

**COMPOSITE EUROPEAN COMMISSION REPORT ON
DEROGATIONS IN 2002 AND 2003 ACCORDING TO ARTICLE
9 OF DIRECTIVE 79/409/EEC ON THE CONSERVATION OF
WILD BIRDS**

June 2008

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1 Summary

This composite report summarizes for the EC derogations according to Article 9 of the Birds Directive (79/409/EEC) in 2002 and 2003.

The composite report is based on national derogation reports submitted to the Commission from all of the EU15 Member States.

The number of derogation licences submitted is very different from Member State to Member State – varying from a few in Greece to tens of thousands in Spain. However, the number of licenses is not necessarily a comparable unit, because in some cases one derogation report is covering one license for one bird and in other cases one derogation report is covering many licenses for up to 50.000 individuals of different species. On the other hand using the number of individuals as an indicator is not an option because too many reports lack information on the number of birds concerned.

Other differences are also apparent,. Some Member States are reporting ringing of birds as derogation from Article 9 while others are not. Some countries are using the standardized codes for “Reason”, “Permitted activity” etc. while others are explaining in free text, increasing the risk of misinterpretations.

In most Member States the majority of the derogation licences are issued for the reason of preventing serious damage to crops, livestock, etc., or in the interest of public health and safety by deliberate killing of birds or destruction of eggs as well as for the purpose of research and education (ringing). An exception to this general picture is Spain where a very large number of licenses were issued for the purpose of capture or keeping songbirds.

Submissions of derogations for the purpose of extending the hunting season is seen for a number of Member States and is inconsistent with Art 9 according to the case law of the European Court of Justice.

In general, the reporting from the Member States is good, but in many cases important information is missing. As an example it seems difficult to submit derogations without any explanation of reason, but still it is not uncommon. In many cases the method is not mentioned, the number of individuals is missing and in some cases even the name of the species is not provided.

2 Background and methodology

According to the Birds Directive, Article 9 the Member States may derogate from the provisions of Articles 5, 6, 7 and 8, where there is no other satisfactory solution. Each year the Member States shall send a report to the Commission on the implementation of this Article.

This report is a summary and preliminary analysis of the information on derogations supplied by the EU 15 Member States to the Commission for years 2002 and 2003.

Member States may derogate for the following reasons:

- i. for the protection of flora and fauna,
- ii. to prevent serious damage to crops, livestock, forests, fisheries, water and other forms of properties,
- iii. in the interests of public health and safety, air safety or other overriding public interests,
- iv. for the purposes of research and education, of re-population, of reintroduction and for the breeding necessary for these purposes
- v. to permit, under strictly supervised conditions and on a selective basis, the capture, keeping or other judicious use of certain birds in small numbers.

The following categories are used to describe the permitted actions:

- a. Deliberate killing
- b. Deliberate damage to or destruction of the breeding or resting sites
- c. Deliberate capture and keeping
- d. Deliberate disturbance of the wild fauna
- e. Deliberate destruction or taking of eggs
- f. Possession and international trade

The above mentioned 5 categories for *reasons* (i, ii, iii, iv, v) and 6 categories for actions (a,b,c,d,e,f) will be referred to throughout this report.

2.1 Method

Based on the data from the country reports some broad comparisons of derogations across the EU have been made drawing an overall picture of the number of derogations, the main reasons and methods applied – and at the same time indicating ‘outliers’ in terms of Member States sticking out.

Relevant comparisons and trends are visualised by means of charts presented in the following chapter as a general introduction before the summary of the national reports. Further details on the number of derogation licences are provided in Annex I and II whereas Annex III contains a raw extract from the database in

which the Member States data have been compiled (Access database made available for the Commission as part of this reporting).

It should be stressed that the number of derogations provided in the country reports are very difficult to compare among Member States - and even from year to year within the single country - since in most Member States there is no standard for the derogations granted or in many cases the standard may not be followed.

As an example some derogations within a single Member State are covering only one license for one species, reason and method, while other derogations cover hundreds of licenses for several species and number of individuals (birds, eggs, nests) and for different reasons as well. Important information is missing in many of the analysed reports, such as the reason, the method applied for capture or killing, name of the species concerned and more often the number of individuals.

3 Comparisons and trends across the EU

Keeping in mind the very considerable heterogeneity in the Member States' reporting and the variable consistency of data some broad comparisons and trends across the EU 15 has been made. The main purpose of the comparisons illustrated in the charts below is to provide an immediate overview and impression of the number, reasons, etc. of derogations granted by the Member States.

