>	Disturb nests
2	<i>Larus ridibundus</i> <i>Larus marinus</i> <i>Larus argentatus</i> <i>Larus carus</i> <i>Vanellus vanellus</i> <i>Columba oenas</i> <i>Columba palumbus</i> <i>Corvus corone corone</i> <i>Corvus monedula</i> <i>Pica pica</i> <i>Sturnus vulgaris</i> <i>Anas platyrhynchos</i> <i>Anas crecca</i> <i>Aythya fuligula</i> <i>Aythya ferina</i> <i>Perdix perdix</i> <i>Phasianus colchicus</i> <i>Pluvialis apricaria</i> <i>Ardea cinerea</i> <i>Haematopus ostralegus</i> <i>Tadorna tadorna</i>	Kill
2	<i>Vanellus vanellus</i> <i>Haematopus ostralegus</i> <i>Fulica atra</i>	Collect eggs
2	<i>Buteo buteo</i> <i>Asio otus</i> <i>Accipiter gentilis</i> <i>Accipiter nisus</i> <i>Strix aluco</i>	Capture and release in another area
3	<i>Columba oenas</i> <i>Columba palumbus</i> <i>Corvus corone corone</i> <i>Corvus frugilegus</i> <i>Corvus monedula</i> <i>Pica pica</i> <i>Garrulus glandarius</i> <i>Anas platyrhynchos</i> <i>Anas penelope</i> <i>Fulica atra</i> <i>Phasianus colchicus</i> <i>Anser anser</i> <i>Anser fabalis</i> <i>Anser albifrons</i> <i>Branta bernicla</i> <i>Passer domesticus</i> <i>Passer montanus</i> <i>Sturnus vulgaris</i> <i>Cygnus olor</i>	Kill

COUNTRY: Netherlands (cont'd)

1987-1989

REASON	SPECIES	ACTIVITY PERMITTED
3	<i>Larus ridibundus</i> <i>Larus marinus</i> <i>Larus argentatus</i> <i>Streptopelia decaocto</i> <i>Ardea cinerea</i> <i>Gallinula chloropus</i> <i>Podiceps cristatus</i>	Kill Kill/collect eggs/disturb nests
4	<i>Larus argentatus</i> <i>Larus ridibundus</i> <i>Larus fuscus</i> <i>Larus carus</i>	Collect eggs and disturb nests
4	<i>Larus argentatus</i> <i>Larus ridibundus</i>	Kill
5	<i>Accipiter gentilis</i> <i>Falco peregrinus</i>	Keep eggs and nests for breeding for falconry <u>total no. of birds reared:</u> 25 ('88) 25 ('89)
5	<i>Accipiter gentilis</i> <i>Falco peregrinus</i>	Possess and transport for falconry <u>total no. of birds concerned</u> 220 ('88) 220 ('89)
5	<i>Carduelis carduelis</i> <i>Carduelis spinus</i> <i>Carduelis cannabina</i> <i>Carduelis chloris</i> <i>Fringilla coelebs</i> <i>Emberiza citrinella</i> <i>Turdus merula</i>	Possess and keep in cages for recreational purposes (aviculture) <u>no. of birds concerned:</u> n/c
5	<i>Vanellus vanellus</i>	Collect eggs to allow....other use <u>no. of birds concerned:</u> n/c
5	<i>Phoenicopterus ruber</i> <i>Phoeniconotus minor</i> <i>Cygnus columbianus</i> <i>Anthropoides virgo</i>	Possess for aviculture (only in zoos) <u>total no. of birds concerned:</u> 40 ('89)

COUNTRY: Portugal

1987-1989

REASON	SPECIES	ACTIVITY PERMITTED
3/5	<i>Columba trocaz</i>	Hunting (shooting) on the island of Madeira to prevent damage to crops
3	<i>Merops apiaster</i> <i>Tetrax tetrax</i>	Scare Scare/kill
5	<i>Carduelis carduelis</i> <i>Carduelis chloris</i> <i>Fringilla coelebs</i>	Capture using nets for recreational purposes <u>total no. of birds concerned:</u> 36 ('88)
5	<i>Falco peregrinus</i>	Capture and possession for falconry <u>no. of birds concerned:</u> 1 ('89)

COUNTRY: United Kingdom

1987 - 1989

REASON	SPECIES	ACTIVITY PERMITTED
1	<i>Columba livia</i> <i>Passer domesticus</i> <i>Sturnus vulgaris</i> <i>Branta canadensis</i> <i>Larus argentatus</i>	Capture/kill/destroy eggs and/or nests
1	<i>Cygnus olor</i> <i>Strix aluco</i> <i>Anas platyrhynchos</i> <i>Erithacus rubecula</i>	Capture and release in another area
2	<i>Larus ridibundus</i> <i>Larus carus</i> <i>Larus marinus</i> <i>Larus argentatus</i> <i>Larus fuscus</i> <i>Larus ichthyaetus</i> <i>Vanellus vanellus</i> <i>Haematopus ostralegus</i> <i>Corvus corone corone</i> <i>Corvus frugilegus</i> <i>Corvus monedula</i> <i>Columba livia</i> <i>Columba palumbus</i> <i>Sturnus vulgaris</i> <i>Alauda arvensis</i> <i>Perdix perdix</i> <i>Numenius arquata</i> <i>Streptopelia decaocto</i> <i>Garrulus glandarius</i> <i>Pica pica</i> <i>Passer domesticus</i> <i>Pluvialis apricaria</i>	Capture/kill birds/remove eggs/destroy nests
3	<i>Anser anser</i> <i>Anser brachyrhynchus</i> <i>Anser flavirostris</i> <i>Anser albifrons</i> <i>Branta bernicla</i> <i>Branta leucopsis</i> <i>Branta canadensis</i> <i>Pyrrhula pyrrhula</i> <i>Corvus corone corone</i> <i>Corvus corax</i> <i>Corvus monedula</i> <i>Corvus frugilegus</i> <i>Anas penelope</i> <i>Streptopelia decaocto</i> <i>Larus marinus</i> <i>Larus fuscus</i> <i>Larus argentatus</i> <i>Turdus merula</i>	Capture/kill birds/remove eggs/destroy nests

COUNTRY: United Kingdom (cont'd)

1987 - 1989

REASON	SPECIES	ACTIVITY PERMITTED
3	<i>Ardea cinerea</i> <i>Garrulus glandarius</i> <i>Pica pica</i> <i>Columba livia</i> <i>Columba palumbus</i> <i>Passer domesticus</i> <i>Sturnus vulgaris</i> <i>Mergus merganser</i> <i>Mergus serrator</i> <i>Gallinula chloropus</i> <i>Stercorarius skua</i> <i>Phalacrocorax carbo</i>	Capture/kill birds/remove eggs/destroy nests (cont'd)
4	<i>Corvus corone corone</i> <i>Larus marinus</i> <i>Larus fuscus</i> <i>Larus argentatus</i> <i>Larus ridibundus</i> <i>Larus ichthyæetus</i> <i>Anser anser</i> <i>Branta canadensis</i>	Capture/kill birds/remove eggs/destroy nests
4	<i>Anas platyrhynchos</i> <i>Accipiter nisus</i> <i>Falco tinnunculus</i> <i>Strix aluco</i> <i>Sterna albifrons</i> <i>Crex crex</i> <i>Burhinus oedicephalus</i> <i>Sterna hirundo</i> <i>Cygnus olor</i> <i>Athene noctua</i> <i>Branta canadensis</i> <i>Pandion haliaetus</i> <i>Buteo buteo</i> <i>Milvus milvus</i>	Capture birds/take eggs and nests and move them to a different area
4	<i>Accipiter nisus</i> <i>Accipiter gentilis</i> <i>Falco peregrinus</i> <i>Buteo buteo</i>	Recapture of captive specimens
4	all species	Take and destroy eggs -- the licence allows only the clearance of nest boxes not currently in use before next breeding season (only from 01/10 to 31/01)
5	<i>Buteo buteo</i> <i>Accipiter nisus</i> <i>Falco peregrinus</i> <i>Falco tinnunculus</i>	Capture and possess for falconry total no. of birds concerned: 57 (87) 48 (88)

COUNTRY: United Kingdom (cont'd)

1987 - 1989

REASON	SPECIES	ACTIVITY PERMITTED
5	<i>Falco peregrinus</i> <i>Accipiter nisus</i> <i>Buteo buteo</i> <i>Loxia curvirostra</i> <i>Plectrophenax nivalis</i>	Capture for aviculture. <u>total no. of birds concerned:</u> 11 ('87) 4 ('88)
5	<i>Alauda arvensis</i> <i>Turdus merula</i> <i>Anthus pratensis</i> <i>Turdus philomelos</i> <i>Larus ridibundus</i> <i>Turdus pilaris</i> <i>Vanellus vanellus</i> <i>Perdix perdix</i> <i>Lagopus lagopus scoticus</i> <i>Turdus iliacus</i> <i>Turdus viscivorus</i> <i>Gallinula chloropus</i> <i>Phasianus colchicus</i> <i>Anas crecca</i> <i>Anas platyrhynchos</i>	Killed in the course of falconry <u>total no. of birds concerned:</u> 410 (1/9/87 - 28/2/88) 1773 (1/9/88 - 28/2/89)
5	<i>Larus argentatus</i> <i>Larus fuscus</i> <i>Larus marinus</i> <i>Larus carus</i> <i>Larus ridibundus</i> * <i>Sula bassana</i> +	Take and sell eggs for human consumption <u>no. of eggs concerned:</u> 48.916 ('88)* 65.129 ('89)* 2.000 ('89)+
5	<i>Sula bassana</i>	Kill for human consumption <u>no. of birds concerned:</u> 2000 ('87) 2000 ('88)
5	<i>Phalacrocorax carbo</i> <i>Phalacrocorax aristotelis</i> <i>Loxia curvirostra</i> <i>Falco peregrinus</i>	Take eggs for aviculture <u>total no. of eggs concerned:</u> 6 ('87)
5	<i>Falco tinnunculus</i> <i>Aquila chrysaetos</i> <i>Milvus milvus</i> <i>Falco peregrinus</i> <i>Buteo buteo</i> <i>Accipiter nisus</i> <i>Falco columbarius</i> <i>Tyto alba</i> <i>Strix aluco</i> <i>Athene noctua</i> <i>Falco subbuteo</i> <i>Podiceps cristatus</i> <i>Lanius excubitor</i> <i>Cygnus olor</i>	Possess birds which cannot be shown to have been legally removed from the wild <u>total no. of birds concerned:</u> 29 ('88) 13 ('89)

COUNTRY: United Kingdom (cont'd)

1987 - 1989

REASON	SPECIES	ACTIVITY PERMITTED
5		Sell dead birds <u>total no. of birds concerned:</u> 364 ('89) : 236 ancient specimens killed prior to the directive and 128 recent specimens (a total of 134 different species in 1989)

RESEARCH 1981 - 1991

An important provision of the directive, under Article 10, is that Member States are to encourage research in the field of conservation of wild birds.

Article 10:

- 1. *Member States shall encourage research and any work required as a basis for the protection, management and use of the population of all species of bird mentioned in Article 1.***
- 2. *Particular attention shall be paid to research and work on the subjects listed in Annex V. Member States shall send the Commission any information required to enable it to take appropriate measures for the coordination of the research and work referred to in this Article.***

Such research enables a better understanding of the biology of a species or the ecology of a habitat. Scientific knowledge thus acquired can contribute to providing better protection and more effective management of species and habitats.

The main themes of research and studies carried out in the different Member States since 1981 are presented on the following pages. Where possible, the organisation in charge and the year are indicated.

B**In Flanders:**

- study on feeding habits of *Ardea cinerea* and biological methods to protect fish farms against predation from this species of bird (Ecology and Fauna Protection Laboratory¹)
- study on the impact of human activities on the natural environment and study on bio-indicators (Nature Conservation Department of the Flemish Regional Executive) ;
- study on feeding habits of *Podiceps cristatus* (Institute for Nature Protection/IPN₂) ;
- research on the trends in populations of waterfowl and waders, particularly in the 23 SPAs and in the Ramsar sites (IPN) ;
- study on the change, distribution and use of wild geese habitats in Flanders (IPN) ;
- research into the relationship between nature conservation and farming methods, particularly in the 23 SPAs (IPN) ;
- research into the population dynamics of *Ardea cinerea* breeding in Flanders (IPN) ;
- ecological description of the 23 SPAs in Flanders which are of particular importance for birds, especially migratory birds (IPN) ;

The Belgian Royal Institute for Natural Sciences (KBINs) is studying:

- bird migrations by means of ringing some 600.000 birds a year throughout Belgium ;
- acceptable limits for the number of specimens to be taken by hunting out of the total population of woodcock (*Scolopax rusticola*) breeding or passing through Flanders.

In Wallonia:

- Contracts for studies amounting to FB 7.5 million have been negotiated for six SPAs. The studies, involving censuses and ecological descriptions of these SPAs have either been completed or are underway.

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- study on the delayed cultivation of meadows in order to protect birds nesting therein (Nordrhein-Westfalen/NRW, 1984) ;
- regular population censuses of diurnal and nocturnal birds of prey (NRW) ;
- study on the population dynamics of certain species of seabirds (*Branta leucopsis*, *Branta bernicla*, *Calidris canutus*) and ecological role of the Wadden Sea in Schleswig-Holstein (1981-82) ;
- census of meadow birds and the drafting of proposals for the

1) *Laboratorium voor Ekologie en Faunabeheer van de K.U.L.*

2) *Instituut voor Natuurbehoud*

3) *Koninklijk Belgisch Instituut voor Natuurwetenschappen*

- protection of species in decline. In particular, this study concerns *Ciconia ciconia*, *Limosa limosa*, *Tringa totanus*, *Gallinago gallinago*, *Philomachus pugnax* and *Circus pygargus* (Schleswig-Holstein, 1981-82) ;
- population census of falconiformes (Hamburg, 1980-85) ;
 - survey of the bird fauna in the city of Hamburg as a basis for reference for environmental policy decisions ;
 - study on the biology of populations of *Haematopus ostralegus* (Niedersachsen, 1985-89) ;
 - direct and indirect effects of oil slicks on seabirds in the Deutsche Bucht (Niedersachsen) ;
 - study on areas to be protected in Lower Saxony (Niedersachsen, 1981)
 - population dynamics of birds, particularly *Delichon urbica* (Rheinland-Pfalz, 1980) ;
 - research on the biology and ecology of *Scolopax rusticola* in relation to spring hunting and the protection of biotopes. This research includes the drawing up of a biotope management plan for this species in the Mittelgebirge area (Rheinland-Pfalz, 1975-84) ;
 - basic research with a view to drawing up a species conservation programme geared to soil conservation. The following species are primarily concerned: *Gallinago gallinago*, *Crex crex*, *Saxicola rubetra*, *Motacilla flava*, *Anthus pratensis* and *Locustella naevia*. (Baden-Württemberg, 1985-88) ;
 - ecology of *Ciconia ciconia* in Bavaria: breeding population, biotope requirements, protection and ways of maintaining and increasing populations (Bayern, 1980-82) ;
 - regular census of waterfowl at selected lakes (Bayern) ;
 - causes of illness and death among wild birds (Bayern).

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- monitoring of EC bird protection areas and censuses of their bird populations ;
- surveys to assess the consequences of different types of activity on the value of an area as a habitat for birds;
- ringing surveys ;
- quantitative studies at local level to assess the change in bird population levels ;
- studies on particular species listed in Annex I of the directive or groups of ecologically vulnerable species.

