



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 25.03.2002  
COM(2002) 146 final

**REPORT FROM THE COMMISSION**  
**ON THE APPLICATION OF DIRECTIVE 79/409/EEC ON THE CONSERVATION**  
**OF WILD BIRDS**

**UPDATE FOR 1996-1998**

**based on information supplied by the Member States on the application of national**  
**measures adopted pursuant to the Directive**

**REPORT FROM THE COMMISSION**  
**ON THE APPLICATION OF DIRECTIVE 79/409/EEC ON THE CONSERVATION**  
**OF WILD BIRDS**

**UPDATE FOR 1996-1998**

**based on information supplied by the Member States on the application of national  
measures adopted pursuant to the Directive**

**TABLE OF CONTENTS**

1.	Introduction.....	3
2.	Conservation status of species (articles 1 and 2) .....	5
2.1	Objectives of these Articles .....	5
2.2	List of EU birds.....	5
2.3	Bird population trends and status .....	5
2.4	Information supplied by the Member States in their three-yearly report .....	6
3.	Preservation of habitats and network of Special Protection Areas (Articles 3 and 4) .	7
3.1	Objectives of these Articles .....	7
3.2	Establishment of the network of Special Protection Areas, by Member State .....	7
3.3	Cohesion of the Special Protection Areas network.....	11
4.	Exploitation (Articles 5, 6, 7, 8 and 9) .....	12
4.1	Objectives of these Articles .....	12
4.2	New legislation introduced during the period concerned, and major amendments to existing legislation.....	13
4.3	Changes in the hunting rules of the Member States, concerning the number of species hunted, the season opening and closing dates and exclusion zones.....	14
4.4	Major derogations from the system of protection introduced, discontinued or amended during the period in question (Article 9) .....	21
5.	Research and accompanying measures (Articles 10, 11, (13 and 14)).....	22
5.1	Objectives of these Articles .....	22
5.2	Research and necessary work undertaken by the Commission.....	22
5.3	Research and necessary work undertaken by Member States .....	23
5.4	Introduction of bird species which do not occur naturally in the wild in the European territory of the Member States .....	28

## 1. INTRODUCTION

This report has been drawn up on the basis of the information contained in the national reports sent to the Commission by the Member States pursuant to Article 12 of the Directive. It covers the years 1996, 1997 and 1998.

The report is confined to significant changes as compared with the previous situation, as described in the document "Report on the application of Directive 79/409/EEC on the conservation of wild birds: Update for 1993-1995".

In addition to the Member States' three-yearly reports, account is also taken of information sent by them to the Commission pursuant to Articles 4 and 9 of the Directive.

Directive 79/409/EEC<sup>1</sup>, as amended by Directives 81/854/EEC<sup>2</sup>, 85/411/EEC<sup>3</sup>, 86/122/EEC<sup>4</sup>, 91/244/EEC<sup>5</sup>, 94/24/EC<sup>6</sup> and the acts relating to the accession of Greece<sup>7</sup>, Spain, Portugal<sup>8</sup>, Austria, Sweden and Finland<sup>9</sup>, establishes, pursuant to Article 1, a general system of protection for all species of birds naturally occurring in the wild state in the European territory of the Member States that is covered by the Treaty (with the exclusion of Greenland). The purpose of the Directive is to protect and manage these species and to regulate the hunting and capture of such species. It concerns wild birds as well as their eggs, nests and habitats. Article 2 sets the objective of protecting all of these bird species and links this objective with their ecological needs and the scientific, cultural, recreational and economic requirements of the general public.

The Directive focuses on two major themes: the protection of habitats as required by Articles 3 and 4 and hunting, capture, killing and sale as regulated by Articles 5 to 9.

Article 10 seeks to encourage the development of research into the protection of wild birds by the Member States.

Article 11 provides that Member States are to ensure that any introduction of non-native species does not prejudice the local flora and fauna.

Article 12 requires Member States to forward to the Commission a report on the implementation of national provisions introduced under the Directive. For the period under consideration (1996-1998), several Member States have sent their reports in late, the last one having reached the Commission in July 2001.

Measures taken pursuant to the Directive must not lead to a deterioration in the situation as regards the conservation of species of naturally occurring birds in the wild state in the

---

<sup>1</sup> Directive 79/409/EEC; OJ L 103, 25/04/1979.

<sup>2</sup> Directive 81/854/EEC; OJ L 319, 07/11/1981, p. 3.

<sup>3</sup> Directive 85/411/EEC; OJ L 233, 30/08/1985, p. 33.

<sup>4</sup> Directive 86/122/EEC; OJ L 100, 16/04/1986, p. 22.

<sup>5</sup> Directive 91/244/EEC; OJ L 115, 08/05/1991, p. 41.

<sup>6</sup> Directive 94/24/EEC; OJ L 164, 30/06/1991, p. 9.

<sup>7</sup> OJ L 291, 19.11.1979, p. 17

<sup>8</sup> OJ L 302, 15.11.1985, p. 221

<sup>9</sup> OJ L 1, 01.01.1995, p. 125.

European territory of the Member States (Article 13) and the Member States may introduce stricter protective measures than those provided for under the Directive (Article 14).

Articles 15 to 19 are procedural Articles providing in particular for the setting up of an advisory committee for adapting the Directive to technical and scientific progress in order to make possible whatever changes are necessary, lay down procedures and fix reporting dates.

## 2. CONSERVATION STATUS OF SPECIES (ARTICLES 1 AND 2)

### 2.1 Objectives of these Articles

- Article 1 specifies what the Directive applies to. It concerns species, i.e. whole populations and individuals, whatever their provenance. Populations of domestic forms easily recognisable as such, even those which have returned to the wild (e.g. the free populations of feral pigeon), are excluded as are species present in the Community only in populations deliberately or accidentally introduced and any individuals found which have clearly escaped from captivity. Specimens living in captivity are also excluded. The list of species of birds naturally occurring in the wild in the European territory of the Member States is built up by combining lists accepted by the avifauna committees of the Member States or, failing that, by the compilers of avifauna listings.
- Article 2 sets the objective of protecting all the bird species covered by the Directive and links this objective both to their ecological needs and to the public's scientific, cultural, recreational and economic requirements. It explicitly provides for a policy of conservation on the one hand and of management and, if necessary, restoration or limitation on the other.

### 2.2 List of EU birds

A list of EU birds updated on the basis of the reports of the national avifauna committees published up to the end of 1999 is available on the following web page: [http://www.europa.eu.int/comm/environment/nature/directive/birdspage1\\_en.htm](http://www.europa.eu.int/comm/environment/nature/directive/birdspage1_en.htm)

This list follows the sequence, system and nomenclature adopted by Voous (1973, 1977) as amended at a meeting of experts on 24 March 1988. Some clearly differentiated forms which are sometimes regarded as species are indicated, followed by the species to which they are currently attached, but no judgment is made as to their taxonomic position. To make it easier to compare the list with the Sibley-Monroe list which serves as a reference for the CITES agreements, synonyms are given and a list following the Sibley-Monroe sequence is proposed as an alternative.

For a species to be included in the EU list it must have been observed in the wild in at least one Member State, accepted by one of the national avifauna committees and published in its annual report. Species whose origin is considered doubtful by one of these committees are excluded.