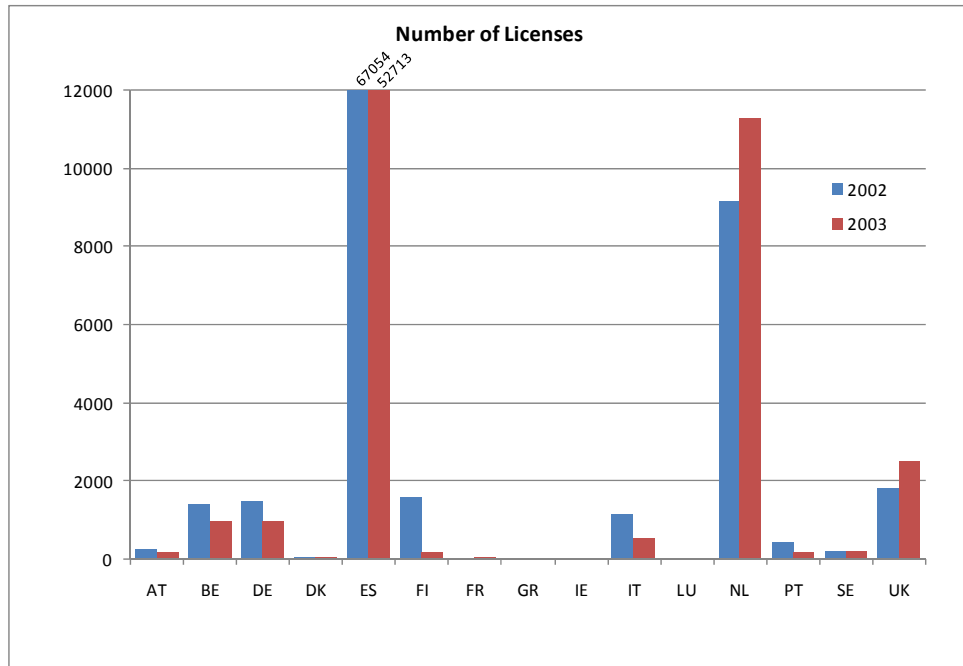


Chart 1: Total number of derogation licences issued by the Member States in 2002 and 2003.

The large number of licences in Spain is mainly due to permissions for capture, keeping or breeding (already in captivity) songbirds or taking of their eggs and in the Netherland to permissions to collect eggs from *Vanellus vanellus*.

In general the number of licences issued by the Member States does not vary considerably between 2002 and 2003. The apparent difference in especially Finland is primarily related to interpretation of the number of licences covered by each derogation permission and does not imply a similar decrease in the number of individual species concerned.

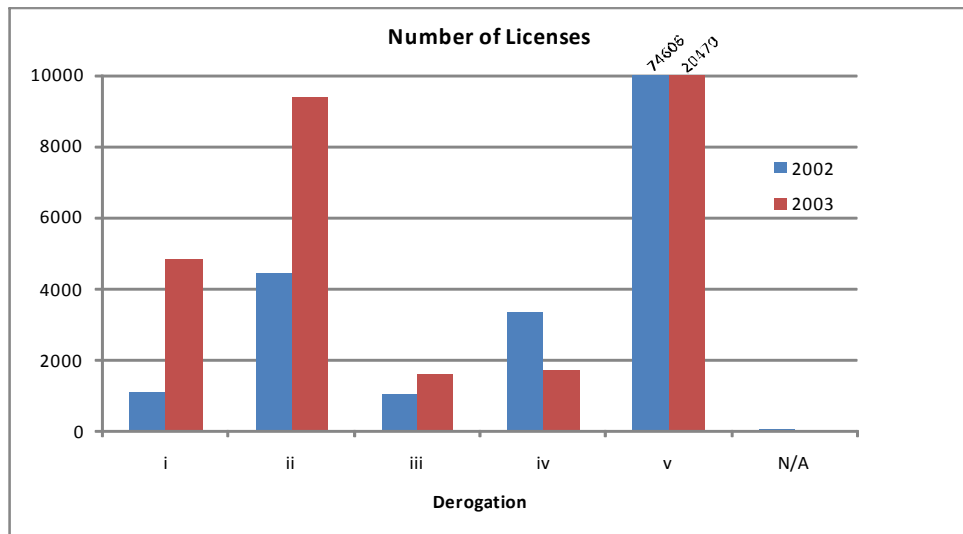


Chart 2: Main reasons for derogation based on the total number of licences issued. (i) protection of flora and fauna, (ii) prevent serious damage to crops, livestock, etc., (iii) in the interest of public health and safety, (iv) research and education, (v) conditioned capture, keeping or other judicious use, (N/A) no information.

In most Member States the majority of the derogation licences are issued for the for the protection of flora and fauna (i) or for the reason of preventing serious damage to crops, livestock, etc. (ii) by deliberate killing of birds or destruction of eggs. Licences issued in the interest of public health and safety (iii) most often related to killing of birds in interest of air safety. Also research and education (iv) accounts for a large number of licences; mainly issued for the ringing of birds. An exception from the general picture of main reason for derogation is - as already mentioned - especially Spain where a very large number of licenses are issued for the purpose of capture or keeping (v) songbirds.

