

Wild Birds Directive Text

Council Directive
Of 2 April 1979 On The Conservation Of Wild Birds
(79/409/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission ¹

Having regard to the opinion of the European Parliament²

Having regard to the opinion of the Economic and Social Committee³

Whereas the Council Declaration of 22 November 1973 on the programme of action of the European Communities on the environment⁴ calls for specific action to protect birds, supplemented by the resolution of the Council of the European Communities and of the representatives of the Governments of the Member States meeting within the Council of 17 May 1977 on the continuation and implementation of a European Community policy and action programme on the environment⁵;

Whereas a large number of species of wild birds naturally occurring in the European territory of the Member States are declining in number, very rapidly in some cases; whereas this decline represents a serious threat to the conservation of the natural environment, particularly because of the biological balances threatened thereby;

Whereas the species of wild birds naturally occurring in the European territory of the Member States are mainly migratory species; whereas such species constitute a common heritage and whereas effective bird protection is typically a trans-frontier environment problem entailing common responsibilities;

Whereas the conditions of life for birds in Greenland are fundamentally different from those in the other regions of the European territory of the Member States on account of the general circumstances and in particular the climate, the low density of population and the exceptional size and geographical situation of the island;

Whereas therefore this Directive should not apply to Greenland;

Whereas the conservation of the species of wild birds naturally occurring in the European territory of the Member States is necessary to attain, within the operation of the common market, of the Community's objectives regarding the improvement of living conditions, a harmonious development of economic activities throughout the Community and a continuous and balanced expansion, but the necessary specific powers to act have not been provided for in the Treaty;

Whereas the measures to be taken must apply to the various factors which may affect the numbers of birds, namely

¹ OJ No C 24 , 1.2.1977, p. 3; OJ No C 201, 23.8.1977, p . 2 .

² OJ No C 163, 11.7.1977, p.28.

³ OJ No C 152, 29.6.1977, p.3.

⁴ OJ No C 112, 20.12.1973, p.40.

⁵ OJ No C 139, 13. 6.1977, p.1.

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the repercussions of man's activities and in particular the destruction and pollution of their habitats, capture and killing by man and the trade resulting from such practices; whereas the stringency of such measures should be adapted to the particular situation of the various species within the framework of a conservation policy ;

Whereas conservation is aimed at the long-term protection and management of natural resources as an integral part of the heritage of the peoples of Europe; whereas it makes it possible to control natural resources and governs their use on the basis of the measures necessary for the maintenance and adjustment of the natural balances between species as far as is reasonably possible;

Whereas the preservation, maintenance or restoration of a sufficient diversity and area of habitats is essential to the conservation of all species of birds;

Whereas certain species of birds should be the subject of special conservation measures concerning their habitats in order to ensure their survival and reproduction in their area of distribution;

Whereas such measures must also take account of migratory species and be co-ordinated with a view to setting up a coherent whole;

Whereas, in order to prevent commercial interests from exerting a possible harmful pressure on exploitation levels it is necessary to impose a general ban on marketing and to restrict all derogation to those species whose biological status so permits, account being taken of the specific conditions obtaining in the different regions;

Whereas, because of their high population level, geographical distribution and reproductive rate in the Community as a whole, certain species may be hunted, which constitutes acceptable exploitation; where certain limits are established and respected, such hunting must be compatible with maintenance of the population of these species at a satisfactory level;

Whereas the various means, devices or methods of large-scale or non-selective capture or killing and hunting with certain forms of transport must be banned because of the excessive pressure which they exert or may exert on the numbers of the species concerned;

Whereas, because of the importance which may be attached to certain specific situations, provision should be made for the possibility of derogations on certain conditions and subject to monitoring by the Commission;

Whereas the conservation of birds and, in particular, migratory birds still presents problems which call for scientific research; whereas such research will also make it possible to assess the effectiveness of the measures taken;

Whereas care should be taken in consultation with the Commission to see that the introduction of any species of wild bird not naturally occurring in the European territory of the Member States does not cause harm to local flora and fauna;