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The following research has been conducted by ICONA:

- the situation of *Aquila chrysaetos* in the regions of Guadalajara, Cuenca and Ciudad Real (1986) ;

1) *Instituto Nacional para la Conservación de la Naturaleza*

- winter census of waterfowl (1986 and 1987) ;
- classification of Spanish wetlands according to their importance for waterfowl (1987) ;
- survey of potential distribution areas for *Oxyura leucocephala* (1987) ;
- survey of the Spanish population of *Ciconia nigra* and its breeding grounds (1987) ;
- survey of the Spanish population of *Otis tarda* (phase I/1987, phase II/1989) ;
- biology, habitat use and basis for conservation of *Neophron percnopterus* in the Iberian Peninsula (1987) ;
- survey of the Spanish population of *Gypaetus barbatus* and its breeding grounds (1987/1988) ;
- survey of the Iberian population of *Neophron percnopterus* and its breeding grounds (1987/1988) ;
- use of space by breeding adults: *Aquila adalberti* (1987/1988) ;
- demographic parameters of the wintering population of *Grus grus* in Spain (1987/1988) ;
- survey of the Spanish population of *Aquila chrysaetos* and its breeding grounds (1988) ;
- survey of the breeding colonies of *Falco naumanni* and problems relating to their conservation (1988) ;
- survey of dispersal and concentration areas for young *Oxyura leucocephala* (1988) ;
- designing facilities for the reintroduction of *Porphyrio porphyrio* (1988) ;
- census of wintering bird species (1989) ;
- monitoring of the dispersal of young *Gypaetus barbatus* (1989) ;
- survey of the Spanish population of *Gyps fulvus* (1989) ;
- establishing the conservation status of *Streptopelia turtur* (1989) ;
- census of breeding waterfowl (1989) ;
- establishing the degree of inbreeding within sub-populations of *Aquila adalberti* (1989/1990) ;
- survey and typology of wetlands (1989/1990) ;
- survey of threatened species at EC level (1989/1990) ;
- study on the biology and ecology of *Columba bollii* and *Columba junoniae* ;
- studies on the impact of chemical pollution on certain bird populations (e.g. *Aquila adalberti*) ;
- evaluation of the impact of power lines (transport) as a cause of bird mortality ;
- preparation of a model for the numbers of *Alectoris rufa* to be hunted in Spain ;
- survey of the Spanish population of *Hieraaetus fasciatus* (1989-90) ;
- use of space and dispersal movements of *Otis tarda* in pilot areas (1990-91) ;

- monitoring of waterfowl populations (1990-91) ;
- selection of breeding grounds of *Ciconia* sp. in Spain. Wintering areas of *Ciconia nigra* ;
- monitoring dispersal of young *Aquila heliaca* (1991) ;
- survey of the Spanish population of *Pandion haliaetus* and its breeding grounds (1991);
- status, distribution of and sensitive areas for *Perdix perdix* in Spain (1991) ;
- definition and survey of breeding grounds of *Turdus sylvatica* (1991) ;
- monitoring the dispersal of young *Hieraaetus fasciatus* (1991) ;
- methods for restoring populations of *Aquila heliaca* (1991).

At regional level, a considerable amount of research has also been carried out.



- survey and description of natural areas of interest in terms of ecology, fauna and flora (areas listed on account of their interest to breeding, migrating and wintering birds) (Ministry of the Environment, from 1982) ;
- monitoring of abundance level of common birds (STOC), using both the technique of ringing (constant effort to capture) and listening devices for songbirds at resting areas – according to standardised methods (Museum National d'Histoire Naturelle/CRBPO₁) ;
- establishing the impact of bird taking methods on the size of populations (survey carried out among wildfowl hunters) ;
- determining the role of certain species as pollution indicators ;
- study on the harmful effects of chemical pollution on bird population levels ;
- development of ecological methods of preventing damage caused by birds (scaring systems using acoustic techniques or falconry to prevent risks of collision between aircraft and birds at airports). The following species are concerned: *Phalacrocorax* sp., *Branta* sp. and *Phoenicopterus ruber*) ;
- reintroduction of *Gyps fulvus* in the Cévennes ;
- reintroduction of *Gypaetus barbatus* in the Alps ;
- study of migration strategies of wetland passerines (*Acrocephalus* sp., *Locustella* sp. & *Luscinia svecica*) and *Alauda arvensis* (Museum National d'Histoire Naturelle/CRBPO) ;
- research on migration, reproduction biology, population dynamics of species e.g. Western Palearctic waders (Museum National d'Histoire Naturelle/CRBPO and ONC₂) ;

The following research has been conducted on behalf of the Ministry of the Environment:

1) *Centre de Recherches sur la Biologie des Populations d'Oiseaux*
 2) *Office National de la Chasse*

- surveys of herons, wintering Anatidae, wintering and breeding waders, breeding diurnal birds of prey, breeding seabirds ;
- censuses of migrating Palearctic waterfowl in tropical Africa ;
- atlas of wintering birds in France (SOF₁/SFF₂) ;
- atlas of breeding birds in France (updated version being prepared);
- numerous regional atlases of breeding birds ;
- surveys and specific biology studies of species of birds enabling a better understanding of population levels and trends (Anatidae, seabirds, *Tetrao tetrix*, *Buteo* sp., *Ciconia ciconia*, *Branta bernicla*, *Coturnix coturnix*, *Tetrao urogallus*, *Ardea cinerea*, *Emberiza hortulana* and *Crex crex*) ;
- studies on specific habitats of bird fauna, particularly wetlands: Aquitaine (1984), Bretagne (1984), Marais de l'Ouest (1985), Lorraine (1985) and regional surveys of peat bogs ;
- survey of the coastline (1979 and 1982) ;
- survey on Anatidae visiting wetlands (ONC, 1983).

In addition, various types of research have been carried out on wetlands by the Committee for Ecology and Management of National Heritages and the National Hunting Office.



- surveys and ringing of birds, mainly waterfowl in the wetlands of north-east Greece ;
- ecological study of passerine communities in Olympus National Park (study planned but not yet carried out) ;
- ringing and migration studies of passerines in the Peloponnese region;
- ringing studies of *Alcedo atthis* ;
- international research project on *Pelecanus crispus** ;
- ecological study of the populations of *Perdix perdix* in Macedonia* ;
- study on the biology of *Buteo rufinus* in north-east Greece* ;
- conservation and management of wetlands in north-east Greece in relation to *Pelecanus crispus* ;
- genetic study of *Parus lugubris* (study planned but not yet carried out) ;
- study on the management of Dadia Forest ;
- midwinter waterfowl censuses (in association with the IWRBs)* ;
- population studies of certain birds (e.g. *Numenius tenuirostris*, *Anser erythropus*).

* long term study

1) *Société Ornithologique de France*
 2) *Secrétariat de la Faune et de la Flore*
 3) *Comité Ecologique et Gestion du Patrimoine National*
 4) *Office National de la Chasse*



Various studies have been conducted by the Istituto Nazionale di Biologia della Selvaggina (in Bologna):

- survey of waterfowl ;
- study on migration strategies of birds (particularly passerines and waders) throughout Italy ;
- research programme on the following native species: *Perdix perdix* and *Phasianus colchicus* (linked to another research programme on the impact of farming methods on fauna) ;
- research programme on *Alectoris* sp., waterfowl, diurnal and nocturnal birds of prey ;
- coordination of an international project on spring migration of birds across the Mediterranean (in association with Corsica and Malta).



- on-going survey and census of all breeding colonies of seabirds on the Irish coast ;
- on-going sample censusing and productivity monitoring of selected seabird species) ;
- all-Ireland survey of *Sterna dougallii* (1984) and detailed research on biology and feeding ecology of breeding colonies on Rockabill (Co. Dublin) and at Lady's Island Lake (Co. Wexford) ;
- detailed annual studies of *Sterna hirundo*, *Sterna paradisaea*, *Sterna sandvicensis* and *Sterna albifrons* at selected important sites on east, south-east and north-west coasts ;
- long term detailed study (began in 1966) of 12 species of seabirds including regular censuses and large-scale ringing on the island of Great Saltee ;
- regular censuses of breeding colonies of *Larus argentatus*, *Larus fuscus*, *Larus canus* and *Larus ridibundus* on inland lakes in west, north-west and midlands ;
- mid-winter censuses of *Cygnus bewickii* at regular intervals (part of an international programme) ;
- mid-winter censuses of *Cygnus cygnus* in 1985-86 and 1990-91 (with the UK) ;
- mid-winter census of *Cygnus olor* in 1990-91 ;
- national census of *Anser anser* in March 1986 ;
- detailed on-going study of population and ecology of *Anser albifrons flavirostris* at all Irish wintering sites ;
- aerial census in spring of *Branta leucopsis* every five years (in co-operation with the UK) ;
- annual census and productivity monitoring of *Branta bernicla hrota* at all Irish wintering sites ;

- census of waterfowl (ducks, geese, swans, waders, grebes etc.), at over 1.000 wetlands in Ireland (four winters: 1984-85 until 1987-88) ;
- national breeding and winter censuses and study of feeding ecology of *Phalacrocorax carbo* ;
- national census of *Falco peregrinus* in 1981 followed by annual sample monitoring ;
- detailed study of breeding populations and ecology of *Falco columbarius* in sample study areas ;
- study of status and distribution of *Tyto alba* in eastern Ireland ;
- survey of breeding population of Irish waders on machair sites and in the Shannon Callows with on-going monitoring by the IWC ;
- ecology of coastal site of *Corvus corone comix* in Cork ;
- national census of *Pyrhocorax pyrhocorax* ;
- study of ecology of *Haematopus ostralegus* in Dublin Bay ;
- on-going studies of woodland birds in Killarney National Park ;
- studies on lead poisoning in swans ;
- national census of breeding populations of *Sula bassana* in 1985-86 (part of an international census in the North Atlantic zone). Monitoring of colonies at regular intervals ;
- study of *Buteo buteo* recolonisation from Northern Ireland (1991) ;
- national census of calling males of *Crex crex* in summer 1988, followed by on-going monitoring of main breeding areas and detailed studies in the Shannon Callows ;
- detailed research of sample population of *Perdix perdix* ;
- study of effectiveness of releasing hand-reared birds: *Phasianus colchicus* ;
- survey of all Irish breeding species (1988-91) to update the distributional information of the 1968-72 atlas of breeding birds ;
- survey of all Irish wintering species (1981-82 until 1983-84) and survey of sites (especially wetlands and seabird breeding sites) suitable for designation as nature reserves, refuges for fauna or Special Protection Areas.

The above-mentioned research was conducted by the NPWS₂, non-governmental organisations and individual specialists either separately or in a collective arrangement.



Research carried out in Luxembourg concerns primarily ringing operations and surveys of native and migratory species undertaken by the Luxembourg Association for the Study and Protection of Birds₁.

1) *Irish Wildbird Conservancy*
2) *National Parks and Wildlife Service*

NL

- ringing programme for birds coordinated by the Dutch Ringing Centre, at Heteren. SOVON² (umbrella organisation of all the Dutch ornithological associations) carries out, with a nationwide team of volunteers, different censuses and counts ;
- atlas of birds in the Netherlands, compiled in 1987 by SOVON. This atlas includes information on population levels and distribution of all the bird species present in the Netherlands between 1978 and 1983 ;
- ecological methods aimed at preventing damage caused by birds. Studies have been conducted on the nature and extent of the damage caused by birds to crops and the most suitable methods to use in order to prevent or reduce such damage. The following birds are concerned: gulls, sparrows, starlings, Corvidae, geese and cormorants ;
- determining the role of certain species of birds as indicators of water pollution. A number of studies are underway –on *Aythya fuligula*, *Fulica atra*, *Phalacrocorax carbo*. and *Podiceps cristatus*. The Netherlands Institute for Marine Research carried out a study in 1988-89 on the impact of pollution in the North Sea on seabirds ;
- The Central Veterinary Institute (Lelystad) carries out research on bird mortality (report: "Bird Mortality in the Netherlands 1975 - 1989") ;
- survey on hunting carried out among hunters to obtain statistics on the taking of birds by hunting ;
- annual assessment of the status of breeding, migratory and wintering birds in nature reserves (conducted by officials of the nature reserves) ;
- research on the period in which the northern and southern varieties of *Pluvialis apricaria* migrate through the Netherlands.

P

- survey and characterisation of breeding birds in Portugal and preparation of an atlas (published in 1989) ;
- organisation of a national monitoring programme of seabirds washed up along the coastline during the winter and analysis of associated mortality factors ;
- survey and biology study of the national population of *Ciconia ciconia* ;
- survey and biology study of breeding seabirds in Portugal (on the European mainland and also on Madeira and the Azores) ;
- censuses of seabirds (in particular Anatidae and waders) in the most important wetlands in Portugal ;
- biology study of Ardeidae, flamingos and spoonbills in Portugal including the monitoring of colonies and breeding populations for species which breed in Portugal ;

1) Vogeltrekstation
 2) Samenwerkende Organisaties Vogelonderzoek Nederland
 3) Nederlands Instituut voor Onderzoek der Zee
 4) Centraal Diergeneeskundig Instituut
 5) Natuurreservaten

- biological monitoring of the bird populations dependent on the steppe area in the central and southern regions of Portugal, especially *Otis tarda*, *Tetrax tetrax*, *Grus grus* and other associated species (e.g. *Pterocles orientalis*, *Burhinus oedicnemus*, *Circus pygargus*, *Falco naumanni*) ;
- biology study of trans-Saharan bird migrations, in particular the species of *Sylviidae* associated with salt meadows and reed beds (*Phragmites*) in coastal wetlands.

UK

i) research/studies carried out concerning habitats:

- land use change in the Highlands - study of impact on predatory birds (1985) ;
- impact of recreation on the bird wildlife of freshwater habitats with open water (Wildfowl Trust¹, 1981) ;
- study of breeding sites of waders and other birds nesting on moorland (1983) ;
- survey of upland breeding birds and afforestation (1985) ;
- impact of land drainage on wildlife (Institute of Terrestrial Ecology/ IET, 1984) ;
- biological effect of land use change in lowland Scotland (1984) ;
- monitoring of *Corvus corax* and upland land use in Central Wales (1986) ;
- impact of afforestation on the population biology of *Pyrrhocorax pyrrhocorax* (University of Glasgow, 1989) ;
- habitat loss (1986) ;
- impact of agricultural intensification on breeding of ground-nesting birds (University of Durham, 1988) ;
- breeding waders of machair (1987) ;
- breeding bird survey: salt marshes (RSPB², 1985) ;
- sand dune management studies (IET, 1988) ;
- moorland bird study (NCC³, on-going) ;
- land use, bird habitats and nature conservation on the Isle of Islay (NCC, 1988) ;
- birds in Shetland and Orkney in relation to agricultural development programmes (RSPB, 1987) ;
- conservation implication of cereal "set-aside" (NCC, on-going) ;
- effects of afforestation on moorland birds and their predators (1989) ;
- nature conservation and low intensity agricultural land (NCC, 1991) ;
- ecological studies in the Wash: birds (and invertebrates) (IET, 1988).

ii) research/studies carried out concerning species:

- seabirds at sea off north-west Britain (1986) ;
- monitoring of rare British breeding birds (1988) ;
- birds and pollution (IET, 1989) ;

1) *Wetlands and Wildfowl Trust*
2) *Royal Society for the Protection of Birds*
3) *Nature Conservancy Council*

- lead poisoning in *Cygnus olor* (University of Oxford, 1988) ;
- lead poisoning in *Cygnus cygnus* in the Ythan estuary (University of Aberdeen, 1987) ;
- Orkney seabird monitoring (1989) ;
- conservation requirements of *Crex crex* in the Western Isles (RSPB, 1988) ;
- pilot survey on *Mergus serrator* and *Mergus merganser* in Scotland (University of Durham, 1986) ;
- breeding performance and feeding of *Sterna* sp. in Scotland (University of Durham, 1986) ;
- ground-nesting birds of the Somerset Levels (RSPB, 1986) ;
- study of the movement of wader populations in western Europe (University of Durham, 1984) ;
- seabird studies on Skomer (University of Oxford, 1983) ;
- surveillance of cliff-nesting seabirds in Orkney (1985) ;
- survey and monitoring of *Falco peregrinus* in Cumbria (1985) ;
- shorebird monitoring in the Moray Firth (1985) ;
- monitoring of *Pluvialis apricaria* (1985) ;
- reintroduction of *Haliaeetus albicilla* (1986-1991) ;
- seabird colony register (NCC, 1989) ;
- effects of recreational pressure on the breeding of *Pluvialis apricaria* (University of Manchester, 1989) ;
- evaluation of the effects of shooting on the populations of *Numenius arquata* in Great Britain (University of Durham, 1988) ;
- development of seabird populations and performance (IET, 1989) ;
- ecology of *Tetrao urogallus* (IET, 1989) ;
- food supply and breeding performance in *Sterna* sp. (University of Glasgow, 1990) ;
- conservation of vulnerable and dispersed species (NCC, on-going) ;
- quantitative breeding bird atlas (on-going) ;
- status and breeding distribution of *Charadrius morinellus* (NCC, 1987) ;
- review of recreational disturbance of waterfowl (RSPB, 1988) ;
- monitoring of *Milvus milvus* (NCC, 1990) ;
- raptor monitoring and conservation (NCC, on-going) ;
- seabird monitoring programme (on-going) ;
- wildfowl and waders in south-west Wales (NCC, 1988) ;
- wintering wildfowl and waders on the Somerset Levels and Moors (RSPB, 1989) ;
- moorland bird surveys in Angus and Perthshire (Scotland) (NCC, 1990) ;
- distribution of *Anser anser* around the Loch of Strathbeg (Grampian) (University of Aberdeen, 1991) ;
- monitoring the effects of intensive scaring of *Branta leucopsis* on Islay (University of Glasgow, 1988) ;
- distribution of breeding waders in Great Britain (RSPB, 1989) ;
- wildfowl patterns and management on Caithness lochs (Scotland) (1989) ;
- winter ecology of *Plectrophenax nivalis* (1988) ;

- fluctuations of wildfowl on Lough Neagh (DOE/NI)¹;
- study of the decline of *Melanitta nigra* on Lough Erne (DOE/NI) ;
- distribution of breeding waders in Northern Ireland (DOE/NI + RSPB);
- relationship between *Anas penelope* and *Branta bernicla* at Strangford Lough (IWRB² + National Trust) ;
- population studies of wildfowl and waders at Strangford Lough (IWRB + National Trust) ;
- distribution of *Falco peregrinus* in Northern Ireland (DOE/NI) ;
- feeding patterns of cormorants in North Antrim (DOE/NI and DOA/NI³).