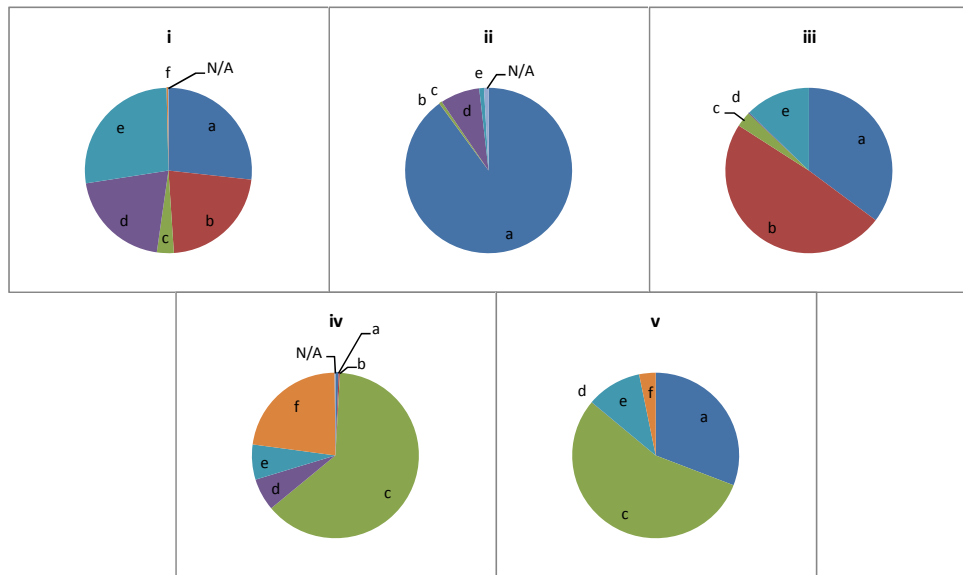


Chart 3: Permitted activities (a- f and N/A) applied for each of the five (i-v) main reasons for derogation in 2002. The activities are: (a) Deliberate killing, (b) Deliberate damage to or destruction of the breeding or resting sites, (c) Deliberate capture and keeping, (d) Deliberate disturbance of the wild fauna, (e) Deliberate destruction or taking of eggs (f) Possession and international trade, (N/A) no information.

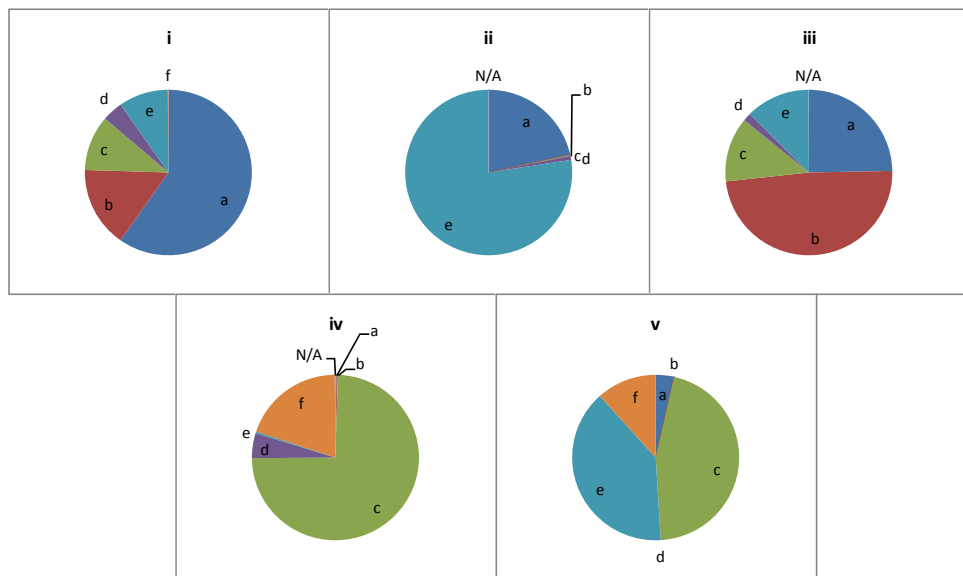


Chart 4: Permitted activities (a- f and N/A) applied for each of the five (i-v) main reasons for derogation in 2003. The activities are explained under Chart 3.

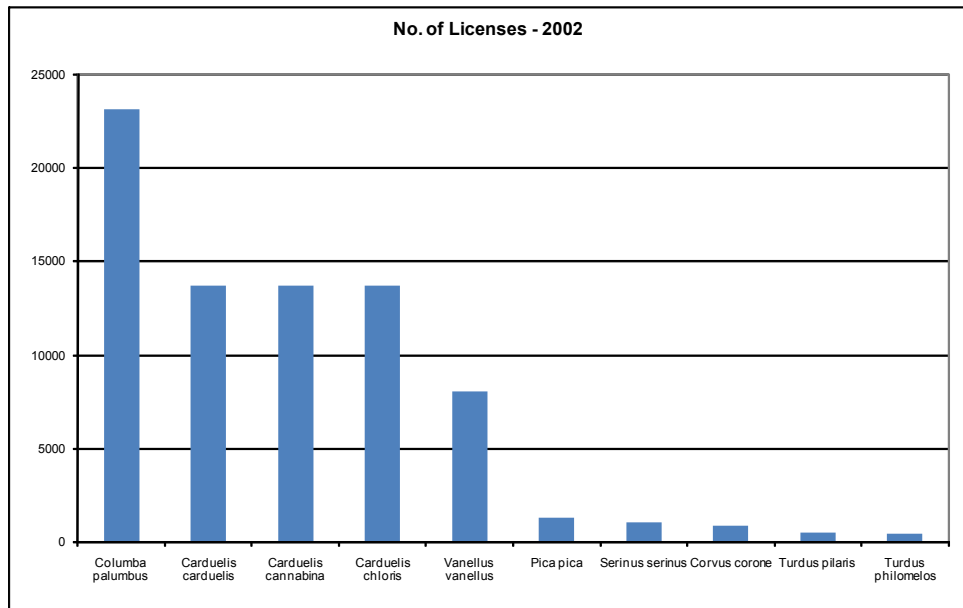


Chart 5: The 10 most derogated species in terms of **number of licences** issued in 2002.

Comparing Chart 5 and 6 there is no general connection between the number of licences issued and the number of individuals affected. Explanations for this discrepancy are many, including missing information about the number of individuals, mass distribution of licences not used, etc.