### 2.3 Bird population trends and status

An update of the status of European bird species was published by BirdLife International in 1994. This is the best scientific information currently available at European level, as has been recognised by the ORNIS Committee, the steering group for the Directive. This study, the result of four years of data collection and analysis, has for the first time made it possible to document the extent of the population decline for all bird species throughout Europe.

The study identifies 514 species of birds regularly observed in Europe. 236 of these have a fairly good conservation status and are widely distributed beyond the frontiers of Europe. Of the other 278, 83 also have a positive conservation status but their distribution is centred on Europe. Altogether 319 species out of 514 (62%) have a conservation status that is considered

to be generally satisfactory. The rest, i.e. 195 species or 38%, have an unsatisfactory status, either because these species are showing a marked decline or because they have a (sometimes very) limited distribution. Almost 25% of species regularly observed in Europe have undergone a substantial decline in numbers over the last 20 years.

**Since birds generally cope well with environmental changes it is to be feared that their decline mirrors what is happening to many animal or plant groups: a pronounced deterioration in biodiversity in Europe, both in the distribution and the abundance of species.**

The decline in the case of most diminishing bird populations is the result of changes in land use and management techniques. The intensification of agriculture is the main loss factor, or at least one, for 42% of declining species. Another important factor is destroyed and damaged habitats, especially in wetlands. Hunting, capture, killing and sale sometimes have an adverse effect on these threatened species, but this is more usually of a secondary nature.

#### **2.4 Information supplied by the Member States in their three-yearly report**

In their three-yearly report to the Commission under Article 12, Member States are not required to inform the Commission about the implementation of these two Articles, which lay down general obligations deriving from the Directive. Nevertheless, certain Member States (Sweden, Finland, Ireland and the United Kingdom) describe the state of their legislation. For example:

- In Finland a new Nature Protection Law taking account of the provisions and requirements of the Directive, which was drawn up during the previous period, entered into force on 1 January 1997. More detailed implementing provisions were adopted by Decree 160/1997 and entered into force in March 1997.
- The United Kingdom, which indicates in its report a series of measures taken to apply the Directive and monitor the trend in the populations of birds protected by the Directive. At the end of the period concerned a document was prepared summarising the status of all species of birds breeding in the United Kingdom and assessing the changes occurring during the years 1996-1998. In 1998, as part of its « sustainable development » policy, the government announced the establishment of 14 main indicators, one of which relates to trends in breeding birds regarded as a representative indicator of the general state of the natural and rural environment.

### **3. PRESERVATION OF HABITATS AND NETWORK OF SPECIAL PROTECTION AREAS (ARTICLES 3 AND 4)**

#### **3.1 Objectives of these Articles**

- Article 3 expresses the absolute necessity to preserve or improve bird habitats, a *sine qua non* for achieving the aims of the Directive. It brings in the concepts of sufficient diversity and size of habitats. It provides for an approach based on two lines of action: creating protected and managed areas and taking general steps to ensure favourable development of habitats. Like Article 2, its approach is one not just of conserving habitats but also of restoring them and even creating new ones. The protection of habitats is an obligation based on formal commitments.
- Article 4 is a central element in the Directive. It describes the protective steps to be taken to ensure habitats suitable for a number of particularly vulnerable species listed in Annex I to the Directive and for migratory species. Once again it takes a twin approach, with specific measures taken throughout the territory on the one hand and the establishment of a network of Special Protection Areas (SPAs) on the other. These are areas designated by the Member States sufficient in number and size to guarantee favourable conditions for the species in question throughout their area of distribution.

The obligations described in the first sentence of Article 4(4) of Directive 79/409/EEC have, pursuant to Article 7 of Council Directive 92/43/EEC, been replaced by those of Article 6 paragraphs 2, 3 and 4 of that Directive since its application in June 1994.

The Commission is responsible for ensuring the cohesion and suitability of the network set up. Clearly the network does not have to achieve the protection objective by itself. It does, however, have to achieve a part of it which is the larger the more vulnerable the species is to habitat changes and the less external action is therefore to be expected.

#### **3.2 Establishment of the network of Special Protection Areas, by Member State**

##### **Belgium**

- No new area designated, and no extension of the surface area protected in 1996, 1997 or 1998.
- Polder meadows and their micro-reliefs have been included as sensitive habitats in the Special Protection Areas of the Flemish Region.

##### **Denmark**

- No new area designated, and no extension of the surface area protected in 1996, 1997 or 1998.
- Numerous measures have been taken to avoid the deterioration of habitats or prevent significant disturbance. Within the Special Protection Areas certain sub-areas enjoy increased protection (game protection and reserves). During the period in question, 23 orders concerning the use of these sub-areas, public access and hunting were adopted.

- Pursuant to Article 4(3) of the Directive, in 1998 Denmark assembled additional information about the 111 designated protection areas and updated the data concerning the bird populations in those areas. This data was recorded in the NATURA 2000 standard reporting forms.
- At national level, during the period 1996-1998 nature restoration projects were initiated and partially completed in Special Protection Areas at an estimated cost of DKR 90 million, some of which came from LIFE funds.
- A new order (No 782 of November 1998) specifies for the competent authorities that impact studies concerning projects liable to affect an SPA must contain an assessment of their impact on protected bird species. A project cannot be carried out if the assessment shows that it would result in a loss of habitats or cause major disturbances for the species for which the area was designated. In accordance with Article 6 of Directive 92/43/EEC, exceptions may however be granted if there are imperative reasons of overriding public interest.

### **Germany**

The designation of the Special Protection Areas is the responsibility of the Länder.

- During the period in question 65 new Special Protection Areas were designated in Germany. According to the information contained in the tables of the Natura barometer published in May 1996 and February 1999, these new areas cover a surface area of 5 584 km<sup>2</sup>. At the end of 1998, there were 551 Special Protection Areas covering a surface area of over 14 000 km<sup>2</sup> in Germany.
- Any planned project which may result in major changes within Special Protection Areas requires prior approval by the competent authorities.

### **Greece**

- During the three-year period 26 new Special Protection Areas were designated in Greece. These new areas cover a surface area of 3 049 km<sup>2</sup>. At the end of 1998, there were 52 Special Protection Areas covering a surface area of 4 965 km<sup>2</sup> in Greece.
- During this period six LIFE-Nature projects, two of which are directly connected with SPAs, began.

### **Spain**

- During the period in question 21 new Special Protection Areas were designated in Spain. These new zones cover a surface area of 7 853 km<sup>2</sup>. At the end of 1998 there were 170 Special Protection Areas covering a total surface area of 33 191 km<sup>2</sup> in Spain.
- For many of these SPAs management plans were drawn up and conservation measures undertaken under the supervision of the regional authorities.
- Several major restoration projects relating to habitats or ecosystems of importance for birds and conservation measures for endangered species (*Aquila adalberti*, *Hieraaetus fasciatus*, *Gypaetus barbatus*, *Columba bollii*, *Columba junoniae*, *Otis tarda*, *Ciconia nigra*, ...) were supported by means of LIFE-Nature funds.



