

The Birds Directive

About the Birds Directive

Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (this is the codified version of Directive 79/409/EEC as amended) is the EU's oldest piece of nature legislation and one of the most important, creating a comprehensive scheme of protection for all wild bird species naturally occurring in the Union. It was adopted unanimously by the Member States in 1979 as a response to increasing concern about the declines in Europe's wild bird populations resulting from pollution, loss of habitats as well as unsustainable use. It was also in recognition that wild birds, many of which are migratory, are a shared heritage of the Member States and that their effective conservation required international co-operation.

The directive recognises that habitat loss and degradation are the most serious threats to the conservation of wild birds. It therefore places great emphasis on the protection of habitats for endangered as well as migratory species (listed in Annex I), especially through the establishment of a coherent network of Special Protection Areas (SPAs) comprising all the most suitable territories for these species. Since 1994 all SPAs form an integral part of the NATURA 2000 ecological network.

The Birds Directive bans activities that directly threaten birds, such as the deliberate killing or capture of birds, the destruction of their nests and taking of their eggs, and associated activities such as trading in live or dead birds, with a few exceptions (listed in Annex III - III/1 allows taking in all Member States; III/2 allows taking in Member States in agreement with European Commission). The Directive recognises hunting as a legitimate activity and provides a comprehensive system for the management of hunting (limited to species listed in Annex II - II/1 allows hunting in all Member States; II/2 allows hunting in listed Member States) to ensure that this practice is sustainable. This includes a requirement to ensure that birds are not hunted during the periods of their greatest vulnerability, such as the return migration to the nesting areas, reproduction and the raising of chicks. It requires Member States to outlaw all forms of non-selective and large scale killing of birds, (especially the methods listed in Annex IV). It promotes research to underpin the protection, management and use of all species of birds covered by the Directive (Annex V).

Annexes to the Directive

The Annexes to the Birds Directive have been adapted on a number of occasions in response to scientific and technical progress and to the successive enlargements of the European Union. The most recent adaptation is in response to the Accession of Bulgaria and Romania to the European Union on 1 January 2007.

Directive of 30 November 2009 on the conservation of wild birds (2009/147/EC)(containing the most up to date annexes arising from the successive enlargements including the accession of Bulgaria and Romania)

Annex I

Annex II/1

Annex II/2

Annex III/1

Annex III/2

Annex IV

Annex V

Mallard duckling Work on specific articles:

The management of hunting has proven to be one of the more controversial elements of the Birds Directive and the Commission, together with experts from Member States and key stakeholder groups, has therefore prepared guidance to help ensure that this practice is sustainable and in conformity with the requirements of the Directive. However, it rests with the EU Court of Justice to provide definitive interpretation of these and other provisions of the Directive.

Art 7 - Sustainable hunting guide

More information on the Birds Directive

In August 2007 the journal Science published an analysis showing that the Birds Directive has made a significant difference in protecting many of Europe's most threatened birds from further decline. The groundbreaking paper shows that the Birds Directive has clearly helped those species considered to be most at risk, partly through the designation of Special Protection Areas (SPAs).

International Conservation Policy Delivers Benefits for Birds in Europe

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more information on Wild Birds

2007 Enlargement : Bulgaria & Romania joined the EC

Enlargement 2007 and the Nature Directives

The enlargement of the European Union with two new member states (Bulgaria and Romania) in 2007 has brought amendments of the EU nature conservation legislation – the "Birds Directive" (2009/147/EEC) and the "Habitats Directive" (92/43/EEC). The exercise of negotiating amendments to the lists of habitat types and species of the above directives originally started simultaneously for all 12 candidate countries, and has now been completed for the two most recent Member States. Unlike the 2004 enlargement, the consolidated annexes have not been included in the Treaty of Accession to the European Union of 2005. Based on the political agreement referred to in the Accession Treaty (Accession BG and RO), the Council adopted a directive effecting the changes : Directive 2006/105/EC of 20 November 2006 adapting Directives 73/239/EEC, 74/557/EEC and 2002/83/EC in the field of environment, by reason of the accession of Bulgaria and Romania

What changes in the Birds Directive?

As in the case of the 2004 enlargement, most changes concern the annexes of the directives. In the first place new typical and endangered species and habitats in the new Member States have been added to the annexes, with a limited number of geographic exceptions granted.

Summary of changes introduced to the annexes of the Birds Directive (22KB)

2004 Enlargement: 10 new member states joined the EC

Enlargement 2004 and the Nature Directives

The enlargement of the European Union with 10 new member states (Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia) means that EU nature conservation legislation - the "Birds Directive" (2009/147/EEC) and the "Habitats Directive" (92/43/EEC) - has to be applied to a much larger territory than before. The amazing richness in nature and wildlife is one of the environmental assets the new member states bring to the EU. These countries still host species and habitat types that have nearly vanished from Western Europe. But not only that: they hold nature values that do not occur at all in the old European Union of the 15. This is why the Birds and the Habitats Directives had to be adapted to cover these unique assets.

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These changes, which were proposed by the Acceding Countries, were technically evaluated by the European Topic Centre on Nature Protection and Biodiversity and discussed between the Acceding Countries, existing Member States and the European Commission between 1999 and 2003. The final product forms part of the environment chapter of the Treaty of Accession to the European Union 2003, which was signed in Athens on 16 April 2003.

Summary of changes introduced to the Birds Directive (90KB)

Frequently asked Questions

Have any transition periods been agreed for the nature directives ?

As regards the legal transposition of the directives and the implementation of Natura 2000 network, no transition periods were agreed. Only one strictly limited transition period (until 2008) for one provision of the Birds Directive (trapping of birds) was agreed with Malta (pdf ~70KB)

What are Acceding Countries required to do by accession under the nature directives ?

In the frame of the negotiations much focus was placed on nature conservation and Accession Countries were encouraged to implement the EU nature directives as early as possible. Nature conservation legislation is a horizontal legislation, which needs early attention and must be taken into account when implementing

other EU-policies such as structural, transport or agriculture policy. Therefore Acceding Countries will have to implement the Birds and Habitats Directives from the date of accession (1st May 2004) onwards.

Eagle

Why do we need to take care of our birds?

The EU's rich diversity of over 500 wild bird species has been facing severe threats for a long time. Urban sprawl and transport networks have fragmented and reduced bird habitats, intensive agriculture, forestry and fisheries and the use of pesticides have diminished their food supplies, and there has been a need to regulate hunting to ensure that it does not damage populations. According to the latest scientific studies, 43% of Europe's bird species are threatened or facing serious declines and therefore not in a good conservation status. Read more about why we have to take care of our birds (pdf 28KB)