In Chart 5 almost all licences concerning the ‘top 4 species’ (*Columba palumbus*, *Carduelis carduelis*, *C. cannabina*, *C. chloris*) are issued by Spain whereas in terms of number of individuals concerned (Chart 6) a single licence in France permits capture of more than 500.000 skylarks (*Alauda arvensis*). Also distributed over only a few separate licences about 300.000 finches (*Fringilla coelebs*) and 150.000 starlings (*Sturnus vulgaris*) are permitted to be hunted in Italy (Chart 5).

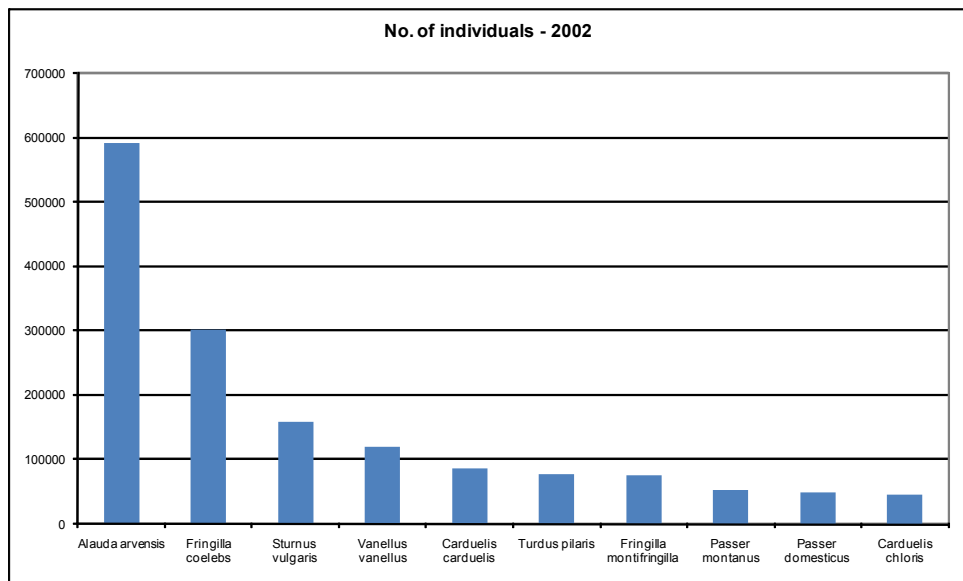


Chart 6: 10 most derogated species in 2002 in terms of **number of individuals**.

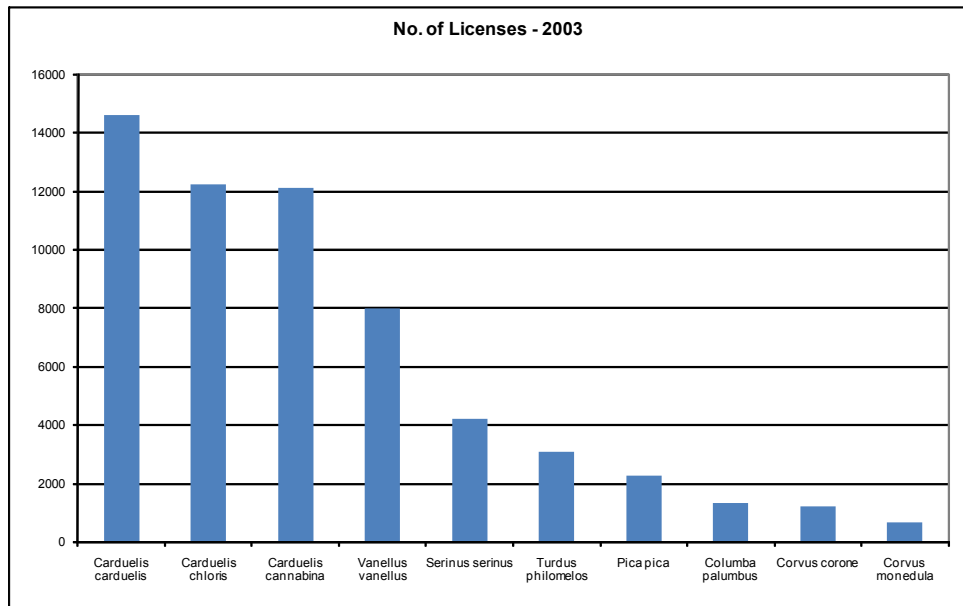


Chart 7: 10 most derogated species in terms of **number of licences** issued in 2003.

The overall picture for 2003 is similar to 2002 as regards the 10 most derogated species (Chart 7 and 8). However, fewer licences are issued in Spain for hunting of woodpigeon (*Columba palumbus*) and no large numbers of skylarks are apparently captured in France in 2003.