## **France**

- During the period in question 10 new Special Protection Areas were designated in France. These new areas cover a surface area of 807 km<sup>2</sup>. At the end of 1998, there were 109 Special Protection Areas covering a total surface area of 7 877 km<sup>2</sup> in France.
- At the same time several major operations to conserve, boost and safeguard species or sites were launched using LIFE-Nature funds, in particular: introduction of the Black Vulture (*Aegypius monachus*) in the Jonte gorges; boosting of populations of the Lesser Kestrel (*Falco naumanni*) in the Mediterranean region; re-introduction of the White-Headed Duck (*Oxyura leucocephala*) in Corsica.
- In addition, nine nature reserves covering a total surface area of 13 000 hectares were created in order to conserve bird habitats.

## **Ireland**

- During the period in question 25 new Special Protection Areas were designated in Ireland. These new areas cover a surface area of 587 km<sup>2</sup>. At the end of 1998, there were 100 Special Protection Areas covering a total surface area of 2 165 km<sup>2</sup> in Ireland.
- Outside the Special Protection Areas a number of representative ecosystems were protected, including nature reserves (79), animal refuges (5), water fowl sanctuaries (69) and national parks (5).

## **Italy**

The designation of special protection areas is the responsibility of the autonomous regions and provinces.

- During the period in question 121 new Special Protection Areas were designated in Italy. These new areas cover a surface area of 6 397 km<sup>2</sup>. At the end of 1998, there were 201 Special Protection Areas covering a total surface area of 9 561 km<sup>2</sup> in Italy.

## **Luxembourg**

- During the period in question 7 new Special Protection Areas were designated in Luxembourg. These new areas cover a surface area of 34 km<sup>2</sup>. At the end of 1998, there were 13 Special Protection Areas covering a total surface area of 160 km<sup>2</sup> in Luxembourg.

## **Netherlands**

- During the period in question 7 new Special Protection Areas were designated in the Netherlands. These new areas cover a surface area of 233 km<sup>2</sup>. At the end of 1998, there were 30 Special Protection Areas covering a total surface area of 3 509 km<sup>2</sup> in the Netherlands.
- In addition, smaller nature reserves were created during the period under the Nature Protection Law

## **Austria**

- During the period in question 58 Special Protection Areas were designated in Austria. These new areas cover a total area of 11 333 km<sup>2</sup>.

## **Portugal**

- No new area designated, and no extension of the surface area protected in 1996, 1997 or 1998.

## **Finland**

- During the period 1996-1998, Finland designated 439 Special Protection Areas. These areas comprise 2 national parks and 311 protection areas on private land. At the end of 1998, the protected network covered more than 29 311 km<sup>2</sup>, or 8% of the national territory.
- An overall evaluation of the system of protection areas commenced in 1996 with a view to classifying the areas by order of importance and determining the sites to be assigned priority.
- A large number of habitat restoration and species conservation projects receive financial support under the Life-Nature programme. Three projects began in 1995 and continued during the period in question, 5 began in 1996 and 5 others in 1997. All these projects were carried out in SPAs.

## **Sweden**

- During the period 1996-1998, Sweden designated 302 Special Protection Areas. At the end of 1998, the protected network covered more than 21360 km<sup>2</sup>, or 5% of the national territory.
- During the period 1996-1998 the forest and agriculture administrations adopted orders containing rules aimed at protecting nature, such as the banning, where appropriate, of tree felling, protection of fragile biotopes, protection of flora and fauna, and protection areas, etc.
- Since 1994, Article 19c of the Nature Protection Law provides, with regard to Special Protection Areas, that any change in the degree of protection has to be decided with the agreement of the government, which therefore has a right of scrutiny over such decisions. This Article was supplemented in 1997 by a provision whereby government scrutiny relates not only to the removal of protection from a Special Protection Area but also derogations from rules adopted for such areas. This Article has further been amended in such a way that government scrutiny does not apply to derogations liable to cause only insignificant damage to the protected area.
- In the event of derogations from the rules concerning a Special Protection Area protected as a reserve or in the event of decisions to remove such protection, the county administrative board (länsstyrelsen) may request the firm concerned to finance a special impact study for the reserve or compensate in some other way for the natural value lost. If the reserve concerned is a wetland, the natural value must be fairly compensated.

## United Kingdom

- 74 new Special Protection Areas were designated between 1996 and 1998. By the end of 1998, this brought the number of SPAs in the United Kingdom to 187 and their surface area to more than 7660 km<sup>2</sup>, or 4000 km<sup>2</sup> more than at the end of the previous period.
- A considerable number of Sites of Scientific Interest (>6 500 covering over 21 000 km<sup>2</sup>) are protected in the United Kingdom.
- Numerous agri-environmental measures are under way (including set-aside measures favourable for fauna) in the United Kingdom, many of which take into account and contribute to furthering the objectives of the Directive.

**In conclusion** : During the period in question, 1 155 new Special Protection Areas were designated and the surface area protected increased by nearly 90 548 km<sup>2</sup> (including 62 004 km<sup>2</sup> for the three new Member States), representing more than a doubling of the surface area compared with the previous period.

### 3.3 Cohesion of the Special Protection Areas network

By 31 December 1998 there were 2 403 Special Protection Areas<sup>10</sup>. These covered 162 450 km<sup>2</sup>, or a surface area equivalent to some 7 % of the territory of the EU.

During the period in question a major study of Important Bird Areas (IBAs) in Europe was carried out by BirdLife International. The results of this study were published<sup>11</sup> in 2000. It identifies Important Bird Areas on the basis of ornithological criteria, and covers the entire continent of Europe. In all, 3 619 IBAs were identified (1997 sites of global importance, 1 176 sites of continental importance and 446 sites of importance for the European Union). 2 342 of these sites are situated in the EU. According to the study, an evaluation of the degree of designation achieved in the EU (situation in September 1999) indicates that while 54% of the sites identified (1 260 sites) as being important were included, in whole or in part, in no less than 1 375 SPAs designated by the 15 Member States, there were still 1 082 SPAs (46%) which have still not been designated as SPAs, and only four Member States had designated over 75% of their IBAs.

While progress has been made since the end of the reporting period, at the time of finalising this report (December 2001) there were still major shortcomings in several Member States.

---

<sup>10</sup> 271 Special Protection Areas, covering a total area of 86 km<sup>2</sup> were designated in Baden-Württemberg for nature conservation reasons other than their importance for birds. Subsequently, this list has been reduced, so as to include only sites of ornithological interest.

<sup>11</sup> Heath, M.F. and M.I. Evans (Eds.) 2000. Important Bird Areas in Europe: Priority Sites for Conservation. 2 vols. Cambridge, UK. BirdLife International (BirdLife Conservation Series, No 8).