Whereas the Commission will every three years prepare and transmit to the Member States a composite report based on information submitted by the Member States on the application of national provisions introduced pursuant to this Directive;

Whereas it is necessary to adapt certain Annexes rapidly in the light of technical and scientific progress; whereas, to facilitate the implementation of the measures needed for this purpose, provision should be made for a procedure establishing close co-operation between the Member States and the Commission in a Committee for Adaptation to Technical and Scientific Progress,

HAS ADOPTED THIS DIRECTIVE:

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Article 1

1 . This Directive relates to the conservation of all species of naturally occurring birds in the wild state in the European territory of the Member States to which the Treaty applies. It covers the protection, management and control of these species and lays down rules for their exploitation.

2 . It shall apply to birds, their eggs, nests and habitats.

3 . This Directive shall not apply to Greenland.

Article 2

Member States shall take the requisite measures to maintain the population of the species referred to in Article 1 at a level which corresponds in particular to ecological, scientific and cultural requirements, while taking account of economic and recreational requirements, or to adapt the population of these species to that level.

Article 3

1 . In the light of the requirements referred to in Article 2, 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 I 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 size as special protection areas for the conservation of these species, taking into account their protection requirements in the geographical sea and

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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 sea and land 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.

3 . Member States shall send the Commission all relevant information so that it may take appropriate initiatives with a view to the co-ordination 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 sea and land 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.

Article 5

Without prejudice to Articles 7 and 9, 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 .

Article 6

1 . Without prejudice to the provisions of paragraphs 2 and 3, 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 wishing to grant such authorisation shall first of all consult the Commission with a view to examining jointly with the latter whether the marketing of specimens of such species would result or could reasonably be expected to result in the population levels, geographical distribution or reproductive rate of the species being endangered throughout the Community. Should this examination prove that the intended authorisation will, in the view of the Commission, result in any one of the aforementioned species being thus endangered or in the possibility of their being thus endangered, the Commission shall forward a reasoned recommendation to the member state concerned stating its opposition to the marketing of the species in question. Should the Commission consider that no

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such risk exists, it will inform the Member State concerned accordingly.

The Commission's recommendation shall be published in the official journal of the European communities.

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.

It shall submit, at the latest four months before the time limit referred to in Article 18 (1) of this Directive , a report and its proposals to the committee referred to in Article 16 , with a view to a decision on the entry of such species in Annex III/2.

Pending this decision, the Member States may apply existing national rules to such species without prejudice to paragraph 3 hereof.

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) .

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:

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- (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.

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 referred to 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 co-ordination of the research and work referred to in this Article.

Article 11

Member States shall see that any introduction of species of bird which do not occur naturally in the wild state in the European territory of the Member States does not prejudice the local flora and fauna. In this connection they shall consult the Commission.

Article 12

1 . Member States shall forward to the Commission every three years, starting from the date of expiry of the time limit referred to in Article 18 (1) , a report on the implementation of national provisions taken thereunder .

2 . The Commission shall prepare every three years a composite report based on the information referred to in paragraph 1. That part of the draft report covering the information supplied by a member state shall be forwarded to the authorities of the Member State in question for verification. The final version of the report shall be forwarded to the Member States.

Article 13

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Application of the measures taken pursuant to this Directive may not lead to deterioration in the present situation as regards the conservation of species of birds referred to in Article 1.

Article 14

Member States may introduce stricter protective measures than those provided for under this Directive.

Article 15

Such amendments as are necessary for adapting Annexes I and V to this Directive to technical and scientific progress and the amendments referred to in the second paragraph of Article 6 (4) shall be adopted in accordance with the procedure laid down in Article 17.

Article 16

1 . For the purposes of the amendments referred to in Article 15 of this Directive, a committee for the adaptation to technical and scientific progress (hereinafter called " the Committee "), consisting of representatives of the Member States and chaired by a representative of the Commission, is hereby set up.

2 . The committee shall draw up its rules of procedure.

Article 17

1 . Where the procedure laid down in this Article is to be followed, matters shall be referred to the committee by its Chairman, either on his own initiative or at the request of the representative of a Member State.