1) *Department of the Environment for Northern Ireland*
2) *International Waterfowl and Wetlands Research Bureau*

TRANSPOSITION/ IMPLEMENTATION PROBLEMS

More than 10 years after it officially entered into force (2/4/81), directive 79/409/EEC has indeed been transposed into national legislation in the Member States but such national legislation does not always comply with the provisions of the directive.

Similarly, application in practice (implementation) of the directive in the Member States does not fully comply with the legal provisions laid down in the directive.

For an overall assessment of the directive, the application problems should be pointed out.

In several Member States, national legislation on hunting which was introduced well before the directive was adopted, has not been fully adapted to comply with the provisions of the directive (Articles 7 and 8). In addition, some national legislation on the protection of birds does not fully comply with the provisions of the directive (Articles 1 and 5).

Consequently, the Commission has had cause to initiate infringement proceedings against most Member States for failing to comply with or for partly complying with the directive. The Court of Justice of the European Communities has even passed judgements against certain Member States on the grounds that a number of provisions in their national (or regional) legislation on hunting or the protection of birds failed to comply with the directive:

- | | | |
|----------------|----------|---|
| - Belgium: | 8/7/87 | Judgement of the Court: regional legislation failed to comply with the directive |
| (Case 247/85) | | |
| - Italy: | 8/7/87 | Judgement of the Court: national legislation failed to comply with the directive |
| (Case 262/85) | | |
| (Case 334/89) | 17/1/91 | 2nd judgement for the same reason |
| - Germany: | 17/9/87 | Judgement of the Court: several provisions of national and regional legislation failed to comply with the directive |
| (Case 412/85) | | |
| (Case 288/88) | 3/7/90 | 2nd judgement for the same reason |
| - Netherlands: | 13/10/87 | Judgement of the Court: several provisions of national legislation failed to comply with the directive |
| (Case 236/87) | | |
| (Case 339/87) | 15/3/90 | 2nd judgement for the same reason |
| - France: | 29/4/88 | Judgement of the Court: national legislation failed to comply with the directive. |
| (Case 252/85) | | |

1) *In the same judgement, France was found to be failing to provide adequate protection of eggs and nests*

It should be noted that, despite these Court Judgements, some Member States have not yet amended the legislation in question.

SPECIES CLASSED AS GAME

In certain Member States, the list of species classed as game under national legislation does not conform to Annex II of the directive. In this respect, there are two distinct types of problem:

- 1) under their national legislation, several Member States have classed certain species as game although the directive totally prohibits hunting of these species (species not listed in Annex II).

In most cases, the species in question are considered as pest species:

Corvus corone	Pica pica
Corvus frugilegus	Sturnus sp.
Corvus monedula	Passer sp.
Garrulus glandarius	

If Member States consider that these are cases for derogation under Article 9, they should indicate them in the annual derogation reports.

- 2) in several Member States, certain species listed in Annex II/2 are classed as game under national legislation although the directive prohibits the hunting of those species in those particular countries. It must be emphasised however that – in most cases – no hunting season is actually established for the species in question, either under national legislation on hunting, nor under a supplementary (annual) act of legislation. This means therefore that hunting of those species is prohibited. It should, however be pointed out that amendment of Annex II/2 adding the five above corvid species is currently underway.

All of the cases of species which are classed as game under national legislation but not actually hunted may constitute a formal problem of transparency.

SPECIES WHICH MAY BE SOLD

Under their national legislation, certain Member States authorise the sale of all species classed as game. Consequently, the number of species which may be sold in these countries is actually greater than those which may be sold according to Annex III of the directive.

Other Member States have established an exhaustive list of species which may be sold under their national legislation but the list nevertheless includes non-Annexe III species.

SPECIAL PROTECTION AREAS AND HABITATS OUTSIDE THESE AREAS

Under Article 4 of the directive, Member States must classify special protection areas (SPAs) for the species of birds listed in Annex I of the directive and for regularly occurring migratory species not listed in Annex I. They must also take special conservation measures within these areas.

To date (February 1992), more than 600 SPAs have been classified, covering a total surface area of about 5.5 million hectares on EC territory. These figures certainly represent a considerable improvement compared with the situation in 1986 (309 areas covering about 1.4 million ha.). However, there are two problems concerning the application in practice of the provisions laid down in Article 4:

1) A great difference is apparent between the number and surface area of SPAs classified and that which seems necessary to create an adequate and coherent network.

The Commission has drawn up a list of some thousand areas of great interest for the conservation of wild birds in the EC and regularly updates it (SFF3 forms). Taken together, these areas constitute a rough estimate of a coherent network that could meet the requirements of Article 4. Many of the areas included in this list have not been classified as SPAs. Although Member States are not necessarily obliged to classify all the areas listed in the SFF3 forms, the areas they do classify should be sufficient in number and size for the conservation of Annex I species. The Commission, supported by the ORNIS Committee, has invited Member States to use the Bezzel method in order to achieve this result.

In fact only Denmark and Belgium have almost fully complied with their obligations regarding SPA classification. The other Member States, particularly Germany (certain Länder), Greece, France, Ireland, the Netherlands and the United Kingdom have not yet classified a sufficient number of SPAs. In some regions of the EC, such as Northern Ireland and Gibraltar, there are no SPAs at all.

2) Even if a large number of SPAs have actually been classified, appropriate measures have not always been taken to protect habitats within these areas and the species of birds which occur therein. There are indeed cases where classified SPAs are threatened by development/construction projects and operations, farming and forestry, pollution and recreational activities.

1) See section 4.3, pp. 42 - 45, Rapport EUR 12835 (Information sur l'application de la directive

Outside SPAs, Member States must also take the requisite measures to preserve, maintain and re-establish a sufficient diversity and area of habitats for wild birds. This provision laid down in Article 3 is not always complied with as, once again, economic considerations have priority over protection efforts. In many Member States, protected habitats are or have been threatened by development operations or projects which are frequently incompatible with the conservation objectives stipulated in the directive.

Regarding the re-establishment of destroyed biotopes, also laid down in Article 3, concrete examples of projects are rather rare in most Member States.

Faced with the cases of non-compliance with Articles 3 and 4 of the directive, the Commission has initiated infringement proceedings against several Member States either for having designated an insufficient number of SPAs or because of deterioration or destruction of a habitat caused by an economic activity (farming, industry, urbanisation, tourism or infrastructure).

HUNTING SEASONS

When establishing hunting seasons for the species listed in Annex II, Member States must, under Article 7 of the directive, ensure that:

- those species are not hunted during the rearing season nor during the various stages of reproduction
- migratory species are not hunted during their period of reproduction or during their return to their rearing grounds (See Annex IV to this report).

The meaning of these provisions has been the subject of great discussion among hunters, environmentalists and scientists. Whatever the case, certain months in the year coincide with sensitive periods for bird populations: April, May and June are the months in which birds build their nests and raise their young. For some species, nest-building and raising young begins in February/March or continues until July/August. Furthermore, certain migratory species find mates and return to their breeding grounds during the months of February/March.

Details of the biological characteristics of hunted species (rearing seasons, periods of reproduction, periods during which migratory species return to their rearing grounds) are available for consultation in the ORNIS database.

It has to be said that hunting seasons established in the EC vary considerably from one Member State to another and do not always appear to comply with the above-mentioned provisions. The Court of Justice passed a judgement against Italy on 17/1/91 (Case 157/89), stating that Italian hunting legislation was incompatible with the provisions of the directive insofar as it authorised:

- i) the hunting of certain species of birds beginning on 18/8 despite the fact that these species are still in the reproduction and dependence stages
- ii) the hunting of certain species of migratory birds until 28/2 or 10/3 despite the fact that during that time of the year these species fly over Italian territory on their return to their rearing grounds

1) *This concerns the following items of legislation: Law 968/77 of 27/12/77 and the Decree of 20/12/79 and not the new law 157 of 11/2/92*

ILLEGAL HUNTING

In several EC countries, hunting activities are pursued which do not conform to the provisions of national legislation.

In most cases, the countries concerned have deep-rooted regional or local hunting traditions. Illegal hunting activities are partly due to insufficient awareness, education and training of the general public and partly to the lack of effective control and penalties. More often than not, the regional or local authorities in charge of controlling hunting do not have sufficient staff to carry out their tasks properly:

DEROGATIONS

Member States may authorise derogations for different reasons laid down in the directive (article 9). Since 1981, a large number of such derogations has been authorised. Some of these are in accordance with the provisions of the directive, others are not.

As can be seen from the summary of derogations notified to the Commission, some Member States are excessively liberal in authorising derogations under Article 9 and in particular for reason (c) of Article 9:

- "to permit, under strictly supervised conditions and on a selective basis, the capture, keeping or other judicious use of certain birds in small numbers";

The derogations which cause problems are the following:

- Spain:** the numbers of Turdidae captured exceed the limits for "small numbers" (derogation E/20/89) derogations E/28/88, E/9/89, E/19/89, E/9/90 and E/28/90 concerning the use of limes for the capture of Turdidae and Fringillidae do not appear to be justified since the competent authorities have not shown that this method of capture is selective
- Greece:** *Alectoris chukar* is still being hunted without a management plan (this derogation has not been notified)
- Italy :** derogations I/2/89 and I/5/89 concerning the use of limes for the capture of *Alauda arvensis* and *Turdus merula* do not appear to be justified since the competent authorities have not shown that this method of capture is selective

1) *See p.10 of this report*

NATIONAL REPORTS

Article 12 of the directive stipulates that, every three years, Member States must send the Commission a report on the implementation of national provisions taken under the directive. The main purpose of these reports is to enable the Commission to assess the implementation of the directive in the different Member States on the basis of information forwarded. Two types of problems arise in this respect:

1) the national reports are submitted late or not at all

Although Member States are obliged to send the Commission a national report every three years, it must be said that a number of countries have not submitted their reports on a systematic basis. Furthermore, Italy and Portugal have yet to send in their national reports for the period 1987 - 1989.

In addition, several countries (e.g. Denmark, France and Luxembourg) have been late in submitting their national reports. This makes it difficult for the Commission to assess the implementation in practice of the directive.

2) the national reports submitted contain inadequate information

The national implementation reports submitted do not always contain relevant information in detail on the implementation of national provisions taken under the directive.

The national reports often describe the existing statutory and administrative measures or those which have been adopted but fail to mention the practical steps taken (e.g. hunting controls and SPA monitoring). As a result, these reports do not always constitute a source of comprehensive information on the implementation of the directive in the Member States.

CONCLUSION

Council Directive 79/409/EEC marks a real turning point in the history of EC environmental policy: it imposes on Member States a set of obligations in the field of nature conservation by providing a legislative framework for the protection not only of wild birds, but also of their habitats.

This framework has proved increasingly necessary to counter threats from continual developments in agriculture (intensification of farming methods including drainage, clearance and deforestation of land, excessive use of fertilisers and pesticides), industry, urbanisation, transport and tourism. These various types of threats may disturb, damage or destroy habitats and thus cause the disappearance of certain species.

In view of its emphasis on habitat protection and its extremely wide scope (all species of birds naturally occurring in the wild state in Europe as well as their eggs and nests are concerned), directive 79/409/EEC is beyond any doubt the most extensive piece of legislation on bird protection. Indeed, it has become a model for the conservation of wild birds in Europe and elsewhere.

The directive is based on the principle that protection is an obligation whereas hunting, capture and killing are activities authorised under certain, clearly defined conditions. An exhaustive list establishes the species of birds which may be hunted and sold. This principle completely reverses the traditional European concept in several Member States whereby only certain species were protected.

By way of an overall assessment of the application of the directive, it can be said that in many respects the results are positive:

Most Member States have gradually adapted their national legislation on hunting, sale, protection of birds and their habitats to comply with the provisions of the directive. In most cases, national legislation adopted since 1981 incorporates the spirit of the directive regarding the new concept of protection. In certain Member States, bills to amend existing legislation that does not comply with the directive have been drawn up and submitted to national parliaments for approval.

In addition, the directive has helped to improve and reinforce the conservation status of the species of wild birds occurring within the EC. As a result of national provisions adopted, several measures have been taken to protect species listed in Annex I and even some listed in Annex II of the directive.

The same is true for bird habitats. A network of special protection areas (SPAs) has been created in the EC: in April 1991, a total of 667 SPAs had been designated covering more than 5.5 million hectares throughout the EC compared with 309 SPAs covering 1.4 million ha. in December 1986. Many Member States provide effective management and protection for the areas designated and are endeavouring to designate others. The SPA network represents a new concept for protection, with the emphasis on areas which constitute important habitats for species listed in Annex I. In this way, it makes a significant contribution not only to protecting wild birds but also to maintaining the diversity of flora and fauna and ecosystems within the EC.

The progressive implementation of the directive has significantly contributed to improving the biological situation of most species. Several breeding species are no longer threatened with extinction in the EC although the status of many of these species still gives great cause for concern. There has also been an increase in the population of almost all species of Anatidae. Nevertheless, the species of European birds which nest in open spaces (such as meadows, grasslands, moorland, scrubland and fields) are on the decline but the directive alone cannot put a stop to this phenomenon: there must be a change in farming methods in the Community for a solution to be found; the implementation of directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora plus the implementation of the agri-environmental Regulation 2078/92/EEC will undoubtedly be decisive contributory factors.

With the implementation of directive 79/409/EEC, hunting seasons have been adapted in most Member States and are more compatible with the biological requirements of hunted species. Generally speaking, hunting is now organised in accordance with the principles of wise use and an ecologically balanced control of the species concerned.

Derogations under Article 9 of the directive are closely monitored in most Member States where necessary. For bird species which occur in favourable conditions, monitoring is limited to a regular check of population size and trends, thus reducing the administrative costs of implementing the directive.

However, despite the positive developments, the directive is not yet fully implemented in the 12 Member States. Up to now, the best results have been obtained in Denmark and Luxembourg. Implementation problems primarily concern the designation and actual protection of SPAs, derogations and hunting activities.