## 4. EXPLOITATION (ARTICLES 5, 6, 7, 8 AND 9)

### 4.1 Objectives of these Articles

- **Article 5** establishes a general system of protection save where specific provisions are made. It prohibits killing or capturing birds, destroying or damaging their nests and eggs, taking eggs, disturbing birds, and keeping species the hunting of which is prohibited by Article 7 or the capture of which is prohibited by Article 9.
- Generally speaking, to prevent commercial interests from exerting a possible harmful pressure on exploitation levels it is necessary to impose a general sales ban and to restrict all derogation to those species whose biological status so permits. Certain species (see Annex III to the Directive) may, however, be sold provided that certain limits are respected. **Article 6** therefore prohibits the sale of live or dead birds or any parts of birds of the species covered by the Directive, including those which may be hunted or captured, other than those listed in Annex III.
- **Article 7** authorises hunting, including falconry. It limits hunting to the species listed in Annex II, selected solely on the basis of biological criteria: population level, geographical distribution and population dynamics. It requires that hunting must not jeopardise conservation efforts elsewhere in the distribution area and that it must comply with the principles of "wise use" and "ecologically balanced control", compatible with the requirements of Article 2.
- **Article 8** prohibits the use of all means of large-scale or non-selective capture or killing of birds.
- **Article 9** provides for the possibility of derogation from the Articles on exploitation, for three types of reasons:
  1. The birds are assumed to have caused a particular problem or a particular kind of damage. This is only applicable "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, and for the protection of flora and fauna". An exception may therefore be made "where there is no other satisfactory solution" (Article 9(1)(a)).
  2. For the purposes of research, teaching, repopulation or reintroduction, but always under strict supervision and where there is no other satisfactory solution (Article 9(1)(b)).
  3. "...under strictly supervised conditions and on a selective basis, the capture, keeping or other judicious use of certain birds in small numbers" may be permitted. "Judicious" means that such use must be conducive to the general objectives of the Directive (Article 9(1)(c)).

There can be no exemption either from the formal requirements laid down by the Directive for maintaining bird populations at levels corresponding to ecological, scientific and cultural requirements, while taking account of economic and recreational requirements (Article 2), or from the requirements to maintain habitats and to avoid pollution (Articles 3 and 4).

Strict conditions are set for the granting of these derogations, including that there must be no satisfactory alternative and there must always be strict supervision. In the case of the third reason there is also the limitation to "small numbers". This is of course a relative concept and, when the derogation concerns exploitation, is best expressed by a comparison between the losses due to these activities and the annual death rate of the populations concerned by the derogation. A derogation involving a loss amounting to less than 1% of the annual death rate for these populations may be considered mathematically as affecting a "small number", since its impact is less than the uncertainty attaching to the population dynamics. In this case the loss is also "small" by comparison with the typical figures for hunting operations, which is compatible with dealing with hunting by means of a general provision (Article 7) of the Directive and capture, killing and sale by means of a derogation.

#### **4.2 New legislation introduced during the period concerned, and major amendments to existing legislation**

##### ***Article 5: General system of protection for all species of birds covered by the Directive***

Major changes to the general system of protection for bird species which have entered into force during the three years covered are presented Member State by Member State, and where appropriate region by region.

##### **Belgium**

No major change to the system of protection compared with the previous period in Wallonia or in the Brussels Region, but the Flemish Region's regulations concerning the keeping of birds bred in captivity were amended following the « Vergie Judgment » of the European Court of Justice (Case C-149/94) concerning the exclusion of such birds from the scope of Directive 79/409/EEC.

##### **Denmark**

No major change to the general system of protection for bird species during the period in question.

##### **Germany**

No major change to the general system of protection during the period in question.

##### **Greece**

No change to the general system of protection during the period in question.

##### **Spain**

No change to the general system of protection during the period in question.

##### **France**

No change to the general system of protection during the period in question.

## **Ireland**

No change to the general system of protection during the period in question.

## **Italy**

No change to the general system of protection during the period in question.

## **Luxembourg**

No change to the general system of protection during the period in question.

## **Netherlands**

The regulations in the Netherlands concerning the keeping of birds bred in captivity were amended following the « Vergie Judgment » of the European Court of Justice (Case C-149/94) concerning the exclusion of such birds from the scope of Directive 79/409/EEC.

## **Austria**

No major change to the general system of protection during the period in question.

## **Portugal**

No change to the general system of protection during the period in question.

## **Sweden**

In 1997 Article 4 of the Hunting Law was amended in order to incorporate the objectives of Directive 79/409/EEC into national law. General protection must be ensured for all species of birds, including non-indigenous species.

## **Finland**

The new Nature Protection Law, which entered into force on 1 January 1997, regulates the protection of bird species and provides for general protection for birds and mammals, with the exception of game and non-protected animals referred to in Article 5 of the Hunting Law.

## **United Kingdom**

No change to the general system of protection during the period in question.

### **4.3 Changes in the hunting rules of the Member States, concerning the number of species hunted, the season opening and closing dates and exclusion zones**

Not all of the species are concerned by all of the provisions of Article 5 of the Directive. By virtue of their population level, geographical distribution and population dynamics throughout the Community, 24 species (Annex II/1) may be hunted in accordance with the legislation of the Member States. 56 other species (Annex II/2) may be hunted only in certain countries. However, none of these species may be hunted during the various stages of reproduction. In the case of migratory species this prohibition also includes the period when the birds are returning to their rearing grounds.

Following the amendments introduced by Directive 94/24/EC amending Directive 79/409/EEC, consolidated Annexes II/1 and II/2 to the Directive were as follows at the end of the period in question:

<i>Annex II.1</i>															
Species	BE	DK	DE	GR	ES	FR	IE	IT	LU	NL	AT	PT	SE	FI	UK
Anser fabalis	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Anser anser	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Branta canadensis	*	*	*			*	*			*			*	*	*
Anas penelope	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Anas strepera	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Anas crecca	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Anas platyrhynchos	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Anas acuta	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Anas querquedula	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Anas clypeata	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Aythya ferina	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Aythya fuligula	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Lagopus l. scoticus							*								*
Lagopus mutus			*		*	*		*			*		*	*	*
Alectoris graeca			*	*		*		*			*				
Alectoris rufa					*	*		*				*			*
Perdix perdix	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Phasianus colchicus	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Fulica atra	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Lymnocyptes minimus	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Gallinago gallinago	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Scolopax rusticola	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Columba livia (1)			*	*	*	*	*	*			*	*			*
Columba palumbus	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

(1) The populations considered here are the wild populations of the species *Columba livia* and not populations derived from domestic pigeons.

\* The species is found in the Member State and may be hunted there pursuant to Article 7(3).

 Species for which there is a hunting season in the Member State at the end of the period in question.

*Annex II.2*


Species	BE	DK	DE	GR	ES	FR	IE	IT	LU	NL	AT	PT	SE	FI	UK
Cygnus olor			*								*				
Anser brachyrhynchus	*	*					*								*
Anser albifrons	*	*	*	*		*	*			*			*		*
Branta bernicla		*	*												
Netta rufina					*	*									
Aythya marila	*	*	*	*		*	*			*					*
Somateria mollissima		*				*	*						*	*	
Clangula hyemalis		*				*	*						*	*	*
Melanitta nigra		*	*			*	*						*	*	*
Melanitta fusca		*	*			*	*						*	*	*
Bucephala clangula		*		*		*	*				*		*	*	*
Mergus serrator		*					*						*	*	
Mergus merganser		*					*						*	*	
Bonasa bonasia						*					*		*	*	
Lagopus l. lagopus													*	*	
Tetrao tetrix	*		*M			*M		*			*		*	*	*
Tetrao urogallus			*M			*M		*			*		*	*	*
Alectoris barbara					*			*							
Alectoris chukar				*											
Coturnix coturnix				*	*	*		*			*	*			
Meleagris gallopavo			*								*				
Rallus aquaticus						*		*							
Gallinula chloropus	*			*		*		*				*			*
Haematopus ostralegus		*				*									
Pluvialis apricaria	*	*		*		*	*	*		*		*			*
Pluvialis squatarola		*				*									*
Vanellus vanellus	*	*		*	*	*	*	*							
Calidris canutus		*				*									
Philomachus pugnax						*		*							
Limosa limosa		*				*									
Limosa lapponica		*				*									*
Numenius phaeopus		*				*									*
Numenius arquata		*				*	*								*
Tringa erythropus		*				*									
Tringa totanus		*				*		*							*
Tringa nebularia		*				*									
Larus ridibundus	*	*	*		*						*		*		