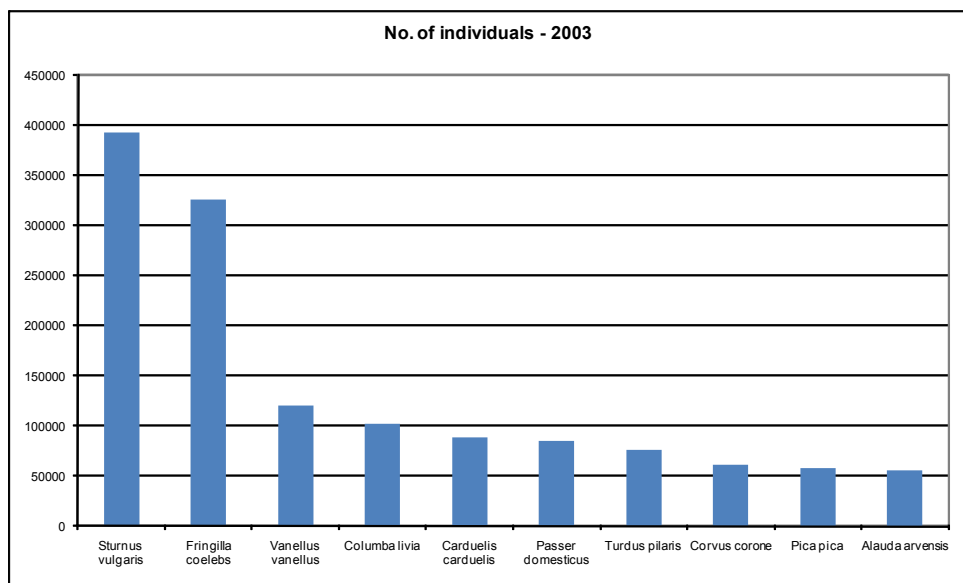


Chart 8: 10 most derogated species in 2003 in terms of **number of individuals**.

4 Member State reports

A summary of the Member States derogation reports is provided below. Detailed information is given in Annex I and II showing for each country the total number of licenses and their distribution among species (Annex I) and within the permitted derogation, categories for reasons and activities (Annex II).

4.1 Austria

In Austria 254 derogation licences were submitted in 2002 and 166 in 2003. The majority of the licences were granted for c-iv, deliberate capture and keeping with the purpose of research and education etc. The species in concern are generally different Passerine species and the purpose is ringing.

In 2002 and 2003 many licenses were submitted for killing birds to prevent serious damage to crops etc. and for the protection of flora and fauna. The killing of quite many Buzzards *Buteo buteo* and Goshawks *Accipiter gentilis* were licensed for the protection of other bird species (among others Western Capercaillie *Tetrao urogallus* and Black Grouse *Tetrao tetrix*, see next paragraph) and mammals.

In 2002 a high number of Western Capercaillie *Tetrao urogallus* and Black Grouse *Tetrao tetrix* were killed without specification of reason. The derogations were issued for spring hunting of these two species - one of them for killing 11.2 % of the population *Tetrao tetrix* in Tirol.

The Court of Justice has decided that the use of derogations with the sole purpose of extending the hunting season is not acceptable. The reason “To permit, under strictly supervised conditions.... exploitation of certain wild animals and plants in small numbers” (v) does not seem to apply because it is not in compliance with any the two approaches used to determine the thresholds for “small numbers” – less than 1% or 5% (for species with favourable conservation status) of the annual mortality.

In the Austrian reporting, data are missing concerning reason, means of killing etc. in many cases.

4.2 Belgium

In Belgium 1406 derogation licences were submitted in 2002 and 985 in 2003. The majority concerned killing of Crows, Starlings, Mallard, Woodpigeon *Columba palumbus* and Gulls for protection of flora and fauna, to prevent serious damage to crops etc. and in the interest of public health and safety etc. (a-i-iii). Also a high number of licenses were given for the purpose of research etc. (c-iv).

A single derogation in 2002 granted 5 licenses to capture Bittern *Botaurus stellaris* for keeping in captivity (c-v), without specifications of the number of birds.

In Belgium the breeding population of this species is very small, only 12-20 pairs (1995-2002), and it is listed as vulnerable in the EU. Therefore, the taking of even a small number of this species for whatever reason should be considered carefully.

In the Belgian reporting data are missing on the number of birds and the means of catching in many cases. Also the different categories are given in words not in codes. This increases the risk of misinterpretations.

4.3 Denmark

In Denmark about 60 derogation licenses were issued in both 2002 and 2003. For both years the main part concerned killing by firearms of gulls, crows and doves in the interest of public health and safety, including air safety (a-iii). A minor number of licenses concerned capture with traps of birds of prey for the protection of wild fauna; in all instances the activity 'capture' were followed by 'releasing'.

4.4 Finland

In Finland 1586 derogation licenses were issued in 2002 and 177 in 2003. The decrease in number of licences issued in the two years is primarily a question of technicalities related to interpretation of the number of licences covered by each derogation permission and does not reflect a similar decrease in the number of individuals concerned.

A high number of derogations were granted for killing of Geese, Gulls, Crows and Doves to prevent serious damage to crops etc. and in the interest of public health and safety etc. (a-ii-iii).

The other major category of derogations in Finland is c-v; "permission under strictly supervised conditions of capture, keeping or other judicious use of certain birds in a small number". A high number of mainly diving ducks have been killed and the derogations seem to function as "permissions" for spring hunting during the period of prenuptial migration for these species.

4.5 France

In France 31 and 73 derogation licences were submitted in 2002 and 2003 respectively. The major reasons were "in the interest of public health and safety" (e-ii) and "for the purpose of research and education" (c-v).

In terms of the number of individuals a single license in 2002 was issued permitting capture of half a million skylarks *Alauda arvensis*.

4.6 Germany

In Germany 1496 derogation licences were granted in 2002 and 954 in 2003. In both years the majority of the derogations are given in the interest of public health etc. (b-iii) and for the purpose of research etc. (f-iv). The decrease in the number of derogations from 2002 to 2003 is mainly in category f-iv, and concerns stuffing of birds. Most of the stuffed birds are found dead, but unfortunately the permitted method is not defined for quite a high number of birds. Category b-iii concerns destruction of nests of many sparrows, swifts and swallows. Interestingly these kinds of actions against these species are not common in any of the other Member States.