Ten Member States have not yet designated SPAs in sufficient number and size for the conservation of species listed in Annex I. In addition, most Member States do not always provide adequate protection for bird habitats

(whether these are in SPAs or not). In several Member States, protected habitats (some of which are situated within SPAs) are or have been threatened by development projects and operations which are frequently incompatible with the conservation objectives laid down in the directive. It must be emphasised, as clearly stated in Article 4 of the directive, that Member States are obliged to avoid pollution or deterioration of habitats within SPAs and also to strive to avoid pollution or deterioration of habitats outside SPAs.

There is still a difference of opinion between the Commission and the Member States concerned over a number of derogations (Italy and Spain).

In some countries (France, Italy and Spain), implementation of the provisions on hunting is proving difficult on account of deep-rooted regional or local hunting traditions which persist. In recent years, this situation has given rise to considerable conflicts between hunters and nature conservationists. Furthermore, it has to be said that poaching continues to varying degrees in some regions of the Community: hunting of protected species, hunting during the close seasons and outside authorised areas, use of prohibited methods of hunting and capture.

Controls on hunting activities vary greatly according to the different countries and even regions. In some Member States, a weak administrative infrastructure lacking in financial and human resources (manpower and qualified staff) has resulted in poor implementation in general and particularly in a lack of effective control of hunting activities (e.g. Greece, Italy). In several regions of the EC, illegal hunting activities are not sufficiently controlled or penalised. The general public, especially hunters, as well as the authorities in charge of controlling hunting activities must therefore be made aware of the need for conservation. In addition to the officials in charge of enforcing nature conservation regulations, national and regional police forces should also be encouraged to keep a closer watch on the situation. Furthermore, in Greece, the absence of a scientific institute in charge of nature protection constitutes a major obstacle to the proper implementation of the directive.

Nevertheless, it should be emphasised that at the present point in time the deterioration and destruction of habitats pose more serious threats to the survival of wild birds in Europe than hunting as such. Member States thus need to make considerable efforts in order to provide better protection and management of habitats of vital importance to birds. Habitat destruction means a lower reproduction rate for some species and, as a consequence, may threaten their survival. It also heightens the impact of hunting on the populations of some species. Population management plans must therefore

be drawn up for species in decline which may be hunted. The aim is to achieve sustainable use of those populations i.e. to maintain the ecological balance of bird fauna.

As a result of the scientific working group set up in 1991 and the meeting on "wise use" held in May 1990, certain scientific questions concerning the implementation of the directive have been clarified. It is to be hoped that the ORNIS database, established in 1991, will also help available scientific data to be circulated more widely and encourage the responsible authorities in the Member States to make greater use of this data.

Despite the difficulties in implementing directive 79/409/EEC, the impact of this piece of Community legislation on the conservation of wild birds has clearly been considerable. Even if all the necessary laws, regulations and administrative arrangements have not yet been adopted or fully implemented in the Member States, significant progress has definitely been made since 1981 as a result of the directive. Even if some steps have yet to be taken (implementation in certain fields, training and increasing public awareness etc.), the process has got off to a good start. However, effective long-term conservation and management of wild birds in Europe will chiefly depend on concerted action by the 12 Member States to achieve full protection of habitats and species of fauna.

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- Documentation sur la chasse aux oiseaux et l'état de conservation des espèces concernées. Situation en 1986.
Landbrugsministeriets - Game and Wildlife Administration - 85/B6600/028/11/N octobre 1986
- Designation of special protection areas - in accordance with the Directive 79/409/EEC - Status and recommendations
ORNIS CONSULT/DANISH ORNITHOLOGICAL SOCIETY - Contract 86-B6615-11-N
- Etude relative à l'analyse de données concernant les zones de protection spéciale
I.R.S.N.B. Contrat 6611/ZH/14 - Octobre 1988
- Les expériences de gestion interne dans les zones de protection spéciale au sens de l'article 4 de la Directive 79/409/CEE
Programme de jumelages des sites naturels européens - Rapports techniques de la réunion du groupe de travail sur la gestion des roselières et de la végétation aquatique - Majorque, juin 1989
AMENAGEMENT-ENVIRONNEMENT - Contrat B6610/55/88
- Rapport Kalo : Documentation on Bird Hunting and the Conservation Status of the Species Involved. Situation in 1986
J. Bertelsen and N.H. Simonsen; Ministry of the Environment Game and Wildlife Administration, Denmark, Revised edition, December 1989.
- Rapport BASC : Information Papers on the Different Objects of Annex V of Directive 79/409
British Association for Shooting and Conservation - Contract B6610/45/88 March 1990.
- Evaluacion del impacto del Puerto deportivo de Calà Galiota (Colonia de Sant Jordi, Mallorca, Espana) sobre las aves de la zona
Analisis de la Situacion actual del problema de la incidencia de la Grulla comun (grus grus) en los cultivos de Gallocanta (Zaragoza-Teruel, Espana)
J.C. ALONSO - contrat 6610/89/02 - Novembre 1989
- Rapport EUR 12835, 1990 - Information sur l'application de la Directive 79/409/CEE
décembre 1989 - I.R.S.N.B. - (contrat 6610-89-48)

- Rapport ICBP : Analyse du Phénomène des Oiseaux Migrateurs dans la Communauté Européenne;
Contrat N° 6610-62-88 - Jean-Pierre Biber and Tobias Salathé; March 1990; International Council for Bird Preservation.
- Rapport ICBP : Conservation priorities for migratory birds of the European Community
(Contrat n° B6610-62-88) by Jean-Pierre Biber and Tubias Salathé, May 1990, International Council for Bird Preservation.
- Rapport BTO : The conservation of migratory birds in the western Palearctic-African flyway.
by G.M. Tucker, M.N. Mc Culloch, S.R. Baillie, July 1991, British Trust for Ornithology. This report is a summary of BTO Research Report N° 58. contract 6617/27/89
- Rapport Stiftung Europaisches Naturerbe : Vorbereitung einer Kampagne "Natur ohne Grenzen" zur Einbeziehung der Kommunen und Regionen Europas für die EG-Kommission
B 6610-89-02, B6610-89-84) März 1990.
- Dossiers d'information sur certaines espèces d'oiseaux réalisés par l'IRSNB :

Sarcelle d'été - *Anas querquedula*
Chevalier combattant - *philomax pugnax*
Grand tetras - *Tetrao urogallus*
Nette rousse - *Netta rufina*
Perdrix bartavelle - *Alectoris Graeca*
Tetras lyre - *Tetrao tetrix*
Perdrix gabra - *Alectoris barbara*
Barge à queue noire - *Limosa limosa*
Gelinotte des bois - *Bonasa bonasia*
Becassine des marais - *Gallinago gallinago*

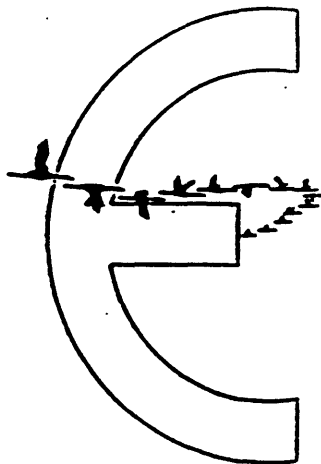
- Proceedings of the meeting on "wise use" held at Institut Royal des Sciences Naturelles de Belgique on 5 May 1990, IRSNB, June 1990 (nr. XI/189/91)
- Rapport ICBP: Action plan for the conservation of western LESSER KESTREL (*Falco naumanni*) populations
J.P. Biber - September 1990.
- Rapport IRSNB : Fiches d'information sur les espèces énumérées dans l'Annexe I de la Directive 79/409/CEE.
mise à jour de juillet 1990 (Contrat 6610-89-48).
- Rapport Dr. Ellenberg: Verbreitung, Häufigkeit, Produktivität und Verfolgungsraten bei Rabenkrähe, Elster und Eichelhäher in der Bundesrepublik Deutschland (März 1989)
- Documentacion sobre la caza de aves y el estado de conservacion de las especies implicadas en Espana y Portugal - Situacion en 1990.
(Contrat 6610/90/6834) - IIMA INSTITUTO IBERICO PARA EL MEDIO AMBIENTE Y LORS RECURSOS NATURALES - mai 1991.

- Contamination par les polluants métalliques de l'avifaune aquatique utilisant les zones humides de la côte atlantique et méditerranéenne française
(contrat B6610/89/25) I.W.R.B. - 1990.
- Calcul actualisé des indices de vulnérabilité proposés par E. BEZZEL pour les oiseaux de l'annexe I et espèces équivalentes
I.R.S.N.B. - août 1989 - (Contrat 6610 17 89)
- Etude relative à l'analyse de données concernant les zones de protection spéciale
I.R.S.N.B. Octobre 1988 (Contrat 6611/ZH/14)
- Designation of special protection areas - in accordance with the Directive 79/409/CEE - status and recommendations
ORNIS CONSULT - DANISH ORNITHOLOGICAL SOCIETY - (contrat 86/B6615/11/005/11/N)
- Conservation and management of the biotopes of the Dalmation pelican - Pelecanus crispus in Northern Greece)
February 1991 - Aristotelian University of Thessaloniki - (Contrat 6611/86/10-2)
- Evaluacion del impacto del puerto deportivo de Cala Galiota (Colonia de Sant Jordi, Mallorca, Espana) sobre las aves de la zona.
Jorge MUNTANER - (Contrat 6610/89/02) -1989.
- Analisis de la situacion actual del problema de la incidencia de la Grulla comun (grus grus) en los cultivos de Gallocanta (Zaragoza-Teruel) Espana.
J.ALONSO (contrat 6610 89 02) 1989.
- Management and reinstatement of Old Hall Marshes
- R.S.P.B. (contrat 6611/84/07-2)
- Surveillance des populations d'oiseaux sauvages
- I.R.S.N.B. (contrat 6611/84/05-1) - août 1987.
- Designated Natural Areas in the European Community - proposals for a revision of the classification system of protected and managed areas in the E.C.
ASSOCIATION AMENAGEMENT -ENVIRONNEMENT (contrat 86B 6611 11 001 11)
- Rapport de la Commission : The influence of hunting on bird populations (XI/216/92)
- Rapport I.R.S.N.B. - ORNIS - Data Bank - 1992
- Zones de protection spéciale - zones désignées selon l'article 4 de la Directive 79/409/CEE concernant la conservation des oiseaux sauvages (février 1992).
- Bilan d'application de la Directive n° 79/409/CEE sur la conservation des oiseaux sauvages
Rapport établi en collaboration avec l'Institut pour une Politique Européenne de l'Environnement, Paris - contrat n° 4-3040(91)5853) - juillet 1992.

- Monitoring waterfowl populations in the European Community
IWRB March 1992 (Contrat 6610(90)4981)
- Illegal activities concerned with taking of birds in the EC : An expert's view : Alistair Gammel - 15 May 1990
- Updated information on the status of nine threatened wild birds in Greece enumerated in Annex I of the Directive 79/409/EEC -
FAINARETTI - December 1992 (contrat 4-3040(92)8404)
- Actions pour la restauration de populations d'oiseaux gravement menacés dans la Communauté
I.R.S.N.B. - (contrat 6610(90)10089)
- Status and conservation of the Magpie (Pica pica) and of the Hooded Crow (Corvus corone sardonius) in Greece
Photis PERGANTIS - December 1992
- Logiciel sur les Oiseaux protégés en Europe
OPUS SPECIES - 15 août 1992 (contrat 4-3040(91)4681)
- Appui scientifique à la base de données ORNIS
EUROPEAN BUREAU FOR CONSERVATION AND DEVELOPMENT - (contrat 4-3040(92)6237)
- A report on the status of management measures and priorities for Annex II species - D. HILL, XI/13/93

Actions d'urgence

- Mesures d'urgence visant à la conservation de *Haliaeetus albicilla*, *Egretta alba* et *Phalacrocorax pygmaeus* dans la Communauté
ORNIS CONSULT, SOCIETE HELLENIQUE D'ORNITHOLOGIE, IRISH WILDBIRD CONSERVANCY
- Mesures d'urgence pour la conservation d'espèces menacées de disparition à Madère (*Monachus monachus*, *Pterodroma madeira*, *P. face*, *Columba trocaz*, *Calonectris diomedea borealis*) - PARQUE NATURAL DA MADEIRA - MUSEE MUNICIPAL DE FUNCHAL.
- Actions d'urgence pour la protection d'espèces d'oiseaux menacés de disparition à Amvrakikos, Evros et les îles Chafarine (Açores et îles Canaries) - *Anser erythropus*, *Numenius tenuirostris*, *pelicanus crispus*). R.S.P.B. en collaboration avec les autorités grecques (Ministère de l'Agriculture), la Société Ornithologique Hellénique, ICONA, Sociedad Española de Ornithologia.
- Actions d'urgence pour la conservation de *Sterna dougalli* dans la Communauté - R.S.P.B..
- Mesures d'urgence pour la conservation de *Chersophilus duponti* et *Uri aalge ibericus* dans la Communauté. SOCIEDAD ESPANOLA DE ORNITHOLOGIA.



**ORNIS
data base**

The ORNIS data base is an information classification tool which gathers existing data on the various species of bird in the European Community with a view to ensuring the efficient management of the species' populations in accordance with the principles set out in Directive 79/409/EEC on the conservation of wild birds.

This data base was set up and developed on the initiative of scientific institutions in the European Community, which are also responsible for its management. The Commission of the European Communities has allocated funds to these institutions for the purpose of creating and developing the data base and entering and verifying the data. The remaining costs are covered by the institutions themselves within the framework of their own scientific programmes.

The managing institutions have placed the data base itself and all the information files at the disposal of the ORNIS Committee, Committee for the adaptation of Directive 79/409/EEC, has agreed to take part in the data validation procedures and to provide operational guidance. The managing institutions have requested and followed the guidelines laid down by the ORNIS Committee and its Scientific Working Group as regards the choice of the data fields, the definition of such fields, data-entry priorities, and data base access procedures.

1. Management and information

Seven institutions are currently involved in the management of the data base and are able to provide information on how it operates as well as on the data already available.

Institut Royal des Sciences Naturelles de Belgique Section d'Evaluation Biologique

29, rue Vautier
B - 1040 Bruxelles
Tel: 32-2-627.43.54
Fax: 32-2-649.48.25

Goulandris Museum

13, Levidoustreet
Kifissia
G - Athènes
Tel: 30-1-80.15.870
Fax: 30-1-80.80.674

Joint Nature Conservation Committee

Monkswood House City Road
UK - Peterborough PE1 1JY
Tel: 44-733-62.626
Fax: 44-733-555.948

Ministère de l'Aménagement du territoire et de l'Environnement

5A, rue de Prague
Luxembourg Ville
Tel: 352.478.68.26
Fax: 352-400.410

Office National de la Chasse

85 bis, avenue de Wagram
F - 75017 Paris
Tel: 33-1-44-15-17-17
Fax: 33-1-47-63-79-13

Irish Wildlife Service

Office of Public Works
51, St. Stephen's Green
Dublin 2
Ireland
Tel: 353-1-661-31-11
Fax: 353-1-661-07-47

Istituto Nazionale per la Fauna Selvatica

Via Ca' Fornacetta 9
I - 40064 Ozzano dell'Emilia (Bologna)
Tel: 39-51-798.746
Fax: 39-51-796.628

Five other institutions have access to the information on the operation of the data base and are in a position to make available such information. A number of these institutions are also likely to take part in the management of the data base in the near future.