Larus cachinnans					*										
Larus canus		*	*									*	*		
Larus fuscus		*	*		*										
Larus argentatus	*	*	*		*							*	*		
Larus marinus		*	*									*	*		
Columba oenas				*	*	*					*				
Streptopelia decaocto		*	*			*				*					
Streptopelia turtur				*	*	*		*			*	*			
Alauda arvensis				*		*		*							
Turdus merula				*		*		*				*	*		
Turdus pilaris				*	*	*		*			*	*	*	*	
Turdus philomelos				*	*	*		*				*			
Turdus iliacus				*	*	*		*				*			
Turdus viscivorus				*	*	*						*			
Sturnus vulgaris				*	*	*						*			
Garrulus glandarius	*	*	*			*		*	*	*		*	*		*
Pica pica	*	*	*	*	*	*		*	*	*		*	*	*	*
Corvus monedula				*	*					*			*	*	*
Corvus frugilegus						*							*		*
Corvus corone	*	*	*	*	*	*		*	*	*		*	*	*	*

\* In accordance with Article 7(3) Member States may authorise hunting of these species

\* M Males only

 Species for which there is a hunting season in the Member State at the end of the period in question.

**Article 6 Authorisation of marketing activities in respect of the species mentioned in Annex III, Part 2:**

The required conditions are met in all of the Member States and there has been no major amendment of the law during the period in question.

In Sweden the Decrees implementing Article 1 of the Law on species of protected fauna and flora (SFS 1994: 1818) were adopted during the period in question. This Article provides that henceforth the Government is authorised to adopt rules on the importation, transportation, conservation, preparation and exhibition of and trade in species of protected fauna and flora in compliance with the international commitments entered into by Sweden.

In Denmark Order No 42 of 25 January 1996 extended the scope of the provisions on trade in live birds to all sub-species (even those not naturally occurring in the EU Member States) of the species covered by Directive 79/409/EEC.

In Finland Article 49 of the new Nature Protection Law, which entered into force on 1 January 1997 incorporates the specific Community provisions into national law.

Pursuant to Article 31 of the Hunting Decree (869/1998), the sale of the Canada Goose, the Bean Goose, the Garganey, the Long-Tailed Duck, the Common Goldeneye, the Red-Breasted Merganser, the Goosander, the Hazel Hen, the Black Grouse, and the Capercaillie as well as any other identifiable part and any product obtained from those birds is prohibited.

### ***Article 7 Exploitation, means of hunting and methods of capture***

Major changes in the list of bird species which can be hunted and in the hunting seasons which entered into force during the three years covered are presented, Member State by Member State.

#### **Belgium**

No major change compared with the previous period. However, *Anas crecca* was taken off the list of species which can be hunted in Flanders as from 1998 (until at least 2003) and the hunting of waterfowl, with the exception of the Mallard (*Anas platyrhynchos*), is prohibited in a number of SPAs in Flanders.

#### **Denmark**

Order No 1271 of 17 December 1996 amended Order No 39 of 21 January 1994. It determines the general and local hunting periods and provides that their hunting must not take place between sunset and sunrise except in the case of ducks and geese. It only slightly changes the hunting periods for wild birds.

#### **Germany**

No major change reported for Germany.

#### **Greece**

Every year, usually in July, the Ministry of Agriculture publishes the "Annual Hunting Rules" which lay down the hunting seasons at national level. In 1996, the Stock Dove (*Columba oenas*) was taken off the list of species which can be hunted in Greece. The same year the Jay (*Garrulus glandarius*) was added to the list of species which can be hunted in Greece, with the exception of the Peloponnese and all the islands in order to protect the various sub-species which live there.

It should be noted that the Jay was not included for Greece when Annex II (see Directive 94/24/EEC) to the Directive was amended.

In 1996, the general hunting season was 20 August to 28 February. In 1998 it was reduced by one month (from 28 February to 31 January) for three species: the Garganey (*Anas querquedula*), the Jack Snipe (*Lymnocyptes minimus*) and the Snipe (*Gallinago gallinago*).

#### **Spain**

Compared with the previous report, in which only the national legislation was taken into account, further information is now available. It would seem that the legislation of the Autonomous Communities does not always comply with the Annexes to Directive 79/409/EEC as regards the list of species which may be hunted. In particular, two species not included in Annexes II.1 and II.2 to the Directive are regarded as hutable by many Autonomous Communities in Spain,

namely: *Stearnus vulgaris* and *Stearnis unicolor*. *Streptopelia decaocto* is also regarded as huntable in certain regions even though it is not included as a species the hunting of which may be authorised in Spain. In addition, a number of species regarded as harmful in Catalonia can also be hunted even though they are not included in the annexes to the Directive. These are *Gallinula chloropus*, *Turdus merula*, *Garrulus glandarius*, *Corvus corax* and *Passer domesticus*. Lastly, several exotic species (*Lophortyx californicus*, *Colinus virginianus*, *Myopsitta monachus* and *Psittacula krameri*) are included in the lists of huntable species of certain Autonomous Communities.

## France

During the period in question there was no change as regards the matters covered by paragraphs 1 to 3 of Article 7.

With regard to paragraph 4, and in particular the dates of the hunting season, until 1998 the Department Prefects were responsible for setting the opening dates for the hunting season within a range laid down by law. In compliance with the draft amendment to the Directive drawn up by the Commission, on 15 July 1994 the French Parliament had adopted a Law applying the ORNIS method. A report on the application of the Law was submitted by the Government to Parliament on 18 June 1998 assessing the application of the 1994 Law with regard to scientific knowledge and the development of the relevant Community legislation.

Subsequently, the 1994 Law was repealed by the Law of 3 July 1998 which is aimed at taking away the power of the Minister responsible for hunting to set earlier opening dates and the power of the Prefects to set the dates of the end of the hunting season. These dates are now laid down in the Law itself. The dates set in the new Law do not appear to take any real account of the data provided in the governmental report and do not significantly alter the opening and closing dates previously set by the Prefects and the Minister. This Law also provides for staggering the dates of the end of the hunting period between 31 January and the last day of February.

In a letter dated 5 August 1998 the European Commission sent the French Government a reasoned opinion for failing to meet its obligations with regard to Directive 79/409/EEC. The French Government's letter of reply dated 6 October 1998 indicates its intention to set up a study group consisting of various stakeholders in order to arrive at a consensus on a mechanism for setting the dates for the hunting season for migratory birds which is compatible with the principles of the Directive.