2 . The Commission representative shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit set by the Chairman having regard to the urgency of the matter. It shall act by a majority of 41 votes, the votes of the Member States being weighted as provided in Article 148 (2) of the Treaty . The chairman shall not vote.

3 .

(a) the Commission shall adopt the measures envisaged where they are in accordance with the opinion of the committee.

(b) where the measures envisaged are not in accordance with the opinion of the committee , or if no opinion is delivered , the Commission shall without delay submit a proposal to the Council concerning the measures to be adopted . The Council shall act by a qualified majority.

(c) if , within three months of the proposal being submitted to it , the Council has not acted , the proposed measures shall be adopted by the Commission .

Article 18

1 . Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive within two years of its notification. They shall forthwith inform the Commission thereof.

2 . Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field governed by this Directive.

Article 19

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This Directive is addressed to the Member States.

Done at Luxembourg, 2 April 1979.

For the Council

The President

J. FRANCOIS-PONCET

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ANNEX 1

1.	<i>Gavia stellata</i>	Red-throated Diver
2.	<i>Gavia arctica</i>	Black-throated Diver
3.	<i>Gavia immer</i>	Great Northern Diver
4.	<i>Podiceps auritus</i>	Slavonian Grebe
5.	<i>Pterodroma madeira</i>	Freira
6.	<i>Pterodroma feae</i>	Gon-gon
7.	<i>Bulweria bulwerii</i>	Bulwer's Petrel
8.	<i>Calonectris diomedea</i>	Cory's Shearwater
9.	<i>Puffinus puffinus mauretanicus</i>	Manx Shearwater (Balearic sub-species)
10.	<i>Puffinus assimilis</i>	Little Shearwater
11.	<i>Pelagodroma marina</i>	Frigate Petrel
12.	<i>Hydrobates pelagicus</i>	Storm Petrel
13.	<i>Oceanodroma leucorhoa</i>	Leach's Storm Petrel
14.	<i>Oceanodroma castro</i>	Maderian Storm Petrel
15.	<i>Phalacrocorax carbo sinensis</i>	Cormorant (continental sub-species)
16.	<i>Phalacrocorax aristoteles desmarestii</i>	Shag (Mediterranean sub-species)
17.	<i>Phalacrocorax pygmeus</i>	Pygmy Cormorant
18.	<i>Pelecanus onocrotalus</i>	White Pelican
19.	<i>Pelecanus crispus</i>	Dalmatian Pelican
20.	<i>Botaurus stellaris</i>	Bittern
21.	<i>Ixobrychus minutus</i>	Little Bittern
22.	<i>Nycticorax nycticorax</i>	Night Heron
23.	<i>Ardeola ralloides</i>	Squacco Heron
24.	<i>Egretta garzetta</i>	Little Egret
25.	<i>Egretta alba</i>	Great White Egret
26.	<i>Ardea purpurea</i>	Purple Heron
27.	<i>Ciconia nigra</i>	Black Stork
28.	<i>Ciconia ciconia</i>	White Stork
29.	<i>Plegadis falcinellus</i>	Glossy Ibis
30.	<i>Platalea leucorodia</i>	Spoonbill
31.	<i>Phoenicopterus ruber</i>	Greater Flamingo
32.	<i>Cygnus bewickii</i> (<i>Cygnus colombianus bewickii</i>)	Berwick's Swan
33.	<i>Cygnus cygnus</i>	Whooper Swan
34.	<i>Anser albifrons flavirostris</i>	White-fronted Goose (Greenland sub-species)
35.	<i>Anser erythropus</i>	Lesser White-fronted Goose
36.	<i>Branta leucopsis</i>	Barnacle Goose
37.	<i>Branta ruficollis</i>	Red-breasted Goose
38.	<i>Tadorna ferruginea</i>	Ruddy Shelduck
39.	<i>Marmaronetta angustirostris</i>	Marbled Teal
40.	<i>Aythya nyroca</i>	White-eyed Pochard
41.	<i>Oxyura leucocephala</i>	White-headed Duck
42.	<i>Pernis apivorus</i>	Honey Buzzard
43.	<i>Elanus caeruleus</i>	Black-shouldered Kite
44.	<i>Milvus migrans</i>	Black Kite
45.	<i>Milvus milvus</i>	Red Kite
46.	<i>Haliaeetus albicilla</i>	White-tailed Eagle
47.	<i>Gypaetus barbatus</i>	Bearded Vulture
48.	<i>Neophron percnopterus</i>	Egyptian Vulture