Serviço Nacional de Parques, Reservas e Conservação da Natureza

Rue da Lapa 73
P - 1200 Lisboa
Tel: 351-1-67.55.18
Fax: 351-1-60.10.48

Instituto de la Conservación de la Naturaleza

4, Gran Via de San Francisco
E - 28040 Madrid
Tel: 34-1-34.76.188

Bundesforschungsanstalt für Naturschutz und Landschaftsökologie

Konstantinstrasse 110
D- 5300 Bonn 2
Tel: 49-228-84.910
Fax: 49-228-84.91.200

Ministerie van Landbouw, Natuurbeheer en Visserij

Postbus 20401
NL- 2500 EK Den Haag
Tel: 31-70-379.29.1
Fax: 31-70-347.82.28

Skov- og Naturstyrelsen

Slotsmarken 13
DK- 2970 Horsholm
Tel: 45-45-76.53.76
Fax: 45-45-76.54.77

2. Geographical structure of the data base

The ORNIS data base contains information on surface areas. It therefore complements the CORINE-Biotopes data base, which is based on pinpoint data, relating to specific measurement sites or locations.

The basic geographical units of the ORNIS data base are the regions as defined in the European Community's Political Map and corresponding within each Member State to a different NUTS level which, however, remains fixed. The smaller units are the NUTS units at a lower level, whilst the multiples are constituted by the Members States and the Community. In Belgium, Greece, France, Ireland, Italy, Portugal and Great Britain, the "regional" level NUTS unit is the "region of the national administrative system", in Germany the "Bundesland" or Federal State, and in Spain the "autonomous region". Denmark, Luxembourg, and the Netherlands each constitute a single NUTS region.

The data base is systematically supplemented at the regional level. Data corresponding to lower levels, if any, are entered in a compatible auxiliary file.

3. Data structure

The data base comprises scientific and technical data on the following:

- population sizes and trends of the various wild bird species in the European Community;
- basic information on their habitats;
- basic information on temporal and spatial aspects of their reproduction, migration and wintering;
- factors concerning direct human intervention in their population dynamics, i.e. the intentional removal of birds and/or eggs.

All data are assigned a reliability rating, according to the following code:

- 1: verified census or research datum
- 2: unverified census or research datum
- 3: local estimate (national expert or institution)
- 4: central estimate (Community experts).

For all temporal data, the time unit is the month, subdivided in ten-day periods.

All indications concerning specific periods are linked to average annual values.

4. Data fields

1. Reproduction

1. Presence: Present, irregular or absent
2. Abundance: Number of nesting couples or, if this is inadequate, number of individuals, nests or eggs
3. Trends: Growing, stable, declining
4. Period: Period comprised between the beginning of the defence of the territory and the independence of the fledglings
In the case of species in which fledgling social dependence extends over long periods, the end of the reproduction period is determined as follows:

- for *Anser* and *Branta*, when the fledglings leave the nest;
- for *Perdix*, *Alectoris* and others, at the end of the period of parental protection

The data recorded on *Anas platyrhynchos* and *Columba palumbus* concern the overall reproductive period of 80% of the nesting couples*

The ORNIS data base does not record the reproductive period divisions as defined here.

5. Habitat: Three main habitats are indicated

* For these species, the information compiled takes account of the fact that, due to the artificial transformation of their feeding grounds through agriculture and eutrophication, these species seem to be partially domesticated.

2. Passing

1. Presence: Present, irregular or absent
2. Numbers: Number of individuals
3. Trends: Growing, stable, declining
4. Origin: Countries or regions of origin of migrating species
5. Periods: Pre-nuptial and post-nuptial passage periods
6. Habitat: Three main habitats are indicated

3. Wintering

1. Presence: Present, irregular or absent
2. Numbers: Number of individuals
3. Trends: Growing, stable, declining
4. Origin: Countries or regions of origin of wintering species
5. Periods: Periods spent in wintering grounds
6. Habitat: Three main habitats are indicated

4. Taking

1. Regulations:
 1. Huntable, open season
 2. Huntable, no open season
 3. Taking subject to individual derogations
 4. Taking subject to general derogations
 5. Hunting subject to derogation
2. Numbers: Number of individuals per year
3. Period: Legal hunting periods, period announced by Members States for derogations
4. Habitat: Three main habitats are indicated
5. Illegal taking

5. Additional files

1. List of species within the Community
2. Vulnerability coefficients
3. Computer data sheet requested by the geographic basis
4. Data sheets drawn up by translating 3 and adding free texts
5. Bibliographical files
6. Biological data (reproduction and death rates)
7. Conversion tables
8. Miscellaneous items

6. Data entry procedure

Information data are collected and entered in a documentation file by one of the managing institutions. Such data be taken from published sources, the institutions' own archives or information made available by third parties (data ranked 2 in the documentation files).

Individual data are then chosen from the documentation files for each species, region and field (data ranked 1 in the documentation files) so as to include them in the data base following a procedure which may comprise:

1. a proposal by one of the managing institutions
2. validation by one of the managing institutions, selected on the basis of the geographical origin of the data
3. verification and decision by the ORNIS Committee.

Data which have passed through stage 1 are termed "temporary", those which have passed through stage 2 are termed "validated", and those which have passed through stage 3 are termed "verified".

For data concerning the "illegal taking" field, which by their very nature are difficult or even impossible to determine reliably through direct observation or falsifiable hypotheses, stages 1 and 2 are replaced by a single stage involving a unanimous proposal by an ad hoc group composed of three institutions or organisation, one of which does not take part in the management of the data base.

7. Access procedures

The procedures for access to the data are currently being drawn up via a consultation process between the managing institutions, the ORNIS scientific working group, and the services of the Commission of the European Communities, in accordance with the European Directives and the various relevant national legislations.

In order to meet any pressing needs, the various administrations concerned with wildlife conservation, whether at Community, national or regional level, can already request information from the institutions listed under 1, first list, including information on the current availability of the relevant data field and the interim procedures for access to temporary, validated or verified data in the data base.

General information on the data base (basic principles, definition of fields, restrictions on use) can be obtained from any of the institutions listed under 1.

8. Examples of application

- evaluation of the percentage of the nesting populations of threatened or vulnerable species included in the Special Protection Areas;
- the drafting of regulations on hunting periods by the competent authorities;
- evaluation of the derogations under article 9 of Directive 79/409/EEC, communicated by the Member States.

ANEXO I - BILAG I - ANHANG I - ΠΑΡΑΡΤΗΜΑ Ι -
ANNEX I - ANNEXE I - ALLEGATO I - BIJLAGE I - ANEXO I

	Español	Dansk	Deutsch	Ελληνικά
1. <i>Gravis stellata</i>	Colimbo chico	Rødstrubet lom	Sternsauer	Κηλιδροβία
2. <i>Gravis strelca</i>	Colimbo chico	Sortstrubet lom	Frachtsauer	Λαματροβία
3. <i>Gravis immer</i>	Colimbo grande	Islom	Isauer	Πηγαροβία
4. <i>Podiceps auritus</i>	Zampullin cuelfitrojo	Nordisk lappedykkar	Ohrensauer	Ορεθονηπιδα
5. <i>Pterodroma madeira</i>	Petrel de Madeira	Madeira blod petrel	Madeirasturm- vogel	Φυλλοπόδι της Μαδέρας
6. <i>Pterodroma fese</i>	Petrel atlántico	Kanarisk blod petrel	Kapverden- Sturmvogel	Φυλλοπόδι των Δεσέρτας
7. <i>Bulweria bulwerii</i>	Petrel de Bulwer	Bulwers skripe	Bulwersturm- vogel	Φυλλοπόδι του Βουλβέρ
8. <i>Calonectris diomedea</i>	Pardela cententa	Kula skripe	Gelbchnabel- sternsauer	Αγρίμας
9. <i>Puffinus puffinus mauritanicus</i>	Pardela pichoneta balear	Balearisk slimindelig skripe	Schwarzchnabel- sturnsauer (Balearische Unterart)	Μύχος (φύλη Βαλεαρδικών)
10. <i>Puffinus assimilis</i>	Pardela chica	Lille skripe	Kleiner Sturmsauer	Μικρόμυχος
11. <i>Pelagodroma marina</i>	Palho pechialbo	Fregatstormvagle	Weißgesicht- sturmachwalbe	Πελαγοδρόμος
12. <i>Hydrobates pelagicus</i>	Palho común	Lille stormvagle	Sturmachwalbe	Πεταχός
13. <i>Oceanodroma leucorhoa</i>	Palho de Leach	Stor stormvagle	Weißstuffer	Κυματοβάτης
14. <i>Oceanodroma castro</i>	Palho de Madeira	Madeirastorm- vagle	Madeira- Weißstuffer	Κυματοβάτης της Μαδέρας
15. <i>Phalacrocorax carbo sinensis</i>	Cormorán grande (continental)	Skary (kontinental undersart)	Kormoran (kontinentale Unterart)	Κορμοράνος (Πασιφικική φύλη)
16. <i>Phalacrocorax aristotelis desmarestii</i>	Cormorán mojado (mediterráneo)	Topkary (Middelhavs undersart)	Kriehenschärbe (Mittelmeer- Unterart)	Θαλασσοκόρακας

English	Français	Italiano	Nederlands	Portugués
Red-throated Diver	Piongeon caennais	Strolaga minore	Roodkeelduiker	Mobilha-pequena
Black-throated Diver	Piongeon arctique	Strolaga mezzana	Parelduiker	Mobilha-grande
Great Northern Diver	Piongeon imbrin	Strolaga maggiore	Ijeduiker	Mobilha-grande
Silveran Grebe	Grèbe eadavon	Srasso comune	Kuifduiker	Mergulho-da- pescoço-cas-linho
Fraze	Diablotin de Madère	Berta di Madera	Madeira storm- vogel	Fraze da Madeira
Gon-gon	Diablotin du Cap-Vert	Berta del Capo Verde	Gon-gon storm- vogel	Fraze do Bugio
Bulwer's Petrel	Pétrel de Bulwer	Berta di Bulwer	Bulwers stormvogel	Alma-negra
Cory's Shearwater	Puffin cendré	Berta maggiore	Kuhls piffstormvogel	Pardela-de-bico- amarelo
Manx Shearwater (Balearic subspecies)	Puffin des Baléares	Berta minore (sottospecie delle Baleari)	Noords piffstormvogel (Westmediterrane ondersoort)	Pardela-sombria das Balears
Little Shearwater	Petit Puffin	Berta minore focea	Kleine piffstormvogel	Pardela-pequena
Frigate Petrel	Pétrel frégate	Uccello delle tempeste frigate	Bont stormvogelije	Calcinar
Storm Petrel	Pétrel tempête	Uccello delle tempeste	Stormvogelije	Palho-de-cauda- quadrada
Leach's Storm-petrel	Pétrel culblanc	Uccello delle tempeste codiforata	Vaal stormvogelije	Palho-de-cauda- forçada
Maderian Storm-petrel	Pétrel de Castro	Uccello delle tempeste di Castro	Madeira storm- vogelije	Palho da Madeira
Comorant (continental subspecies)	Grand Cormorant (sous-espèce continentale)	Cormorino (sottospecie continentale)	Aalsholwer (continentale ondersoort)	Corvo-marinho-de- feca-branca (subespécie continental)
Shag (Mediterranean subspecies)	Cormorant huppé (sous-espèce méditerranéenne)	Marangone dal chuffo (sottospecie del Mediterraneo)	Kuifalsholwer (Middelende Zee- ondersoort)	Corvo-marinho-de- crisna (subespécie mediterrânica)

Annex I of directive 79/409/EEC as modified by directive 91/24/EEC
of 6/3/91

	Español	Dansk	Deutsch	Ελληνικά
Phalacrocorax pygmaeus	Cormorán pigmeo	Dværgskarv	Zwergscharbe	Λαγρόνα
Pelecanus onocrotalus	Pelicano común	Almindelig pelikan	Rosapelikan	Ροδοπελαγονός
Pelecanus crispus	Pelicano cefudo	Krøttoppet pelikan	Krauskopf-pelikan	Αγρυγονοπελαγονός
Botaurus stellaris	Avetoro	Rørdrum	Rohrdommel	Τρανομογγιάνα
Ixobrychus exilis	Avetorillo común	Dværghejre	Zwergdommel	Νανομογγιάνα
Nycticorax nycticorax	Mardineja	Nathøjre	Nachtreiher	Νυκτοκόρανος
Ardeola ralloides	Garcilla cangrejera	Tophejre	Rallenreiher	Λευκοστουκινός
Egretta garzetta	Garceta común	Silkehejre	Seldenreiher	Αγρυγοστουκινός
Egretta alba	Garceta grande	Solhejre	Silberreiher	Πορφυροστουκινός
Ardea purpurea	Garza imperial	Purpurhejre	Purpurreiher	Μαυροπελαγονός
Ciconia nigra	Cigüeña negra	Sort stork	Schwarzstorch	Λευκοπελαγονός
Ciconia ciconia	Cigüeña común	Hvid stork	Weißstorch	Κελευστούρα
Plegadis falcinellus	Morito	Sort ibis	Stelcher	Χουχλοκοπένα
Pistula leucoroda	Espritika	Støtstork	Löffler	Φλαμίνγο
Phoenicopterus ruber	Fiamenco	Flamingo	Flamingo	Ναυόκιννος
Cygnus bewickii (Cygnus columbianus bewickii)	Cisne chico	Pibsvane	Zwergschwan	Αγλαόκιννος
Cygnus cygnus	Cisne cantor	Sangsvane	Singschwan	Ασπρομοσκαπόχηνα (φυλής Γροιλανδίας)
Anser albifrons frontalis	Anser caroto de Groenlandia	Bisgale (grønlandsk undersort)	Bisgane (grønlandische Untersort)	Ναυόχηνα
Anser erythropus	Anser caroto chico	Dværggale	Zwerggane	Ασπρομοσκαπόχηνα
Branta leucopsis	Bemada arribana	Brangale	Nonnengane	Κοσσυπολαμόχηνα
Branta ruficollis	Bemada orelliroja	Rødhalsed Gås	Rothalsgane	Κοσσυπολαμόχηνα
Tadorna ferruginea	Tarro casero	Rustand	Rostgane	Καστανόχηνα
Marmaronetta angustirostris	Caretta pardilla	Marmorand	Marmelente	Σκουτόχηνα
Aythya nyroca	Porrón pardo	Hvidejæt and	Moorente	Βαλτόχηνα

English	Français	Italiano	Nederlands	Portugués
Pygmy Cormorant	Cormoran pygmée	Marangone minore	Dværgsælcholver	Corvo-marinho-pigmeu
White Pelican	Pelican blanc	Pellicano	Pelikaan	Pellicano-vulgar
Dalmatian Pelican	Pelican frité	Pellicano fideo	Kroeskoppelikaan	Pellicano-crespo
Bittern	Butor étouffé	Tarbusse	Roerdomp	Abetouro-comum
Little Bittern	Blongios nain	Tarbusino	Woudaspie	Garcá-pequena
Night Heron	Héron bithésis	Nitticora	Kwak	Gomá
Squacco Heron	Héron arable	Sgarza ciuffato	Ralreiger	Papa-rioso
Little Egret	Algrette garzetta	Garzetta	Kleine zilvefeger	Garcá-branca-pequena
Great White Egret	Grande Algrette	Altrona blanco maggiore	Grote zilvefeger	Garcá-branca-grande
Purple Heron	Héron pourpre	Altrona rossa	Purperreiger	Garcá-vermelha
Black Stork	Cigogne noire	Cicogna nera	Zwarte ooievaar	Cegonha-preta
White Stork	Cigogne blanche	Cicogna bianca	Ooievaar	Cegonha-branca
Glossy Ibis	Ibis falcinelle	Mignatta	Zwarte ibis	Magarico-preto
Spoonbill	Spatule blanche	Spatola	Lepelaar	Colhereteiro
Greater Flamingo	Flamant rose	Fenicottero	Flamingo	Flamingo-comum
Bewick's Swan	Cygne de Bewick	Cigno minore	Kleine zwaan	Cisne-pequeno
Whooper Swan	Cygne auvage	Cigno selvatico	Wilde zwaan	Cisne-bravo
White-fronted Goose (Greenland subspecies)	Oie rieuse (sous-espèce du Groenland)	Oca lombardella (sotto-specie di Groenlandia)	Groenlandse kolgans	Ganso-da-Groenlândia
Lesser White-fronted Goose	Oie naïve	Oca lombardella minore	Dværggans	Ganso-pequeno-de-testa-branca
Bemada Goose	Bemache nonnette	Oca sicciabianca	Brandgans	Ganso-de-testa-branca
Red-breasted Goose	Bemache à cou roux	Oca collaroso	Roodhalsgans	Ganso-de-pescocoro-lulvo
Ruddy Shelduck	Tadome casarca	Casarca	Casarca	Pato-ferrugineo
Marbled Teal	Sarcelle marbrée	Anatra marmorizzata	Marmereend	Pardilheta
White-eyed Pochard	Fuligule nyroca	Moretta tabaccata	Witoogeend	Zorro-castanho