Lastly, the Council of State annulled the opening dates set in July by the Prefect of the Landes. Where the end of the hunting season is concerned, it annulled a prefectural order setting the end of the hunting season at 29 February.

## Ireland

At the end of the period in question (hunting season 1998-1999) and compared with the previous period two additional species (*Branta canadensis* and *Anser anser*) had an open hunting season from 1 to 30 September for the country as a whole, and very locally and depending on the species an extension of the period until 31 January.

## Italy

The Decree of 21 March 1997 excludes the following from the list of species which can be hunted in Italy: *Passer domesticus*, *Passer montanus*, *Colinus virginianus*, *Sturnus vulgaris*, *Corvus frugilegus*, *Corvus monedula*, *Bonasa bonasia* and *Limosa limosa*.

## **Luxembourg**

No change compared with the previous period.

## **Netherlands**

No information on this in the report.

## **Austria**

In Austria, the obligations deriving from Directive 79/409/EEC are the responsibility of the Länder. No major change reported in the reports by the Länder.

## **Portugal**

Decree-Law No 136/96 of 14 August 1996 established new rules for the protection of species which may be hunted in accordance with Directive 94/24/EEC of 8 June 1994.

## **Sweden**

No change compared with the previous period.

## **Finland**

The hunting of the Grouse (*Tetrao sp.*) and the Hazel Hen (*Bonasa bonasia*) is open from 10 September to 31 October in most of Finland, with restrictions in certain districts.

## **United Kingdom**

No change compared with the previous period.

### ***Article 8 : State of legislation as regards Annex IV to the Directive.***

On the whole the Member States have adopted the necessary measures, often ahead of the Directive's entry into force. No major changes have been mentioned in the Member States' reports. The only amendments are as follows:

- Lead poisoning of waterfowl. In the United Kingdom the Government has been working for several years with hunting, farming and nature conservation organisations in order to limit or eliminate the use of lead shot in wetlands. A voluntary two-year ban started in September 1995 (95/96 and 96/97 hunting seasons). While there has been a slight change in behaviour, there has not been a general change of ammunition. As a result, the Government has announced that the best solution would be to prohibit by law the use of lead shot in wetlands in the United Kingdom. The voluntary ban has been extended pending the adoption of the relevant legislation.
- In Finland the use of the crossbow for hunting has been banned (Article 20 of the 1996 Hunting Decree). The use of automatic weapons which can contain more than two cartridges is prohibited for the killing of feathered game and non-protected birds. The 1998 Hunting Decree (869) prohibits the use of apparatus producing noise to kill or attract birds.

#### 4.4 Major derogations from the system of protection introduced, discontinued or amended during the period in question (Article 9)

An annual compilation of the reports delivered by the Member States under Article 9 has been put together for the three years concerned.

*Table 3. Number of derogations per Member State*

	<b>1996</b>	<b>1997</b>	<b>1998</b>
<b>BE (Belgium)</b>	19	18	17
<b>DK (Denmark)</b>	58	40	Not transmitted
<b>DE (Germany)</b>	170	754	238
<b>GR (Greece)</b>	4	4	4
<b>ES (Spain)</b>	88	109	126
<b>FR (France)</b>	24	24	41
<b>IE (Ireland)</b>	36	46	31
<b>IT (Italy)</b>	16	143	216
<b>LU (Luxembourg)</b>	0	3	4
<b>NL (Netherlands)</b>	28	16	16
<b>AT (Austria)</b>	15	19	35
<b>PT (Portugal)</b>	51	38	26
<b>SE (Sweden)</b>	31	33	163
<b>FI (Finland)</b>	20	22	40
<b>UK (United Kingdom)</b>	151	254	324

\* All the Member States sent their reports to the Commission on an annual basis except for Denmark which has not sent in its report for 1998.

The system for the input and presentation of the information sent in by the Member States in their reports under Article 9 of the Directive has been developed and fine-tuned by the JNCC<sup>12</sup>. This system was operational in most of the Member States at the end of the period in question and is increasingly widely used. It enables the Member States to record the information in the form of a standard electronic model and is a simple and efficient way of collecting the derogations in question in the form of a general report to the European Commission.

<sup>12</sup> The Joint Nature Conservation Committee is the reference body for Directive 79/409/EEC in the United Kingdom.

## 5. RESEARCH AND ACCOMPANYING MEASURES (ARTICLES 10, 11, (13 AND 14))

### 5.1 Objectives of these Articles

- The protection of wildlife species very often involves management of their habitats. This management assumes a good knowledge of the factors which influence or sometimes determine the presence of a species or group of species in a given habitat. This knowledge, the result of spot observations and methodical research, still very often contains gaps or imperfections. Against such a background the scientific research which forms the basis of purposive management of bird populations and habitats is one of the pillars of the general system of protection of wild birds. There is therefore a need to stimulate its development and coordination between Member States. Article 10 of the Directive requires the Member States to carry out research work for the protection, management and exploitation of bird populations. Annex V to the Directive establishes a list of priorities for this.
- Member States must see that any introduction of bird species which do not occur naturally in the wild in the European territory of the Member States does not prejudice the local flora and fauna. Member States have to consult the Commission on any introduction project. Article 11 thus protects wild flora and fauna as a whole against unregulated introductions of species of bird that are not native to the European Union.

### 5.2 Research and necessary work undertaken by the Commission

Encouragement of research and of the work necessary for the protection, management and use of all the species of bird covered by Article 1.

At Community level, during the previous period and thanks to the financial support of a three-year LIFE Nature project, BirdLife International in partnership with Wetlands International have drew up action plans for the 23 globally threatened species present in the European Union. Since then the Commission has co-financed the drawing-up of eight new action plans including three species (*Aythya nyroca*, *Polysticta stelleri* and *Aquila clanga*) present in Europe which were identified as having priority when the world list of globally-threatened bird species was updated, and five species in Annex I to the Directive (*Botaurus stellaris*, *Gypaetus barbatus*, *Aquila pomarina*, *Hieraaetus fasciatus* and *Tetrax tetrax*). These 31 action plans have been approved by the ORNIS Committee, the Bern Convention, and the Conference of the Parties to the Bonn Convention.

These action plans supply information on the status of the species, their ecology, the threats and the conservation measures in progress and scheduled. They make it possible to define the conservation objectives clearly and to establish a priority action programme for each species. These 31 action plans are accessible on the following web page of DG Environment:

<http://europa.eu.int/comm/environment/nature/directive/birdspriority.htm>

Several projects focusing on actions identified as the most urgent for these species have already received financial support from the LIFE funds. These 31 species figure among the species regarded as having priority under the LIFE-Nature financial rules<sup>13</sup>. Further details about

---

<sup>13</sup> LIFE-Nature is the financial instrument supporting the European Union's environmental protection policy.

LIFE-Nature projects are available on the following web page of DG Environment:  
<http://europa.eu.int/comm/environment/nature/home.htm>

### **5.3 Research and necessary work undertaken by Member States**

Information supplied by Member States is given below.