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49.	<i>Gyps fulvus</i>	Griffon Vulture
50.	<i>Aegypius monachus</i>	Black Vulture
51.	<i>Circaetus gallicus</i>	Short-toed Eagle
52.	<i>Circus aeruginosus</i>	March Harrier
53.	<i>Circus cyaneus</i>	Hen Harrier
54.	<i>Circus macrourus</i>	Pallid Harrier
55.	<i>Circus pygargus</i>	Montagu's Harrier
56.	<i>Accipiter gentilis arrigonii</i>	Goshawk (Corsican-Sardinian sub-species)
57.	<i>Accipiter nisus granti</i>	Sparrowhawk (Canadian-Maderian sub-species)
58.	<i>Accipiter brevipes</i>	Levant Sparrowhawk
59.	<i>Buteo rufinus</i>	Long-legged Buzzard
60.	<i>Aquila pomarina</i>	Lesser Spotted Eagle
61.	<i>Aquila clanga</i>	Spotted Eagle
62.	<i>Aquila heliaca</i>	Imperial Eagle
63.	<i>Aquila adalberti</i>	Spanish Imperial Eagle
64.	<i>Aquila chrysaetus</i>	Golden Eagle
65.	<i>Hieraetus pennatus</i>	Booted Eagle
66.	<i>Hieraetus fasciatus</i>	Bonelli's Eagle
67.	<i>Pandion haliaetus</i>	Osprey
68.	<i>Falco naumanni</i>	Lesser Kestrel
69.	<i>Falco columbarius</i>	Merlin
70.	<i>Falco eleonorae</i>	Elonora's Falcon
71.	<i>Falco biarmicus</i>	Lanner Falcon
72.	<i>Falco peregrinus</i>	Peregrine
73.	<i>Bonasa bonasia</i>	Hazel Grouse
74.	<i>Lagopus mutus</i>	Ptarmigan (Pyrenean sub-species)
75.	<i>Lagopus mutus helveticus</i>	Ptarmigan (Alpine sub-species)
76.	<i>Tetrao tetrix tetrix</i>	Black Grouse (continental sub-species)
77.	<i>Tetrao urogallus</i>	Capercaillie
78.	<i>Alectoris graeca saxatilis</i>	Rock Partridge (Alpine sub-species)
79.	<i>Alectoris graeca whitaken</i>	Rock Partridge (Sicilian sub-species)
80.	<i>Alectoris barbara</i>	Barbary Partridge
81.	<i>Perdix perdix italica</i>	Partridge (Italian sub-species)
82.	<i>Perdix perdix hispaniensis</i>	Partridge (Iberian sub-species)
83.	<i>Porzana porzana</i>	Spotted Crake
84.	<i>Porzana parva</i>	Little Crake
85.	<i>Porzana pusilla</i>	Baillon's Crake
86.	<i>Crex crex</i>	Corncrake
87.	<i>Porphyrio porphyrio</i>	Purple Gallinule
88.	<i>Fulica cristata</i>	Crested Coot
89.	<i>Turnix sylvatica</i>	Andalusian Hemipode
90.	<i>Grus grus</i>	Crane
91.	<i>Tetrax tetrax</i>	Little Bustard
92.	<i>Chlamydotis undulata</i>	Houbara
93.	<i>Otis tarda</i>	Great Bustard
94.	<i>Himantopus himantopus</i>	Black-winged Stilt
95.	<i>Recurvirostra avosetta</i>	Avocet
96.	<i>Burhinus oedicephalus</i>	Stone Curlew
97.	<i>Cursorius cursor</i>	Cream-coloured Courser
98.	<i>Glareola pratincola</i>	Collared Pratincole
99.	<i>Charadrius morinellus</i> (<i>Eudromias morinellus</i>)	Dotterel