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	Español	Dansk	Deutsch	Ελληνικά	
41.	Oxyura leucocephala	Mahada	Hvidhovedet and	Waiskopf-Rudersenta	Κεφαλοόκι
42.	Pernis ptilorvus	Halcón abejero	Hvepsevige	Wespenbussard	Σταφιδόφαινο
43.	Elanus caeruleus	Ziano azul	Bla glæns	Gleakar	*Ελανος
44.	Milvus migrans	Milano negro	Sort glæns	Schwarzmilan	Τσίτρινος
45.	Milvus milvus	Milano real	Red glæns	Rotmilan	Ψαλλίδαρης
46.	Haliaeetus siblicida	Pigargo	Havørn	Seeadler	Θαλασσοαετός
47.	Cypselus barbatus	Quebrantahuesos	Lammegrib	Bartagler	Γυναιτός
48.	Neophron percnopterus	Alimoche	Adelgrib	Schmutzagler	Λεονοδότης
49.	Gyps fulvus	Buitre leonado	Glesegrib	Glesegeler	*Όρνιο
50.	Aegypus monachus	Buitre negro	Munkegrib	Mönchageler	Μαυρόόρνιο
51.	Circus pallius	Aquila calchera	Stangesm	Schlangenadler	Φιδιός
52.	Circus aeruginosus	Agutiacho lagunero	Rerhøg	Rohrweihe	Καλαπόδιονκος
53.	Circus cyaneus	Agutiacho pálido	Bla kærhøg	Kornweihe	Βαλτοδιονκος
54.	Circus macrourus	Agutiacho papalibo	Steppehøg	Stuppenweihe	Σταυροδιονκος
55.	Circus pygargus	Agutiacho cenizo	Hedehøg	Wiesenweihe	Λιβάδιονκος
56.	Accipiter gentilis strigoides	Azor de Córcega y Cerdeña	Duehøg (konstant sardinisk underart)	Habicht (Unterart auf Korsika-Sardinien)	Δικλοόδινο (φυλή της Κορσικής Σαρδηνίας)
57.	Accipiter nisus grandis	Gavilán común (subespecie de las islas Canarias y del archipiélago de Madeira)	Spurvehøg (underart fra De Kanariske Øer og Madeira)	Sperber (Unterart der Kanaren und Madeira)	Τρυλιόδινο (φυλή Καναρίων Νήσων)
58.	Accipiter brevipes	Gavilán priego	Kortabel spurvehøg	Kurzflügelsperber	Σατίνη
59.	Buteo rufinus	Ratonero moro	Ørnevippe	Adlerbussard	Λεοβαροβαίνια
60.	Aquila pomarina	Aquila pomarina	Lille skrigesm	Schreiadler	Κραυγαετός
61.	Aquila chrysaetos	Aquila moteada	Stor skrigesm	Schelladler	Σταυραετός
62.	Aquila heliaca	Aquila imperial	Kejserørn	Kaiseradler	Βασιλαετός

English	Francés	Italiano	Nederlands	Portugals
White-headed Duck	Bramator à tête blanche	Gobbo rugghinoso	Witkoppeend	Pato-cabo-branco
Honey Buzzard	Bondrée apivore	Falco pecchialolo	Wespendief	Falco-sbelheiro
Black-shouldered Kite	Étaillon blanc	Nibbio bianco	Orfwa wouw	Penelreio-clazento
Black Kite	Milan noir	Nibbio bruno	Zwarte wouw	Milhafre-preto
Red Kite	Milan royal	Nibbio reale	Rode wouw	Milhano
White-tailed Eagle	Pygargus à queue blanche	Aquila di mare	Zeesarend	Águia-mbrim
Bearded Vulture	Gypète barbu	Avvolto degli agnelli	Lammergler	Quebra-osso
Egyptian Vulture	Percnoptère d'Égypte	Capovaccalo	Aagler	Abutre do Egito
Griffon Vulture	Vautour féroce	Grifone	Yale gler	Orfwa
Black Vulture	Vautour moine	Avvoltoio	Monnikagler	Abutre-preto
Short-toed Eagle	Circus Jean-le-blanc	Biancone	Stangensarend	Águia-cobreim
Marsh Harrier	Buzard des roseaux	Falco di palude	Bruine kiekendief	Taramhlo-nuvo-dos-peula
Hen Harrier	Buzard Saint-Martin	Albanella reale	Blauwe kiekendief	Taramhlo-avuldo
Pallid Harrier	Buzard pâle	Albanella pallida	Stuppen-kiekendief	Taramhlo-de-pelto-branco
Montagu's Harrier	Buzard cendré	Albanella minore	Oruwe kiekendief	Taramhlo-casidor
Goshawk (Canarian-Madeiran subspecies)	Avioeur des palmiers (sous-espèce de Canaries et de Madère)	Astora (sottospecie di Corsica-Sardegna)	Havik (ondersoort van Corsica-Sardinië)	Açor (subespécie da Córcega e Sardenha)
Sparrowhawk (Canarian-Madeiran subspecies)	Épervier d'Europe (sous espèce des Canaries et de Madère)	Sparviere (sottospecie delle Canarie e di Madère)	Sperwer (ondersoort van de Canarische eilanden en Madère)	Fura-bardos
Levant Sparrowhawk	Épervier à pieds courts	Sparviere levantino	Balkansperwer	Gavilão-grego
Long-legged Buzzard	Buec féroce	Falco codabianco	Arendbutzerd	Búteo-mouro
Lesser Spotted Eagle	Águia pomarina	Aquila anatri minore	Schreuwarend	Águia-pomarim
Spotted Eagle	Águia criada	Aquila anatri maggiore	Bastaardarend	Águia-artadeira
Imperial Eagle	Águia imperial	Aquila imperiale	Spaanse keizersarend	Águia-imperial

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	Español	Dansk	Deutsch	Ελληνικά	
63.	Aquila adalberti	Águila imperial ibérica	Iberisk kejserørn	Spanischer Kaisersadler	Βασίλειος Ιβηρικός
64.	Aquila chrysaetos	Águila real	Kongeørn	Steinadler	Χρυσός
65.	Hierax pennatus	Águila calzada	Dværgeørn	Zwergadler	Στραυτός
66.	Hierax fasciatus	Águila perdicera	Høgeørn	Habichtsadler	Στραυτός
67.	Pandion haliaetus	Águila pescadora	Piskeørn	Fischadler	Ψαράς
68.	Falco naumanni	Carniño primitivo	Lille ulmfalk	Rötel falke	Κιρκινός
69.	Falco columbarius	Bamerejón	Dværgefalk	Merlin	Νανυγίδα
70.	Falco eleonora	Halcón de Eleonor	Eleonorfalk	Eleonorenfalk	Μαυροστέρης
71.	Falco biarmicus	Halcón bomi	Lannerfalk	Lanner	Χρυσογίδα
72.	Falco peregrinus	Halcón peregrino	Vandrefalk	Wunderfalke	Περίτης
73.	Bonasa bonasia	Grévol	Hjerpe	Haselhuhn	Αγριόκοτα
74.	Lagopus mutus pyrenaicus	Perdiz nival pirenaica	Fjeldrype (underart fra Pyrenæerne)	Alpenschneehuhn (Pyrenäen-Unterart)	Βουνολαγονόκωτα (φύλη των Πυρηναίων)
75.	Lagopus mutus helveticus	Perdiz nival alpina	Fjeldrype (underart fra Alperne)	Alpenschneehuhn (Alpen-Unterart)	Βουνολαγονόκωτα (φύλη των Άλπεων)
76.	Tetrao tetrix tetrix	Gallo lina (continental)	Urflugt (kontinental underart)	Birkhuhn (kontinentale Unterart)	Αυγοστρινός (Ηπειρωτική φύλη)
77.	Tetrao urogallus	Urogallo	Tjur	Auerhuhn	Αγριόκουρκος
78.	Alectoris graeca saxatilis	Perdiz griega alpina	Stenhøne (underart fra Alperne)	Steinhuhn (Alpen-Unterart)	Πετροπαύδα (φύλη των Άλπεων)
79.	Alectoris graeca whitakeni	Perdiz griega siciliana	Stenhøne (underart fra Sicilien)	Steinhuhn (Sicilien-Unterart)	Πετροπαύδα (φύλη της Σικελίας)
80.	Alectoris barbara	Perdiz moruna	Berberhøne	Felsenhuhn	Βραχιοπαύδα
81.	Perdix perdix italica	Perdiz perdice italiana	Agerhøne (italiensk underart)	Rebhuhn (italienische Unterart)	Λιβαδοπαύδα (φύλη της Ιταλίας)

English	Français	Italiano	Nederlands	Português
Spanish Imperial Eagle	Aigle impérial ibérique	Aquila imperiale ibérica	Iberische keizersarend	Águia-imperial ibérica
Golden Eagle	Aigle royal	Aquila reale	Steenarend	Águia-real
Booted Eagle	Aigle botté	Aquila minore	Dwergarend	Águia-calçada
Bonelli's Eagle	Aigle de Bonelli	Aquila del Bonelli	Havkarend	Águia de Bonelli
Osprey	Balbusard pêcheur	Falco pescatore	Vissarend	Águia-pesqueira
Lesser Kestrel	Faucon crécerellette	Griffalo	Kleine torenvalk	Penitenteiro-dos-torres
Merlin	Faucon émerillon	Smeriglio	Smelleken	Bamerlino-comum
Eleonora's Falcon	Faucon d'Eleonore	Falco della regina	Eleonora's valk	Falco-da-rainha
Lanner Falcon	Faucon lanier	Lanario	Lanner valk	Dorni
Peregrine	Faucon pèlerin	Pellegrino	Slechtvalk	Falco-peregrino
Hazel Grouse	Gallinule des bois	Francolino di monte	Haselhoe	Galinha-do-mato
Parmigan (Pyrenean subspecies)	Lagopède alpin (sous-espèce des Pyrénées)	Pemica bianca (sottospecie di Pirenei)	Alpenneeuwhoen (Pyrenäen-ondersoort)	Lagópode-branco (subespécie pirenaica)
Parmigan (Alpine subspecies)	Lagopède alpin (sous-espèce des Alpes)	Pemica bianca (sottospecie delle Alpi)	Alpenneeuwhoen (alpinne ondersoort)	Lagópode-branco (subespécie alpina)
Black Grouse (continental subspecies)	Tétras-tyre (populations continentales)	Fagiano di monte (popolazioni continentali)	Korhoen (continentale populaties)	Galo-lim (subespécie continental)
Capercaillie	Grand tétras	Gallo cedrone	Auerhoen	Tetrao
Rock Partridge (Alpine subspecies)	Perdrix bartavelle (sous-espèce des Alpes)	Coturnice (sottospecie delle Alpi)	Europese steenpatrijs (alpinse ondersoort)	Perdiz-grega (subespécie alpina)
Rock Partridge (Sicilian subspecies)	Perdrix bartavelle (sous-espèce de Sicile)	Coturnice (sottospecie di Sicilia)	Europese steenpatrijs (Siciliaanse ondersoort)	Perdiz-grega (subespécie siciliana)
Barbary Partridge	Perdrix gamba	Pernice sarda	Barbarijse patrijs	Perdiz-moura
Partridge (Italian subspecies)	Perdrix grise (sous-espèce d'Italie)	Stama (sottospecie d'Italie)	Patrijs (Italiaanse ondersoort)	Perdiz-cinzenis (subespécie italiana)

	Español	Dansk	Deutsch	Ελληνικά
82. Perdix perdix hispaniense	Perdix perdix (subespecie Ibérica)	Agerhøne (underart fra Den Iberiske Halvø)	Schuhu (Oberleche Unterart)	Καμπολιόβουδ (ψυλλή της Ισπανίας)
83. Porzana porzana	Poŕzana pintora	Fledet rorvagle	Tüpfelrumpfhuhn	Σταριονούλαδα
84. Porzana parva	Poŕzana bastarda	Lille rorvagle	Kleine Rumpfhuhn	Μικρονούλαδα
85. Porzana pusilla	Poŕzana chica	Dværrorvagle	Zwergumpfhuhn	Νανονούλαδα
86. Crex crex	Oulón de codornices	Engsnare	Wachtelkönig	Ογτρογιάδα
87. Porphyrio porphyrio	Calamón común	Sultanhøne	Purpurhuhn	Σουλτανονούλαδα
88. Fulica cristata	Pocha cornuda	Kambliuhøne	Kambliuhuhn	Λαγοπαλαχίδα
89. Tringa erythraea	Tortillo	Europæisk løbehøne	Spitzenschwanal Löffelhuhn	Ψευδογρυάς
90. Oryzopsis	Oryzopsis común	Trane	Kranich	Παγανός
91. Tetrao tetrao	Sibón	Dværrørtrappe	Zwergtrappe	Χαπαρίδα
92. Chamaea vindex	Hübner	Krævertrappe	Krævertrappe	Χλαμυδύγαλος
93. Otis tarda	Avarda	Stortræppe	Großtrappe	Αγρούγαλος
94. Himantopus himantopus	Cigdehah	Stykeleber	Scheitelufer	Καλαμωνανός
95. Recurvirostra curvirostra	Avoceta	Kyde	Scheitelufer	Αβουτα
96. Burhinus oedicnemus	Alecravin	Titel	Titel	Περαγοπούλα
97. Ciconia ciconia	Corredor	Ørkenleber	Rennvogel	Αρροκόρος
98. Otisotis pinnata	Canastera	Brækeleber	Brækeschwabe	Νεγοχάιλοβο
99. Chroico chroico (Eudromia morinella)	Chorillo carambola	Pomeranefugl	Mormelregensfugl	Βουνοσουρική
100. Plegadis plegadis	Chorillo dorado común	Hjæle	Goldregensfugl	Σποχρονόλα
101. Heteractes spinozus	Avetia espolada	Sporeribe	Sporneklebte	Ανισοπαλαχιάδα
102. Plegadis plegadis	Combattente	Brækeleber	Kampflügel	Ψευδοπαχτική

English	Français	Italiano	Nederlands	Portugués
Partridge (Iberian subspecies)	Perdrix grise (sous-espèce Ibérique)	Starna (Gonospoca Iberica)	Paulja (Iberische ondersoort)	Perdiz-cinzenta (subespecie Ibérica)
Spotted Crane	Marouette ponctuée	Voltolino	Porseleinhoen	Franga-d'igu-granda
Little Crane	Marouette poule	Schreibilla	Klein waterhoen	Franga-d'igu-bastarda
Balfour's Crane	Marouette de Balfour	Schreibilla grisea	Klein waterhoen	Franga-d'igu-poquera
Corncrake	Râle des genêts	Re di quaglia	Kwartalkoning	Codornizlo
Purple Gallinule	Poule sultane	Pollo sultano	Purperkoet	Calmo-comum
Crested Coot	Fouque à crête	Pohga cornuta	Knobbelmeerkoet	Galstro-de-crista
Andalusian Hemipode	Turnix d'Andalousie	Quaglia andaluza	Oestreept rechtersiel	Toliro
Crane	Grue cendrée	Grue	Kraanvogel	Grua-comum
Little Bustard	Otarde canepetière	Gallina pratalola	Kleine trap	Silbo
Houbara	Otarde houbara	Ubara	Kraantrap	Abetarda-moura
Great Bustard	Otarde barbus	Otarde	Grote trap	Abetarda
Black-winged Stk	Schasse blanche	Cavaliere d'Italia	Stielkluut	Pernalonga
Avocet	Avocette élégante	Avocetta	Kluut	Alfeta
Stone Curlew	Cidreñema erford	Oechlone	Oriel	Alcarvilo
Cream-coloured Courser	Courvite Isabelle	Corlione blondo	Renvogel	Corredor
Collared Pratincole	Glarole à collier	Pernice di mare	Vorkstasplevier	Perdiz-do-mar
Dotterel	Pluvier guignard	Piviere tortolino	Morinelplevier	Tsambols-carambola
Golden Plover	Pluvier doré	Piviere dorato	Goudplevier	Tsambols-dourds
Spot-winged Plover	Yannera éperonné	Pavonella armata	Sporneklevit	Abibe-esporido
Ruff	Chevrier combattant	Combattente	Kempheer	Combattente