A considerable number of the German derogation reports lack information on the reason for derogation, the number of birds and the permitted methods.

4.7 Greece

In Greece 4 derogations were submitted in 2002 and one in 2003. All the derogations are granted for scientific work and most of them for ringing probably by catching in nets. However, the reports are missing data on number of birds, methods and even species concerned.

4.8 Ireland

In Ireland 6 derogations are reported in 2002 and 4 in 2003. They all relate to scientific study and monitoring activities where capture of birds has been allowed. Information is in all instances missing on the number of birds captured.

4.9 Italy

In Italy 1141 derogation licences were submitted in 2002 and 527 in 2003. The main part of the licences were issued for the 'capture, keeping or other judicious use....' (c-v) – in this case hunting with nets of different species of thrushes *Turdus sp.*

Other main reasons are to prevent damage to crops etc. (a-ii), and for the collection of eggs for research and education (e-iv). A special remark should be given to the killing of about 300.000 finches *Fringilla coelebs* every year covered by only a few separate licences and in 2003 also a very large number of starlings *Sturnus vulgaris*; about 300.000 mainly to prevent serious damage to crops.

Except for missing numbers in many cases the Italian derogation reports are good and uniform.

4.10 Luxembourg

During 2002 and 2003 Luxembourg submitted 3 and 4 derogations respectively. Each year, a single derogation was submitted for ringing app. 20.000 birds of different species – but submitted for Reed Warbler *Acrocephalus scirpaceus* only.

The other derogations were without number of individuals and one of the derogations was for killing and scaring away Starlings *Sturnus vulgaris* all year.

4.11 Netherlands

In the Netherlands 9160 derogation licenses were issued in 2002 and 11294 in 2003. The derogation reports for the two years are very similar and many of the licences issued constitute renewals of yearly permissions; e.g. for ringing or stuffing of birds for research or educational purposes (a/c-iii) or for killing of birds in the interest of public health and safety or to prevent serious damage to crops etc. (a-ii-i). Only few of the derogation reports contain information about the number of birds affected. Further, relatively few reports specify the species concerned, and if so species names are provided by popular name only.

The great majority of all licences were issued for the collection of eggs of the Lapwing *Vanellus vanellus* in Friesland – 8000 licenses each year for up to 15 eggs per license, totalling 120,000 eggs per year (e-v).

4.12 Portugal

In Portugal 431 derogation licences were submitted in 2002 and 150 in 2003. The main category is to prevent serious damage to crops etc. by deliberate disturbance of birds (d-ii). Only in few cases the actual number of birds is specified.

4.13 Spain

In Spain more than 60.000 derogation licences were submitted in 2002 and more than 50.000 in 2003. The great majority of all licences were issued for the reason to permit ‘under strictly supervised conditions and on a selective basis, the capture, keeping or other judicious use of certain birds in small numbers’ (a/c/f-v) of especially finches (*Carduelis sp*). Many licenses are however apparently renewed annually for ‘owing ad breeding in captivity’ meaning that the large number of licences does not necessarily reflect capture of more birds every year but more likely keeping of the same individuals year after year.

Also it should be mentioned that a considerable number of licenses are given to hunt Woodpigeons *Columba palumbus* in spring (February 15 - March 25). About 15.500 birds are recorded for 2002 and 3.100 for 2003.

4.14 Sweden

In Sweden 194 licenses were issued in 2002 and in 2003. The main reasons are to prevent serious damage to crops and in the interest of public health and safety etc. by killing of birds (a-ii-iii). A few derogations have been granted for quite high number of individuals of Woodpigeon and Geese all year round to prevent serious damage to crops. These species are usually only problematic in specific periods of time – e.g. sowing in autumn or spring, and therefore the practice of grant-

ing derogations for all year could be reconsidered. The reporting is sound and follows a strict methodology.

4.15 United Kingdom

In the United Kingdom 1826 licences were issued in 2002 and 2521 in 2003. The majority were granted to prevent serious damage to crops and for research and teaching purposes (a-ii, c-iv). There is no simple explanation of the higher number of derogations in 2003, but more derogations were issued for breeding for the protection of the wild fauna in 2003. The reporting is sound and follows a strict methodology.