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100.	<i>Pluvialis apricaria</i>	Golden Plover
101.	<i>Hoplopterus spinosus</i>	Spur-winged Plover
102.	<i>Philomachus pugnax</i>	Ruff
103.	<i>Gallinago media</i>	Great Snipe
104.	<i>Numenius tenuirostris</i>	Slender-billed Curlew
105.	<i>Tringa glareola</i>	Wood Sandpiper
106.	<i>Phalaropus lobatus</i>	Red-necked Phalarope
107.	<i>Larus melanocephalus</i>	Mediterranean Gull
108.	<i>Larus genei</i>	Slender-billed Gull
109.	<i>Larus audouinii</i>	Audouin's Gull
110.	<i>Gelochelidon nilotica</i>	Gull-billed Tern
111.	<i>Sterna caspia</i>	Caspian Tern
112.	<i>Sterna sandvicensis</i>	Sandwich Tern
113.	<i>Sterna dougallii</i>	Roseate Tern
114.	<i>Sterna hirundo</i>	Common Tern
115.	<i>Sterna paradisaea</i>	Arctic Tern
116.	<i>Sterna albifrons</i>	Little Tern
117.	<i>Chlidonias hybridus</i>	Whiskered Tern
118.	<i>Chlidonias niger</i>	Black Tern
119.	<i>Uria aalge</i>	Guillemot (Iberian sub-species)
120.	<i>Pterocles orientalis</i>	Black-bellied Sandgrouse
121.	<i>Pterocles alchata</i>	Pin-tailed Sandgrouse
122.	<i>Columba palumbus azorica</i>	Woodpigeon (Azores sub-species)
123.	<i>Columba trocaz</i>	Long-toed Pigeon
124.	<i>Columba bollii</i>	Bolle's Laurel Pigeon
125.	<i>Columba junoniae</i>	Laurel Pigeon
126.	<i>Bubo bubo</i>	Eagle Owl
127.	<i>Nyctea scandiaca</i>	Snowy Owl
128.	<i>Glaucidium passerinum</i>	Pygmy Owl
129.	<i>Asio flammeus</i>	Short Eared Owl
130.	<i>Aegolius funereus</i>	Tengmalm's Owl
131.	<i>Caprimulgus europaeus</i>	Nightjar
132.	<i>Apus caffer</i>	White-rumped Swift
133.	<i>Alcedo atthis</i>	Kingfisher
134.	<i>Coracias garrulus</i>	Roller
135.	<i>Picus canus</i>	Grey-headed Woodpecker
136.	<i>Dryocopus martius</i>	Black Woodpecker
137.	<i>Dendrocopus major canariensis</i>	Great Spotted Woodpecker (Tenerife sub-species)
138.	<i>Dendrocopus major thanneri</i>	Great Spotted Woodpecker (Gran Canaria sub-species)
139.	<i>Dendrocopus syriacus</i>	Syrian Woodpecker
140.	<i>Dendrocopus medius</i>	Middle Spotted Woodpecker
141.	<i>Dendrocopus leucotus</i>	White-backed Woodpecker
142.	<i>Picoides tridactylus</i>	Three-toed Woodpecker
143.	<i>Chersophilus duponti</i>	Dupont's Lark
144.	<i>Melanocorypha calandra</i>	Calandra Lark
145.	<i>Calandrella brachydactyla</i>	Sort-toed Lark
146.	<i>Galerida theklae</i>	Thekla Lark
147.	<i>Lullula arborea</i>	Woodlark
148.	<i>Anthus campestris</i>	Tawny Pipit
149.	<i>Troglodytes troglodytes fridanensis</i>	Wren (Fair Isle sub-species)
150.	<i>Luscinia svecica</i>	Bluethroat