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	Español	Dansk	Deutsch	Ελληνικά
103. Gallinago media	Agachadiza real	Tredækker	Doppelschnepfe	Διδόμορπος αϊβάκι
104. Numenius tenuirostris	Zarapito fino	Tyndnæbbet spove	Dünnschnabelbrachvogel	Λεπτοπίπια
105. Tringa glareola	Andarrico bastardo	Tinkmed	Bruchwasserläufer	Λαοπίστρυγγας
106. Phalaropus lobatus	Palerope picofino	Odnshane	Odnshühnchen	Ραβδονολυμπίστρυγγας
107. Larus melanocephalus	Gaviota cabednegra	Sorthovedet milge	Schwarzkopfmilwe	Βυλωνοκόταφος
108. Larus genei	Gaviota picofina	Tyndnæbbet milge	Dünnschnabelmilwe	Λεπτορμφόλαρος
109. Larus audouinii	Gaviota de Audouin	Audouinmilge	Kornflammlwe	Αιγιάδιλαρος
110. Gelocheidon niloticus	Pagasa piconegra	Sandterne	Lachseschwalbe	Γερογλάρονο
111. Sterna caspia	Pagasa piquirroja	Rovterne	Raubeeschwalbe	Καρατζός
112. Sterna sandvicensis	Charrán patinegro	Splitterne	Brandeeschwalbe	Χαμονογλάρονο
113. Sterna dougalli	Charrán rosado	Dougallsterne	Rosenseeschwalbe	Ροδογλάρονο
114. Sterna hirundo	Charrán común	Fjordterne	Flußeeschwalbe	Ποταμογλάρονο
115. Sterna paradisaea	Charrán ártico	Havterne	Küstenseeschwalbe	Αρκτικογλάρονο
116. Sterna albifrons	Charrancito	Dværgsterne	Zwergeschwalbe	Νανογλάρονο
117. Chlidonias hybridus	Pamarel cariblanco	Hvidkæggert tern	Weißbarteschwalbe	Μουστοκιογλάρονο
118. Chlidonias niger	Pamarel común	Sortterne	Trauereschwalbe	Μαυρογλάρονο
119. Urta salpa ibericus	Arzo común (subespecie ibérica)	Lomvie (underart fra Den Iberiske Halvø)	Trossellumme (Iberische Unterart)	Λεπτορμφόκοτος (φύλη Ιβηρική)
120. Pterocles orientalis	Onga	Sortbuget sandhøne	Sandflughuhn	Σηφιμοταραπόκοτα
121. Pterocles alchata	Onga común	Spidskælet sandhøne	Spießflughuhn	Σπιφιμοταραπόκοτα
122. Columba palumbus azoricus	Paloma torcaz (subespecie de las Azores)	Ringdue (underart fra Azorene)	Ringeltaube (Unterart der Azoren)	Φόσσα (φύλη Αζόρων)

English	Français	Italiano	Nederlands	Português
Great Snipe	Bécassine double	Croccolone	Poelenip	Mareja-real
Slender-billed Curlew	Courlis à bec grêle	Churlottello	Dunbekwulp	Magarico-de-bico-fino
Wood Sandpiper	Chevalier sylvain	Piro piro boschereccio	Boerulter	Magarico-bastardo
Red-necked Phalarope	Phalarope à bec étroit	Palerope becco sottile	Oruwe franjepoot	Palerope-de-bico-fino
Mediterranean Gull	Mouette méditerranéenne	Gabbiano corallino	Zwankopmeeuw	Ostiva-de-cabeça-preta
Slender-billed Gull	Godland railleur	Gabbiano roseo	Dunbekmeeuw	Ostiva-de-bico-fino
Audouin's Gull	Godland d'Audouin	Gabbiano corso	Audouin's meeuw	Alcatraz de Audouin
Gull-billed Tern	Sterna hansel	Rondine di mare sampenere	Lachstern	Galvina-de-bico-preto
Caspian Tern	Sterna caspienne	Rondine di mare maggiore	Reuzensterne	Galvina-de-bico-vermelho
Sandwich Tern	Sterna caugati	Becapesci	Grote stern	Garrastu-comum
Roseate Tern	Sterna de Dougall	Sterna del Dougall	Dougalls stern	Andorinha-do-mar-rósea
Common Tern	Sterna pierregarini	Sterna comune	Vludief	Andorinha-do-mar-comum
Arctic Tern	Sterna arctica	Sterna codalunga	Noordse stern	Andorinha-do-mar-árctica
Little Tern	Sterna naevia	Praticello	Dwergsterne	Andorinha-do-mar-pequena
Whiskered Tern	Ouiffette moustac	Mignattino plomato	Witwangsterne	Galvina-de-faces-brancas
Black Tern	Ouiffette noire	Mignattino	Zwane stern	Galvina-preta
Guillemot (Iberian subspecies)	Guillemot de l'ouest (sous-espèce ibérique)	Urta (conspecie iberica)	Zeehoet (Iberische ondersoort)	Alro Gubespécie ibérica
Black-bellied Sandgrouse	Onga unibande	Onga	Zwartbultsandhoen	Cortfol-de-barriga-preta
Pin-tailed Sandgrouse	Onga caza	Orandule	Witbultsandhoen	Cortfol-de-barriga-branca
Woodpigeon (Azores subspecies)	Pigeon ramier (sous-espèce des Açores)	Colombaccio (conspecie delle Azzorre)	Houtduif (ondersoort van de Azoren)	Pombo-torcaz das Açores

	Español	Dansk	Deutsch	Ελληνικά
123. Columba trocaz	Paloma torquesa	Madeira langstet due	Silberhalstube	Αγριοπελιόστερο της Μαδέρας
124. Columba bollii	Paloma turquí	Kanarisk langstet due	Kanarientube	Αγριοπελιόστερο του Βολίε
125. Columba junoniae	Paloma rubiche	Laurbærdue	Lorbeertaube	Δορυπελιόστερο
126. Bubo bubo	Búho real	Stor hornugle	Uhu	Μπούφος
127. Nyctea scandiaca	Búho nival	Sneugle	Schnee-Eule	Χιονόγλαυκ
128. Otus scops	Mochuelo chico	Spurveugle	Sperlingskauz	Εμπουγγιτόγλαυκ
129. Asio flammeus	Lechusa campestre	Mosehornugle	Sumpfohreule	Βολτόμουφος
130. Aegolius funereus	Lechusa de Tengmalm	Parugle	Rauhfußkauz	Χαροπόδι (Αιγυλιός)
131. Caprimulgus europaeus	Chotascabras gris	Matravn	Ziegenmelker	Γιδόβιλάδα
132. Apus cafer	Vencejo cafre	Kaffersjeler	Kaffeesagler	Καφεροσταχίδα
133. Alcedo atthis	Martín pescador	Isurj	Elvovogel	Αλευθία
134. Coracias garrulus	Caraca	Blækrage	Blauräbe	Χελισσοπούθρα
135. Picus canus	Pico cano	Orispejte	Grünspecht	Σταχτοσουλιτόρα
136. Dryocopus martius	Pico negro	Sortspette	Schwarzspecht	Μουροσουλιτόρα
137. Dendrocopos major canariensis	Pico picapinos de Tenerife	Stor flagspette (undersort fra Tenerife)	Buntspecht (Unterart von Teneriffa)	Παράλοισουλιτόρα (φύλη Καναρίων)
138. Dendrocopos major blanneri	Pico picapinos de Gran Canaria	Stor flagspette (undersort fra Gran Canaria)	Buntspecht (Unterart von Gran Canaria)	Παράλοισουλιτόρα (φύλη Τάιτε)
139. Dendrocopos sibiricus	Pico sirlo	Syrisk flagspette	Blutspecht	Βαλκανοσουλιτόρα
140. Dendrocopos medius	Pico mediano	Mellemflagspette	Mittelspecht	Μεσοσουλιτόρα
141. Dendrocopos leucotos	Pico dorsiblanco	Hvidryget flagspette	Weißrückenspecht	Λευκονοστοσουλιτόρα

English	Français	Italiano	Nederlands	Português
Long-toed Pigeon	Pigeon trocaz	Colomba di Madeira	Trocazdulf	Pombo-trocaz de Madeira
Bolle's Laurel Pigeon	Pigeon de Bolle	Colomba di Bolle	Bolle's Laurierdulf	Pombo-trocaz de Bolle
Laurel Pigeon	Pigeon des Lauriers	Colomba di Ghunone	Laurierdulf	Pombo-de-laurier-branco
Eagle Owl	Grand-duc d'Europe	Gufo reale	Oehoe	Bufo-real
Snowy Owl	Harting des neiges	Gufo delle nevi	Sneeuwulf	Bufo-branco
Fairy Owl	Chouette chevêche	Chouette nana	Dwerguif	Mochoplumeu
Short-eared Owl	Hibou des marais	Gufo di palude	Velduif	Coruja-do-nival
Tengmalm's Owl	Chouette de Tengmalm	Chouette capogrosso	Ruifpootuif	Mochu de Tengmalm
Nighthawk	Engoulevent d'Europe	Buccicaptre	Nachtwaluw	Nolubo-de-europa
White-rumped Swift	Martinet cafre	Rondone cafre	Kaffergierzwaluw	Andorinhão-cafre
Kingfisher	Martin-pêcheur d'Europe	Martin pescatore	Ijvogel	Guarda-rios-comum
Roller	Rollier d'Europe	Ghiandale marina	Schiffelass	Rolleiro
Grey-headed Woodpecker	Pic cendré	Picchio cenerino	Grijskopspucht	Peto-de-esbecs-dizensis
Black Woodpecker	Pic noir	Picchio nero	Zwarte specht	Peto-preto
Great Spotted Woodpecker (Tenerife subspecies)	Pic épêche (sous-espèce de Tenerife)	Picchio rosso maggiore (sotto-specie di Tenerife)	Grote bonte specht (Tenerife-ondersoort)	Pica-psu de Tenerife
Great Spotted Woodpecker (Gran Canaria subspecies)	Pic épêche (sous-espèce de la Grande Canarie)	Picchio rosso maggiore (sotto-specie dell'isola Grande Canarie)	Grote bonte specht (Gran Canaria-ondersoort)	Pica-psu de Gran Canaria
Syrilian Woodpecker	Pic siriaké	Picchio sirliaco	Syrtsche bonte specht	Pica-psu-sirilo
Middle Spotted Woodpecker	Pic mar	Picchio rosso mezzo	Middelste bonte specht	Pica-psu-mediano
White-backed Woodpecker	Pic à dos blanc	Picchio dorsiblanco	Witruigspecht	Pica-psu-de-dorsibranco

	Español	Dansk	Deutsch	Ελληνικά
142. <i>Picoides tridactylus</i>	Pico tridactilo	Tredlet spætte	Dreisehenspecht	Τριδάκτυλοπούλι- τάρκα
143. <i>Chersophilus dupontii</i>	Alondra de Dupont	Duponts lærke	Dupontlerche	Φιροσταγίτσα
144. <i>Melanocorypha calandria</i>	Calandria común	Kalanderlærke	Kalanderlerche	Βουνογαλιάντσα
145. <i>Calandrella brachydactyla</i>	Terrus común	Kortlet lærke	Kurzsehenerche	Μικρογαλιάντσα
146. <i>Oenanthe thakia</i>	Cogujada montesina	Kortnæbbet toplærke	Theklerche	Κατούλιος της βέβας
147. <i>Lullula arborea</i>	Totovia	Hedelærke	Heldelerche	Δηροσταγίτσαν
148. <i>Anthus campestris</i>	Blibita campestris	Markspiber	Bruchpfeper	Ναιουκιάδα
149. <i>Troglodytes troglodytes fidanensis</i>	Chochín (subespecie de Pair Isle)	Gærdesmutte (undersat fra Pair Isle)	Zaunkönig (Pair Isle-Unterart)	Τρουποδόχμος (υποείδος της v. φαίη)
150. <i>Luscinia svecica</i>	Pechisaul	Blibale	Blaukehlchen	Γαλαζολάτμος
151. <i>Saxicola dacotiae</i>	Tarabilla canaria	Kanarisk bynkefugl	Kanarischmätzer	Μαυρολάτμος των Καναρίων
152. <i>Oenanthe leucura</i>	Cullalba negra	Sergestenspikker	Trauersteinschmätzer	Μαυροστεργόλιος
153. <i>Aeroccephalus melanopogon</i>	Caricarin real	Tamarisksanger	Mariskensanger	Μουστακιοσταυλίδα
154. <i>Aeroccephalus paludicola</i>	Caricarin cejudo	Vandsanger	Seggenrohrsänger	Καρχηονοσταυλίδα
155. <i>Hippolais olivetorum</i>	Zarcero grande	Olivensanger	Olivenspötter	Λιουτρολίδα
156. <i>Sylvia sarda</i>	Cumeca sarda	Sardinisk sanger	Sardengrasmücke	Σαρδοστοργόβιος
157. <i>Sylvia undata</i>	Cumeca mblarga	Provincensanger	Provencegrasmücke	Προβητικιοστοργό- βιος
158. <i>Sylvia rueppellii</i>	Cumeca de Ruppell	Sonstribet sanger	Maskengrasmücke	Μουστακιοστοργό- βιος
159. <i>Sylvia nisoria</i>	Cumeca giviana	Hogesanger	Sperbergrasmücke	Ψαλτοστοργόβιος
160. <i>Ficedula parva</i>	Papamocás papirtoje	Lilla fluesnapper	Zwergschnäpper	Νανομυιοχόρτης
161. <i>Ficedula semitorquata</i>	Papamocás semitorquato	Halvkrave fluesnapper	Halbring-schnäpper	Δακρυμυιοχόρτης

English	Français	Italiano	Nederlands	Portugués
Three-toed Woodpecker	Pic tridactyle	Picchio tridattilo	Drieteenspecht	Pica-pau-tridactilo
Dupont's Lark	Sirli de Dupont	Allodola del Dupont	Duponts leeuwerik	Calandria de Dupont
Calandria Lark	Alouette calandria	Calandria	Kalanderleeuwerik	Calandria-comum
Short-toed Lark	Alouette calandrella	Calandrella	Kortteenleeuwerik	Calandrinha-comum
Thakia Lark	Cocheris de Thakia	Capallaccia spagnola	Thekleleeuwerik	Cotovia-montesina
Woodlark	Alouette lulu	Tortavilla	Boomleeuwerik	Cotovia-pequena
Tawny Pipit	Pipit rousseline	Calandro	Duinpleper	Petinha-dos-campos
Wren (Pair Isle subspecies)	Troglodyte mignon (sous-espèce de Pair Isle)	Sericeolo (sous-espèce delle Isole Pair Isle)	Winterkoning (ondersoort van Pair Isle)	Carriça (subespécie de Pair Isle)
Bluethroat	Gorgebleue à miroir	Pettazzurro	Blauwbont	Pisco-de-petlo-azul
Canary Islands Stonechat	Traquet des Canaries	Salmisale delle Canarie	Canarische roodborstapuit	Canário das Canárias
Black Wheatear	Traquet noir	Monachella nera	Zwarte spult	Chasco-preto
Moustached Warbler	Luscinie à moustaches	Porcuglie castagnole	Zwartkoplet-zanger	Pelous-real
Aquatic Warbler	Phragmite aquatique	Pagliarolo	Waterletzanger	Pelous-aquático
Olive-tree Warbler	Hypothès des oliviers	Canapino levantino	Oreukse spotvogel	Pelous-das-oliveiras
Marmora's Warbler	Fauvette sarda	Magnarina sarda	Sardinse grasmus	Toulinegra-sarda
Dartford Warbler	Fauvette pitchot	Magnarina	Provençalse grasmus	Pelous-do-mato
Rüppell's Warbler	Fauvette de Rüppell	Siriva del Rüppell	Rüppells grasmus	Toulinegra de Rüppell
Barred Warbler	Fauvette éperfière	Bisla padovana	Spervergrasmus	Toulinegra-gavilo
Red-breasted Flycatcher	Gobemouche noir	Pigliamosche petrosso	Kleine vliegenvanger	Papa-mocás-pequeno
Semi-collared Flycatcher	Gobe-mouche à semicollier	Balla semitorquata	Balkanvliegenvanger	Papa-mocás-de-meio-colar