#### **Belgium**

Several studies and research were carried out during the period in question. In particular:

- Long-term research continued, in particular ringing but also winter counts of water fowl.
- Animal censuses of populations of migratory, breeding and/or overwintering birds took place during the period in questions.
- A Life-Nature project on management needs and resources to be deployed for habitats of the corncrake (*Crex crex*)

#### **Germany**

Research and conservation work was carried out or started during the period in question:

- Studies of the White Stork (*Ciconia ciconia*) by satellite telemetry.
- Monitoring of breeding bird populations of the Wadden Sea.
- Distribution, numbers and migration of sea and water birds of the North Sea approaches.
- Monitoring of migratory bird population trends.
- Establishment of a conservation programme for *Ciconia Ciconia* populations in Eastern Europe.
- Establishment of a system for monitoring animal populations, using birds as an example.
- Evaluation of the contribution in Germany of national and international projects aimed at preserving very endangered species in intensive farming regions: conflicts and possible solutions.
- Global analysis of endangered migratory animal species with a view to setting up a world information register.
- Updating of the red list of breeding birds in Germany.
- Monitoring of 100 "key/beacon" species to evaluate the results of nature conservation programmes.
- Evaluation of new ecosystems (neophytes) according to nature conservation criteria.

## Greece

Research and studies on birds and/or their habitats were carried out during the period in question. In particular:

- Continuation of long-term research (including ringing and winter waterfowl censuses).
- Specific ringing campaign (on the islands of Lesbos and Antikythra, of Limicolae in the Evros delta and the young of *Larus audouinii* and *Phalacrocorax pygmaeus*).
- Scientific studies on the ecology and conservation of threatened species such as *Pelecanus crispus* and *P. onocrotalus*, *Falco eleonora*, *Puffinus yelkouan*, and *Calonectris diomedea*.
- Various research as part of doctorates, e.g. on geographical variations of *P. pyrrhocorax*, analysis of the presence of pesticide residues in *Phalacrocorax carbo*, genetic variation of *Fringilla coelebs*, DNA studies of *Ficedula semitorquata*, and studies on *Aquila chrysaetos* in the Dadia reserve.

## Spain

Numerous bird population studies and monitoring were carried out in Spain between 1996 and 1998, for the Directorate-General for Nature Conservation, the Autonomous Communities, and certain Special Protection Areas:

- As regards the Directorate-General, the main activities were as follows: management and collection of ringing data, introduction of the plan for the conservation of *Gypaetus barbatus*, inventory of breeding populations of *Aquila adalberti*, annual censuses of waterfowl and atlas of breeding birds of Spain.
- As regards the Autonomous Communities, many studies were carried out concerning numerous aspects of the biology of conservation of endangered species, habitat management and population monitoring.

## France

The actions undertaken consist of:

- Programmes for the conservation or safeguarding of endangered birds with the support of the LIFE funds (*Aegypius monachus*, *Falco naumanni*, *Oxyura leucocephala*, *Gypaetus barbatus*)
- Censuses and monitoring, marking and recapture of breeding seabird populations (*Calonectris diomedea*, *Puffinus puffinus*, *Puffinus yelkouan*, *Hydrobates pelagicus*, *Morus bassanus*), many diurnal birds of prey, *Phoenicopiterus ruber*, etc....
- Winter censuses of *Phalacrocorax carbo*
- Monitoring and census of breeding populations of Ardeidae (*Botaurus stellaris*, *Ixobrychus minutus*, *Nycticorax nycticorax*, *Ardeola ralloides*, *Bubulcus ibis*, and *Egretta garzetta*)
- Marking and ringing of Tree-Nesting Herons in the Camargue



- Census of nesting *Ciconia nigra* and *Ciconia ciconia*, as well as the marking, and monitoring of the population and movements of storks in France
- Study of the introduction, dispersion and survival of an introduced species (*Threskiornis aethiopicus*)
- Censuses of wintering Anatidae and waders. For Anatidae, censuses during the migration and breeding period are also scheduled, as well as an analysis of the chronology of breeding.
- For various species of Gallinaceous birds (*Alectoris graeca*, *Perdix perdix hispanica*) and Tetraonidae (*Tetrao urogallus*, *Tetrao tetrix*, *Bonasa bonasia* et *Lagopus mutus*), action plans to maintain and conserve the populations have been prepared. In the context of these action plans, an exploitation survey started in 1998. "Carnets de prélèvements" (exploitation permits) have been compulsory since then.
- National survey of exploitation of most land-based migratory species during the 1998-1999 hunting season.
- Censuses and marking of breeding populations of *Scolopax rusticola*.
- Monitoring of population trends for species of Alaudidae, Colombidae and Turdidae which can be hunted in France.
- National programmes to monitor common birds so as to collect variations in abundance indices for many Passeriformes in particular.
- National census of breeding Limicolae and Laridae.
- Studies of movements and the spatial and temporal dynamics of Limicolae and Laridae (*Himantopus himantopus*, *Larus melanocephalus*, *Larus ridibundus*, *Larus genei*, and *Larus michaellis*)
- Studies of the status of populations and movements of endangered species (including *Platalea leucorodia*, *Gypaetus barbatus*, *Gyps fulvus*, *Aegypius monachus*, *Circaetus gallicus*, *Hieraaetus pennatus*, *H. fasciatus*, *Pandion haliaetus*, *Falco naumanni*, *Crex crex*, *Tetrax tetrax*, *Larus audouinii*, *Sterna dougalli*, and *Lanius minor*)
- Programmes for the re-introduction, boosting and monitoring of populations of birds of prey, in particular vultures (*Gypaetus barbatus*, *Gyps fulvus*, *Aegypius monachus* and *Neophron percnopterus*)
- Censuses, including in post-nuptial migration, and monitoring of breeding populations of many species of birds of prey.

## **Ireland**

Specific measures were carried out in Ireland during the period 1996-1998 concerning endangered bird species:

- The conservation of Terns, especially the Roseate Tern (*Sterna dougalli*) whose numbers in Ireland (687 pairs in 1996; 650 in 1997 and 658 in 1998) are of international importance.
- Setting up an emergency rescue plan for the Corncrake (*Crex crex*).
- Control of disturbance factors and improvement of feeding habitats for the White-Fronted Goose (*Anser albifrons flavirostris*), together with the designation of SPAs in County Wexford and the upholding of the hunting ban, have brought about an increase in the population of this species.
- The Grey Partridge (*Perdix perdix*) of which there are only two viable cores still existing in Ireland, has been the subject of state-subsidised research. On the basis of this study a national conservation strategy has been developed.
- Various other research was carried out, including long-term research programmes (e.g. ringing of birds and winter waterfowl censuses), censuses of sea bird colonies, programmes to monitor breeding populations of several bird species having an unfavourable conservation status, which are localised or included in Annex I to Directive 79/409/EEC.

## **Italy**

The activities carried out in Italy in this connection included the following:

- Drafting of a management plan for certain particularly endangered species included in Annex I to Directive 79/409/EEC, namely: *Porphyrio porphyrio*, *Numenius tenuirostris* and *Larus audouinii*.
- Various long-term monitoring programmes such as the winter censuses of waterfowl and migration monitoring, in particular the « Small Islands » project.
- Genetic analysis of partridges of the genus *Alectoris*.