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151.	<i>Saxicola dacotiae</i>	Canary Islands Stonechat
152.	<i>Oenanthe leucura</i>	Black Wheatear
153.	<i>Acrocephalus melanopogon</i>	Moustached Warbler
154.	<i>Acrocephalus paludicola</i>	Aquatic Warbler
155.	<i>Hippolais olivetorum</i>	Olive-tree Warbler
156.	<i>Sylvia sarda</i>	Marmora's Warbler
157.	<i>Sylvia undata</i>	Dartford Warbler
158.	<i>Sylvia ruepelli</i>	Ruppell's Warbler
159.	<i>Sylvia nisoria</i>	Barred Warbler
160.	<i>Ficedula parva</i>	Red-breasted Flycatcher
161.	<i>Ficedula semitorquata</i>	Semi-collared Flycatcher
162.	<i>Ficedula albicollis</i>	Collared Flycatcher
163.	<i>Sitta krueperi</i>	Kruper's Nuthatch
164.	<i>Sitta whiteheadi</i>	Corsican Nuthatch
165.	<i>Lanius collurio</i>	Red-backed Shrike
166.	<i>Lanius minor</i>	Lesser Grey Shrike
167.	<i>Pyrhcorax pyrhcorax</i>	Chough
168.	<i>Fringilla coelebs ombriosa</i>	Chaffinch (Hierro sub-species)
169.	<i>Fringilla teydea</i>	Canary Island Chaffinch
170.	<i>Loxia scotica</i>	Scottish Crossbill
171.	<i>Bucanetes githagineus</i>	Trumpeter Finch
172.	<i>Pyrrhula murina</i>	Azores Bullfinch
173.	<i>Emberiza cineracea</i>	Cinereous Bunting
174.	<i>Emberiza hortulana</i>	Ortolan Bunting
175.	<i>Emberiza caesia</i>	Cretzschmar's Bunting

ANNEX II/1

	ANSERIFORMES	
1.	<i>Anser fabalis</i>	Bean Goose
2.	<i>Anser anser</i>	Greylag Goose
3.	<i>Branta canadensis</i>	Canada Goose
4.	<i>Anas penelope</i>	Wigeon
5.	<i>Anas strepera</i>	Gadwall
6.	<i>Anas crecca</i>	Teal
7.	<i>Anas platyrhynchos</i>	Mallard
8.	<i>Anas acuta</i>	Pintail
9.	<i>Anas querquedula</i>	Garganey
10.	<i>Anas clypeata</i>	Shoveler
11.	<i>Aythya ferina</i>	Pochard
12.	<i>Aythya fuligula</i>	Tufted Duck
	GALLIFORMES	
13.	<i>Lagopus lagopus scoticus et hibernicus</i>	Red Grouse
14.	<i>Lagopus mutus</i>	Ptarmigan
15.	<i>Alectoris graeca</i>	Rock Partridge
16.	<i>Alectoris rufa</i>	Red-legged Partridge

ANNEX B

Wild Birds Directive Text

17.	<i>Perdix perdix</i>	Partridge
18.	<i>Phasianus colchicus</i>	Pheasant
	GRUIFORMES	
19.	<i>Fulica atra</i>	Coot
	CHARADRIIFORMES	
20.	<i>Lymnocyptes mini-mus</i>	Jack Snipe
21.	<i>Gallinago gallinago</i>	Snipe
22.	<i>Scolopax rusticola</i>	Woodcock
	COLUMBIFORMES	
23.	<i>Columba livia</i>	Rock Dove
24.	<i>Columba palumbus</i>	Wood Pigeon

ANNEX II/2 (Species which may be authorised for hunting in the UK under Article 7(3))