	Español	Dansk	Deutsch	Ελληνικά
162. <i>Picedula albicollis</i>	Papamoscas collarino	Hvidhalset fluesnapper	Halbendschnäpper	Κρικουμυγοχάφτης
163. <i>Sitta krueperi</i>	Trepador de Krüper	Kröper sprætmøjs	Kröper's Kiefler	Τουρκοσοματιανός
164. <i>Sitta whiteheadi</i>	Trepador corso	Korilkanisk sprætmøjs	Korsenkiefler	Κορσικισοματιανός
165. <i>Lanius collurio</i>	Alcaudón dorsirrojo	Rødrygget tornskade	Neuntöter	Λεοτόμος
166. <i>Lanius minor</i>	Alcaudón chico	Rosenbrystet tornskade	Schwarzstirn-würger	Γαυδουροκεφαλός
167. <i>Pyrrhocorax pyrrhocorax</i>	Chova piquirroja	Alpekrage	Alpenkrähe	Κοκκινοκαλιανούδα
168. <i>Pringilla coelebs ombriosa</i>	Pinzón del Hierro	Bogfink (underen fra Hierro)	Buchfink (Unteren von Hierro)	Σπίνος (φύλη Καναρίων)
169. <i>Pringilla teydea</i>	Pinzón del Teldo	Bil bogfink	Teydefink	Γαλαξόσπινος
170. <i>Loxia scotica</i>	Piquivero escocés	Skotsk korsneb	Schottischer Kreuzschnabel	Σταυρομήτης της Σκωτίας
171. <i>Bucanetes githagineus</i>	Camachuelo trompetero	Ørkendompap	Wüstengimpel	Ερημοπύργουλας
172. <i>Pyrrhula murina</i>	Camachuelo de San Miguel	Dompap fra Azorerne	Azorengimpel	Πύργουλας των Αζόρων
173. <i>Emberiza cinerea</i>	Escribano cinéreo	Gulgrå værlig	Kleinasiatische Ammer	Σμυρνοτόχλονο
174. <i>Emberiza hortulana</i>	Escribano hortulano	Hortulan	Onolan	Βιάχος
175. <i>Emberiza caesia</i>	Escribano ceniciento	Rustværling	Grauer Onolan	Γουροβιάχος

English	Français	Italiano	Nederlands	Português
Collared Flycatcher	Oobemouche à collier	Balla dal collare	Witshalvlegenvanger	Papa-moscas-de-colar
Kröper's Nuthatch	Stiella de Kröper	Picchio muratore del Kröper	Kröper's boomklever	Trepadela de Krüper
Corlican Nuthatch	Stiella corse	Picchio muratore corso	Zwartkopboomklever	Trepadela-corsa
Red-backed Shrike	Pie-grèche écorché	Averla piccola	Gruwe klauwier	Picango-de-dorso-niwo
Lesser Grey Shrike	Pie-grèche à poitrine rose	Averla cenerina	Kleine klapester	Picango-pequeno
Chough	Crave à bec rouge	Gracchio corallino	Alpenkrast	Gralha-de-bico-vermelho
Chaffinch (Hierro subspecies)	Pinson des arbres (sous-espèce de Hierro)	Pringuello (sottospecie di Hierro)	Vink (Hierro-ondersoort)	Tentilhão de Hierro
Canary Island Chaffinch	Pinson bleu	Pringuello di Teldo	Blauwe vink	Tentilhão azul
Scottish Crossbill	Bec-croisé d'Écosse	Crociere scozzese	Schoue kruisbek	Cruta-bico-escocês
Trumpeter Finch	Bouvreuil githagine	Trombettiere	Woestijnvink	Pintarilho-trombeteiro
Azores Bullfinch	Bouvreuil des Açores.	Cluffolotto delle Azzorre	Azorengoudvink	Pitêlo
Cinereous Bunting	Bruant cendré	Zigolo cinereo	Smyrnagors	Escrevedela-de-esbega-amarela
Onolan Bunting	Bruant onolan	Onolano	Onolaa	Sombria
Cretschmar's Bunting	Bruant cendrillard	Onolano grigio	Bruinkeeloriolaa	Escrevedela-cinzentis

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ANNEX IV

**MEMO ON CERTAIN BIOLOGICAL NOTIONS REFERRED TO
IN THE COUNCIL DIRECTIVE OF 2 APRIL 1979
ON THE CONSERVATION OF WILD BIRDS
(70/409/EEC - Article 7.4)**

April 1993

A. REPRODUCTION AND REARING PERIODS

1. Review of biological terms used

Article 7.4 of the "Birds" Directive provides that "Member States ... shall see in particular that the species to which hunting laws apply are not hunted during the rearing season nor during the various stages of reproduction. In the case of migratory species ... the species ... are not hunted during their period of reproduction ..."

The breeding (reproduction) season and its chronological development (i.e. the succession of its various stages) can be established with regard to one specimen, a pair, a group or a species. In view of the behavioural differences between groups of species and of observation problems, Cramp & Simons (1977, p.29) proposed the following definition: "the reproductive season is the period during which a species lays and incubates eggs and raises its young until they fly away"; this definition was used by Bertelsen & Simonsen (1989) to define the breeding season of the species listed in Annex II of Directive 79/409.

To this one should add territorial behaviour on the one hand and, on the other, the period of dependence, the final stage of reproduction.

The notion of territorial behaviour is, at times, hard to define. The problem does not occur in relation to migratory species, i.e. those species where a majority of individuals show migratory behaviour; in their case, the close season starts with return migration.

With regard to sedentary species, except those which indulge in collective displays (Woodcock, Tetraonids) - a particularly sensitive period -, those competent authorities which declare that this criterion does not apply can set a corresponding criterion based on their knowledge of the year-on-year average date on which the first egg is laid by that species in that particular region and on its biology.

The notion of dependence concerns only the relationships between individuals - be it the dependence of young on adults (as a provider of food, of protection against predators and bad weather ...) - and not the relationships, of whatever kind, between individuals and their surroundings.

It may, in certain cases, be useful to distinguish between two stages in the acquisition of independence. The first stage, which might be termed "strict dependence", would cover the period during which the death of one (or both) parent(s) leads to a notable (or decisive) reduction in chick survival rates. The second period sees a steadily diminishing social cohesion between parents and offspring. In such cases, the loss of parent(s) does not have a noticeable effect on survival of the young.

2. Diagnostic criteria

The aim of this section is to propose parameters which can be observed *in natura* to establish breeding and rearing seasons.

As most of the problems with regard to regulations in this field occur when fixing the opening dates for the hunting season, it seems wise to establish, as objectively as possible, the end of the breeding and rearing seasons.

For this reason, and in order to minimize disturbance, it is proposed that the unfledged young of nidifugous species be observed and their age determined. It will be possible, by use of bibliographical data (length of incubation in particular), to calculate the critical dates for a group of birds breeding on a given site.

This technique can, for example, be used to compile a graph showing dates of flight, by species, by region and by year. However, given the failures at each stage in the reproductive process, the graphs are not homothetic.

The opening dates of the hunting season can be fixed for several years on the basis of data (especially by use of the ORNIS database), or on a yearly basis by using seasonal observations.

The latter approach can only be used in the case of species for which a reliable forecast is possible. Given that one is focusing on the end of a phenomenon which takes place over several weeks and in so far as a sample of complete breeding seasons is available, it would seem that observation of at least 2/3 of a season should be a more or less reliable basis for predicting the end of the current (breeding) season.

B. RETURN MIGRATION

1. Review of biological terms used

Article 7.4 of the "Birds" Directive provides that "in the case of migratory species ... the species ... are not hunted during their return to their rearing grounds".

The return migration is the annual journey by which migratory birds - a population, a group or an individual - return from their wintering grounds to their breeding areas, be it in one or several stages. Birds are to be considered as returning to their nesting grounds when, in response to physiological changes at the end of their wintering phase, they move towards their breeding grounds.

Wintering ends with the departure from winter quarters where migratory populations have remained more or less permanently since the end of their postnuptial migration. Generally speaking, the end of the wintering phase is more or less progressive, as it is not triggered off simultaneously in all individuals.

It is important to note that:

- The act of leaving a wintering site does not necessarily imply a migration, as the population concerned may be moving to another, more favourable wintering ground;
- Sexually mature birds on the return migration are not necessarily in a physiological condition to breed. However, as the Directive reads "species ... are not hunted" this has to be taken to mean a whole population.

The complexity of movements may be due, at least in part, to several factors:

- meteorological (e.g. frozen or dried-out ponds);
- exhaustion of food sources;
- disturbance of various kinds, etc.

It will therefore be difficult to distinguish pre-nuptial migration, as described above, from the various movements taking place at the end of the winter. The problem is all the greater in cases of substantial overlap between wintering and breeding areas, where wintering, migrating and newly returned individuals will all be present in the same area.

For certain species, bird counts coupled with observation of sex ratio trends could, in the absence of individually marked specimens, permit a more reliable interpretation of the changes in numbers present. Bird marking is the only way to estimate the renewal rate of individuals on a site (Kersten & Smit, 1984).

In addition, for a given species, a joint analysis of numbers leaving wintering areas, changes in numbers on transit sites and dates of arrival at the breeding grounds should allow relatively reliable conclusions to be drawn.

Observation of migratory flights can only be undertaken for certain species and is often partial (night or high altitude flights).

Other migration study methods have the drawback of not allowing exact species identification (radar) or of providing insufficient data in most cases (not enough ringing effort in wintering areas).

Summing up, observation of fluctuations in numbers present on sites throughout the Community, supplemented by analysis of ringing data and sex ratios and ascertaining of the arrival dates on the breeding grounds should permit a sound assessment to be made as to the timetable of return migration.

By contrast to the breeding season, it appears to be difficult to determine the dates for the closing of the hunting season on the basis of a predictive model, as the only rapidly available data available to scientists and legislators would be initial observations, which are often the most problematic to interpret.

C. TOWARDS POSSIBLE STRATEGIES FOR FIXING MAXIMUM LENGTH OF THE HUNTING SEASON

To recapitulate, the hunting season should exclude the various stages of reproduction and the rearing season - as defined on page 2 -, as well as return migration.

In view of the individual variability encountered in most species, the objective of protection should be linked to the population dynamics and conservation level of a given species, instead of monitoring individual specimens within these populations.

- Regarding the breeding and rearing seasons whose timing can be followed, the small percentage of exceptionally late hatches can reasonably be ignored in the statistical monitoring of the population as a whole;
- On the other hand, determining the beginning of migration is difficult for the species concerned, on account of possible confusion with erratic movements often due to climatic or food availability factors.
It is therefore advisable to use an average time unit. Visual observations can provide data over ten-day periods (each including a week-end; such "decades" can be the time unit used when following the phenomenon.

Taking into account that (a) migration begins at different times from year to year, (b) Spring migration is more protracted for early than for late migrants¹, (c) the role of exceptionally early migrants to a species' conservation status is more important in the case of species whose conservation status is unfavourable.

there is no significant overlap between the hunting season and Spring migration if:

1. for species whose conservation status is favourable and whose migration begins before 20 February, the hunting season closes within the decade following the decade when migratory passage begins;
2. for species whose conservation status is favourable and whose migration begins after 20 February, or for species whose conservation status is unfavourable and whose migration begins before 20 February, the hunting season closes within the same decade as that during which migratory passage begins;

¹ The 20th February has been chosen to distinguish early from late migrants

3. for species whose conservation status is unfavourable and whose migration begins after 20 February, the hunting season closes within the decade preceding that during which migratory passage begins.

At present, on the basis of field data, only two specific points of the migratory phenomenon can be reliably determined: the beginning of migration and the period of maximum migratory activity. This is simply because the renewal rate of individuals at a given site is unknown.

As regards the breeding timetable, field counts provide an estimate, per time period (e.g. ten days), of the numbers of young passing from the dependent to the independent phase. Each brood monitored, even if re-sighted, is counted only once in the season. The sum of such data over a full breeding season can subsequently be used to calculate the percentage of independent young at any given time in the season.

Corrigendum

TABLES 5, 6 AND 7
STATUS OF THE SPECIES IN ANNEX II, PARTS I AND II
IN THE MEMBER STATES
SUMMARY TABLES

N.B.

Spain: data from the ORNIS base pre-date those in the table.

Basis of comparison

- For the three regions concerned: direct
- For the 10 Member States: Inferred from regional data where possible
- For the incomplete Member State (UK-NIRL): idem.

Table 5 (Annex II, 1)

- Germany

Alectoris graeca: Replace the A by a P.
(There are a few of the species in Bavaria).

- Spain

Logopus mutus: Replace the A by a P.
(A sub-species is part of the whole population of the species and cannot therefore be designated as 'absent' in the area of that sub-species)

- France

Branta canadensis: Replace the A by a P.
(The species is established in several places in the north of France).

-United Kingdom

Columba livia: replace the C by a P.
(The measures relating to feral pigeons do not appear anywhere else in this table; all the data for the other Member States relate to genuinely wild populations of this species).

Table 6 (Annex II, 2)

- Germany: Add a G to the square.

(Although they are classified as 'game', none of these species have been hunted for years.)

Anser brachyrhynchus
Netta rufina
Aythya marila
Somateria mollissima
Clangula hyemalis
Bucephala clangula
Mergus serrator
Mergus merganser
Bonasa bonasia
Coturnix coturnix
Columba oenas
Streptopelia turtur

- Ireland

Aythya marila: Replace the + by a P.
 (There is no hunting season for this species).

- Netherlands: Add a G to the square.

(Although classified as 'game', none of these species have been hunted for years.)

Anser brachyrhynchus
Netta rufina
Somateria mollissima
Clangula hyemalis
Melanitta nigra
Melanitta fusca
Bucephala clangula
Mergus serrator
Mergus merganser
Tetrao tertrix

- Portugal: Add a G to the triangle and the square.

(Although classified as 'game', neither of these species has been hunted during the 1991/92 or 1992/93 seasons).

Vanellus vanellus
Limosa limosa

Turdus merula: Replace the full stop by a P.
 (There was no hunting season for this species in 1991/92 and 1992/93).

Table 7 (Species which may be hunted according to the legislation of the various Member States, but which are not entered against these countries in Annex II,2)

- Germany

Ardea cinerea: Add a v to the square.

(This species is classified as game, but there is no open hunting season for it. It can, however, be controlled as a pest subject to derogation arrangements).

- Netherlands: Add a v to the square

Branta leucopsis

Corvus corone cornix

Corvus frugilegus

Garrulus glandarius

(The species are classified as game but there is no open hunting season for them. They can, however, be controlled as pests under derogation arrangements).

Branta bernicla: Add a v to the square

(This species, which is not mentioned in this table, is classified as game, but there is no open hunting season for it. It can, however, be controlled as a pest subject to derogation arrangements).

- *Sturnus unicolor**

België F: A

België W: A

Deutschland: A

Danmark: A

France: P

Espana: +

Ireland: A

Luxembourg: A

Nederland: A

United Kingdom GB: A

United Kingdom NIRE: A

Portugal: C

Italia: P

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