## **Luxembourg**

Ornithological research in Luxembourg operates on a voluntary basis, and primarily concerns the National League for the Protection of Birds. The main scientific activities were as follows:

- Ringing operations and *ad hoc* surveys of indigenous and migratory species
- Publication of scientific and more general bulletins.
- Various programmes for the monitoring and management of reserves and habitats, in particular to boost populations of endangered birds: Whinchat, Partridge, Woodpeckers, Hazel Grouse and Black Stork

The "Centrale Ornithologique du Luxembourg" (COL) (Luxembourg Ornithological Centre) was set up at the end of the period in question (in January 1998). Its scheduled tasks are to manage ornithological data, update the Red List of Luxembourg avifauna, organise censuses and observations on the spot, and collaborate with the various Luxembourg administrations responsible for nature conservation. It will also formulate projects to safeguard endangered species, and will be responsible for relations with foreign and supra-national organisations.

### **Netherlands**

Financial and other support was provided to projects concerning the protection and management of birds, and in particular:

- Study on the influence of the ingestion of toxic substances on the successful breeding of fish-eating species.
- Programmes to monitor populations of breeding and migratory species in the Netherlands.
- Bird ringing programme.
- Inventories of bird numbers in SPAs already designated or yet to be designated.

### **Finland**

- The Environment Minister has set up a working party to draw up a list of endangered species in Finland, and determine the priority species and those for which Finland has special responsibility. It is also planned to organise the monitoring over time of the trend in these species and their natural habitats.
- Inventories have been carried out in areas of importance for nature conservation.
- Monitoring and counting programmes continued during the period in question, in particular annual censuses along linear transects, as well as ringing and national monitoring for various species (*Aquila chrysaetos*, *Pandion haliaetus*, and *Dendrocopos leucotos*, ...).
- Publication of the Atlas of breeding birds in 1998<sup>14</sup> which presents the results of the survey carried from 1974 to 1979 and from 1986 to 1989.
- Studies of the impact of hunting and predation on various species of tetraonidae.
- Analysis of methods of preventing damage which certain bird species (anseriformes, cormorants) may cause to crops or pisciculture.
- Study of the effects of chemical pollution on birds and the environment.
- Monitoring and counting of colonies of the Great Cormorant (*Phalacrocorax carbo*).

### **United Kingdom**

The JNCC (Joint Nature Conservation Committee) and the regional nature conservation agencies continued their research on the conservation and management of bird populations.

---

<sup>14</sup> Väisänen, R.A. P. Koskimies & E. Lammi. 1998 Muuttuva pesimälinusto. Otava, Helsinki.

- These projects include long-term monitoring of bird populations (including in particular the Common Bird Census and its extension the Breeding Bird Survey, the Wetland Bird Surveys covering a network of nearly 1 500 sites, winter waterfowl counts, the Seabird Monitoring Programme, the Rare Breeding Birds Panel, and the ringing of birds, etc.).
- In 1998, un consortium of UK ornithological organisations published an important reference work indicating the best methods of monitoring for a large number of bird species<sup>15</sup>.
- Research was carried out into the biology of bird conservation, and in particulier the impact of predation by fish-eating birds and birds of prey.
- Another important field of conservation research science was the development of a rapid warning system based on observed trends in breeding bird populations. This system, via an analysis of trends established on the basis of long-term monitoring systems, makes it possible to identify species in need of special attention for their conservation.
- A programme, coordinated at UK level, of standardised monitoring of sites of importance for nature conservation began in 1998.
- Numerous other specific studies on ecology and population dynamics and analyses of the conservation needs of species were also carried out.

#### **5.4 Introduction of bird species which do not occur naturally in the wild in the European territory of the Member States**

*Information for the Member States which provided information is summarised below.*

##### **Germany**

No non-native bird species were introduced into Germany between 1996 and 1998.

##### **Greece**

No exotic species were introduced into Greece between 1996 and 1998.

##### **Spain**

Various species were introduced for hunting purposes. These were in particular *Phasianus colchicus* and *Coturnix japonica* in numerous regions, but also *Francolinus francolinus*, *Lophortyx californica* and *Colinus virginianus* in the Balaeric Islands.

A South American species of parrot, *Myopsitta monachus*, has established itself accidentally without being deliberately introduced. It seems to be posing some problems, especially in Catalonia where a study of its distribution and rangewas carried out in 1998.

---

<sup>15</sup> Gilbert G., Gibbons D.W. & J. Evans. 1998. Bird Monitoring Methods. RSBP, BTO, WWT, JNCC, ITE & the Seabird Group. 464 pp.

## **Ireland**

Populations of the introduced species *Oxyura jamaicensis* were monitored between 1995 and 1998. It was found that the area of distribution and numbers of the species in Ireland had increased. *Anser anser* and *Branta canadensis* are naturally found during migration and overwintering in Ireland. These two species of goose were also introduced as breeding birds and the naturalised populations could pose problems (conflicts with agriculture and other indigenous species) if they continue to spread. A census of breeding populations carried out in 1994 found 977 *Anser anser* and 538 *Branta canadensis*. The latter has more than doubled in numbers since the last census in 1969.

## **Italy**

No new species were introduced in Italy during the period in question. Various species introduced deliberately or otherwise have breeding populations of variable size. *Egretta gularis* recent breeding; *Threskiornis aethiopicus* locally naturalised; *Cygnus olor* naturalised; *Branta canadensis* a few cases of breeding; *Callipepla californica* attempts at acclimatisation; *Colinus virginianus* naturalised in northern Italy; *Alectoris chukar* locally naturalised; *Francolinus francolinus* a single core; *Francolinus erckelii* a single core; *Phasianus colchicus* naturalised; *Psittacus krameri* locally naturalised; *Myiopsitta monachus* locally naturalised; *Paradoxornis alphonsianus* a single core; *Estrilda astrild* occasional breeding; *Amandava amandava* locally naturalised; *Acridotheres tristis* some breeding.

## **Luxembourg**

No exotic species were deliberately introduced in Luxembourg. Some exotic anatidae have been.

## **Finland**

No exotic species were deliberately introduced in Finland during the period in question.

## **United Kingdom**

No exotic species were deliberately introduced in the United Kingdom during the period in question.

The problems caused by accidental introductions and the risks involved in the development of populations of introduced species have been widely discussed. Recommendations have been made with a view to amending the legislation and ensuring better controls to prevent inopportune introductions.

As part of its activities to gather information on rare breeding species, the Rare Breeding Birds Panel decided to collect breeding data for introduced species as well (excluding species that are already well established).

Introduced species that are not established are regularly monitored in the context of the winter waterfowl counts. A tendency for the number of these species and the total number of individuals to increase has been observed and is raising questions. Also, established species such as *Branta canadensis* and *Oxyura jamaicensis* are also tending to increase.

During the period in question the UK Government paid particular attention to the measures needed to reduce the serious threats to populations of *Oxyura leucocephala* (indigenous species) that *Oxyura jamaicensis* (introduced species) poses via hybridisation. In the light of the results of the research carried out during the previous period, in particular concerning the feasibility and methods of controlling populations of *Oxyura jamaicensis* it has been recommended that the results should be applied on a wider scale. A « White-Headed Duck » working party was set up in 1998 . It submitted its recommendations in October 1998 and a pilot test began in January 1999 with the main objectives of testing the possibility of eradicating the population of *Oxyura jamaicensis* in the UK over a 10-year period and costing this operation.