Report on derogations in 2002 and 2003, Birds Directive 79/409/EEC Article 9

Bulbucus (Ardeola) ibis					6					1			3							10		
Burhinus oedicephalus					3															4	7	
Buteo buteo	5	1	25	3	3			1												1	39	
Calandrella brachydactyla													1								1	
Calidris alba					1																1	
Calonectris diomedea					6																6	
Caprimulgus europaeus			4		3																7	
Carduelis cannabina		12			1370 3															3	13718	
Carduelis carduelis	11		2		1370 5															1	13719	
Carduelis chloris	2		1		1370 2						1									1	13707	
Carduelis flammea	1							8													9	
Carduelis spinus	10		1		37																48	
Casmerodius albus (Egretta alba)			1																		1	
Cercotrichas galactotes					3																3	
Certhia familiaris	1							1													2	
Charadrius alexandrinus					3						1										4	
Charadrius dubius					1																1	
Charadrius morinellus																				9	9	
Chersophilus duponti					4																4	
Ciconia ciconia			12		110			1			1					27					151	
Ciconia nigra			1		2			1													4	
Cinclus cinclus								1			2										3	
Circaetus gallicus					3						1										4	
Circus aeruginosus	1		1	1	8															5	16	
Circus cyaneus			1		4															81	86	
Circus pygargus			2		26						2									2	32	
Clamator glandarius					8																8	
Clangula hyemalis								30												1	31	
Coccythraustes coccythraustes	1		1																		2	
Colinus virginianus			9																		9	
Columba livia					11	25					3								1		40	
Columba livia (f. domestica)																				33	33	
Columba oenas			1													1					2	
Columba palumbus		1		4	2300 4	55					28				1				1	3	23097	
Coracias garrulus			1		1																2	
Corvus corax			18		2	4													1	25	50	
Corvus corone	1	388	21	4	2	424					28				11	11			6		896	
Corvus frugilegus			235	3	1						1	1							1	5	247	
Corvus monedula			2	2	2						1								1	3	11	
Coturnix coturnix	1				1																2	
Crex crex																					7	7
Cuculus canorus								1													2	3
Cyanopica cyanus					1											9					10	
Cygnus olor				1											1					1	3	
Delichon urbica			85		42											11				2	140	
Dendrocopos major	2		22																		24	
Dendrocopos medius			2																		2	
Dendrocopos minor	1		1																		2	
Dryocopus martius			26		1																27	
Egretta garzetta					5						1				3						9	
Elanus caeruleus					1																1	
Emberiza calandra	1																				1	
Emberiza cirius																				6	6	
Emberiza citrinella	2		16																	2	20	

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Emberiza schoeniclus	1															1
Erithacus rubecula	2	57	18		4										24	105
Falco cherrug					23											23
Falco columbarius			1	1	3										93	98
Falco naumanni					29											29
Falco peregrinus	1		14		27									1	118	161
Falco subbuteo	1		3		2										9	15
Falco tinnunculus	3		30	1	41		1			2					1	79
Ficedula albicollis	1															1
Ficedula hypoleuca	2		2				3					1		1	2	11
Fringilla coelebs	11	3	2		40					3					3	62
Fringilla montifringilla	1		2							1						4
Fulica atra					5					1		1			8	15
Fulica cristata					4											4
Galerida cristata					1											1
Gallinago gallinago			1													1
Gallinula chloropus			2		7							1			19	29
Garrulus glandarius	2	1	26		1					5			12		1	48
Gavia arctica															5	5
Gavia stellata															19	19
Gelochelidon nilotica					1					1						2
Glareola pranticola					1					1						2
Grus grus			3													3
Gypaetus barbatus					1											1
Gyps fulvus					14											14
Haematopus ostralegus															6	6
Haliaeetus albicilla			3													3
Hieraaetus fasciatus					16								10			26
Hieraaetus pennatus					8											8
Himantopus himantopus					2											2
Hippolais icterina	11															11
Hirundo rustica	2		6							2					3	13
Hydrobates pelagicus					6											6
Ixobrychus minutus										1						1
Jynx torquilla	1				1											2
Lagopus lagopus							1									1
Lanius collurio	1		23		1					1						26
Lanius excubitor	2		2													4
Laridae												251				251
Larus argentatus		1		4		196	5					2	5	1	8	222
Larus audouinii					5											5
Larus cachinnans					47					1						48
Larus canus				3		1								2	9	15
Larus fuscus				1	2	1									3	7
Larus genei					5					1						6
Larus marinus				2		69								1		72
Larus melanocephalus										1						1
Larus minutus										1						1
Larus ridibundus		1		3	2		2			1				2	8	19
Limosa limosa															6	6
Locustella fluviatilis	1															1
Locustella luscinioides	1															1
Locustella naevia	1															1
Loxia curvirostra	9				1											10
Lucinia svecica svecica	1															1
Lucinia (Cyanosylvia) svecica			1													1
Lucinia megarhynchos	1				4					1						6

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Melanitta fusca					1										1
Melanocorypha calandra				36											36
Mergus merganser			1		19							1	1		22
Mergus serrator					1										1
Merops apiaster				3							19				22
Milvus migrans			1	6		1									8
Milvus milvus		1	29	16				1					23		70
Montrifringilla nivalis	1														1
Motacilla alba	2		2					2					2		8
Motacilla cinerea	1														1
Motacilla flava	1							2							3
Muscicapa striata	2														2
Neophron percnopterus				14											14
Netta rufina				1											1
Numenius arquata			3												3
Numenius phaeopus													10		10
Nycticorax nycticorax				2				1							3
Oceanodroma leucorhoa													6		6
Oenanthe oenanthe			1												1
Oriolus oriolus	1												1		2
Otis tarda				12							1				13
Otus scops	1			2				1							4
Oxyura jamaicensis														4	4
Pandion haliaetus			10										27		37
Parabuteo unicinctus				23											23
Parus ater	1												4		5
Parus caeruleus	2		4	4	1			1					9		21
Parus cinctus					2										2
Parus major	2		7	4	6	1		1		1		1	10		33
Parus montanus					2										2
Parus palustris	1														1
Passer domesticus	1	1	132	9	3			6		1	10	1	8		172
Passer hispaniolensis				5											5
Passer montanus	2		4					5		1		1			13
Passeridae										1					1
Pelecanus crispus							1								1
Perdix perdix			2	1			1	1				13			18
Perisoreus infaustus					2										2
Pernis apivorus			1	4									10		15
Petronia petronia				1											1
Phalacrocorax aristotelis				3									12		15
Phalacrocorax c. sinensis						2									2
Phalacrocorax carbo	44		86	3	1		1	5				34	98		272
Phasianus colchicus	1			4						1		7			13
Philomachus pugnax				1											1
Phoenicopterus ruber				7											7
Phoenicurus ochruros	1		48												49
Phoenicurus phoenicurus	2														2
Phylloscopus collybita	2			4											6
Phylloscopus sibilatrix	2														2
Phylloscopus trochilus	2														2
Pica pica	1	378		3	555	311		26			20	1	11		1306
Picus canus			1												1
Picus viridis	1		17	1											19
Platalea leucorodia								1					1		2
Pluvialis squatarola								1							1
Podiceps auritus													6		6