26.	<i>Anser brachyr-hynchus</i>	Pink-footed Goose
27.	<i>Anser albifrons</i>	White-fronted Goose
30.	<i>Aythya mania</i>	Scaup
32.	<i>Clangula hyemalis</i>	Long-tailed Duck
33.	<i>Melanitta nigra</i>	Common Scoter
34.	<i>Melanitta fusca</i>	Velvet Scoter
35.	<i>Bucephala clangula</i>	Goldeneye
39.	<i>Tetrao tetrix</i>	Black Grouse
40.	<i>Tetrao urogal-lus</i>	Capercaillie
45.	<i>Gallinula chlo-ropus</i>	Moorhen
47.	<i>Pluvialis apri-caria</i>	Golden Plover
48.	<i>Pluvialis squa-tarola</i>	Grey Plover
53.	<i>Limosa lap-ponica</i>	Bar-tailed Godwit
54.	<i>Numenius phaeopus</i>	Whimbrel
55.	<i>Nunenius ar-quata</i>	Curlew
57.	<i>Tringa totanus</i>	Redshank
73.	<i>Garrulus glan-darius</i>	Jay
74.	<i>Pica pica</i>	Magpie
75.	<i>Corvus mone-dula</i>	Jackdaw
76.	<i>Corvus frugile-gus</i>	Rock
77.	<i>Corvus corone</i>	Carrion Crow

ANNEX III/1

1.	<i>Anas platyrhynchos</i>	
2.	<i>Lagopus lagopus scoticus et hibernicus</i>	

Wild Birds Directive Text

3.	<i>Alectoris rufa</i>	
4.	<i>Alectoris barbara</i>	
5.	<i>Perdix perdix</i>	
6.	<i>Phasianus colchicus</i>	
7.	<i>Columba palumbus</i>	

ANNEX III/2

8.	<i>Anser albifrons albifrons</i>	White-fronted Goose
9.	<i>Anser anser</i>	Greylag Goose
10.	<i>Anas penelope</i>	Wigeon
11.	<i>Anas crecca</i>	Teal
12.	<i>Anas acuta</i>	Pintail
13.	<i>Anas clypeata</i>	Shoveler
14.	<i>Aythya ferina</i>	Pochard
15.	<i>Aythya fuligula</i>	Tufted Duck
16.	<i>Aythya marila</i>	Scaup
17.	<i>Somateria mollissima</i>	Eider
18.	<i>Melanitta nigra</i>	Common Scoter
19.	<i>Lagopus mutus</i>	Ptarmigan
20.	<i>Tetrao tetrix britannicus</i>	Black Grouse (British population)
21.	<i>Tetrao urogallus</i>	Capercaillie
22.	<i>Fulica atra</i>	Coot
23.	<i>Pluvialis apricaria</i>	Golden Plover
24.	<i>Lymnocyptes minimus</i>	Jack Snipe
25.	<i>Gallinago gallinago</i>	Snipe
26.	<i>Scolopax rusticola</i>	Woodcock

Wild Birds Directive Text

ANNEX IV

- (a) - snares, limes, hooks, live birds which are blind or mutilated used as decoys, tape recorders, electrocuting devices.
 - artificial light sources, mirrors, devices for illuminating targets, sighting devices for night shooting comprising an electronic image magnifier or image converter.
 - explosives.
 - nets, traps, poisoned or anaesthetic bait.
 - semi-automatic or automatic weapons with a magazine capable of holding more than two rounds of ammunition.

- (b) - aircraft, motor vehicles .
 - Boats driven at a speed exceeding five kilometres per hour. On the open sea, member states may, for safety reasons, authorise the use of motorboats with a maximum speed of 18 kilometres per hour. Member states shall inform the commission of any authorisations granted.

ANNEX V

- (a) national lists of species in danger of extinction or particularly endangered species , taking into account their geographical distribution .

- (b) listing and ecological description of areas particularly important to migratory species on their migratory routes and as wintering and nesting grounds .

- (c) listing of data on the population levels of migratory species on their migratory routes and as wintering and nesting grounds .

- (c) listing of data on the population levels of migratory species as shown by ringing .

- (d) assessing the influence of methods of taking wild birds on population levels .

- (e) developing or refining ecological methods for preventing the type of damage caused by birds .

- (f) determining the role of certain species as indicators of pollution .

- (g) studying the adverse effect of chemical pollution on population levels of bird species .