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Podiceps cristatus			1							4								5
Porphyrio porphyrio					13													13
Prunella modularis	2																3	5
Ptyonoprogne rupestris					1													1
Pyrhacorax pyrrhacorax																	9	9
Pyrrhula pyrrhula	10		2		2												1	15
Rallus aquaticus					1					1								2
Recurvirostra avosetta					1													1
Regulus ignicapillus			1		4													5
Remiz pendulinus	1																	1
Riparia riparia	1																	1
Rissa tridactyla					1					1								2
Saxicola rubetra	1		1															2
Saxicola torquata	2				3					1	1							7
Scolopax rusticola	1			1														2
Serinus canaria					2													2
Serinus citrinella					1													1
Serinus serinus	2		1		1094					1			2					1100
Sitta europaea	1		3															4
Somateria mollissima						30											8	38
Sterna albifrons					1					1							20	22
Sterna dougalli																	3	3
Sterna hirundo			1							1		1						3
Sterna paradisaea			1															1
Sterna sandvicensis		3								1								4
Streptopelia decaocto	1			1	1					4		1						8
Streptopelia turtur					2													2
Strix aluco	4		25		5												1	35
Sturnus unicolor					142								168					310
Sturnus vulgaris	2	211	11	1	85					13	1				1	6		331
Sula bassana					1												1	2
Sylvia atricapilla	2	1	5		4					1	1						1	15
Sylvia borin	2		3														1	6
Sylvia communis	2																1	3
Sylvia curruca	2																	2
Sylvia melanocephala					4													4
Sylvia nisorina	2																	2
Tachybaptus ruficollis			1															1
Tadorna tadorna																	1	1
Tetrao tetrix	1					1												2
Tetrao urogallus	1						1								1	12		15
Tetrax tetrax					13													13
Tringa glareola																	1	1
Tringa totanus										1								1
Troglodytes troglodytes	1		8														1	10
Turdus iliacus			1		1		2			189						5		198
Turdus merula	2		6		6		2			188		120	1	10				335
Turdus philomelos	2	250	11		1		2			189					3			458
Turdus pilaris	1		2			365	2			189			1					560
Turdus torquatus																	1	1
Turdus viscivorus							2										1	3
Turnix sylvatica					4													4
Tyto alba	1	57	67		4											14		143
Upopa epops			3															3
Upupa epops					2													2
Uria aalge													1					1
Vanellus vanellus			4	1	1		1			55		8000				8		8070

					6705												
Total number of Licenses	254	1406	1496	59	4	1586	31	4	6	1141	3	9160	431	194	1826	84651	
Total number of Species	94	24	100	28	143	33	20	4	5	71	3	19	16	32	106	271	

Table 1: 2003

SPECIES NAME	AT	BE	DE	DK	ES	FI	FR	GR	IE	IT	LU	NL	PT	SE	UK	Total
0 N/A									1		1	889				891
Accipiter brevipes			5		28											33
Accipiter gentilis	2		26	1	21									8	55	113
Accipiter nisus			18		19										2	39
Acrocephalus arundinaceus	1															1
Acrocephalus melanopogon	1															1
Acrocephalus palustris	1															1
Acrocephalus schoenobaenus	1															1
Acrocephalus scirpaceus	1		1												1	3
Actitis hypoleucos	1															1
Aegithalos caudatus					3											3
Aegolius funereus			1		2											3
Aegyptius monachus					6		2									8
Alauda arvensis							1			14					20	35
Alca torda					2											2
Alcedo atthis	1		24		3										4	32
Alectoris graeca										2						2
Alectoris rufa					18											18
Alopochen aegyptiacus				1											10	11
Anas acuta															8	8
Anas crecca				1											1	2
Anas penelope															7	7
Anas platyrhynchos		1		4	1	1				1			2	1	20	31
Anas querquedula		1														1
Anser anser		1			3	3								53	193	253
Anser brachyrhynchus															47	47
Anser fabalis		1												52		53
Anthus berthelotii					1											1
Anthus pratensis															14	14
Anthus trivialis	1															1
Apus apus			90		1								1		1	93
Apus caffer					3											3
Apus pallidus					2											2
Apus unicolor					1											1
Aquila chrysaetos					5								1		172	178
Ardea cinerea	3		38	1	6		3					1		1	22	75
Ardea purpurea					1											1
Ardeola ralloides					2											2
Asio flammeus					7										3	10
Asio otus			11		5											16
Athene noctua			4		4											8
Aythya ferina															1	1
Aythya fuligula						1									1	2
Botaurus stellaris			25													25

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Branta bernicla																		85	85
Branta canadensis		1				4											2	401	408
Branta leucopsis			1														10	1	12
Bubo bubo			16		13														29
Bubulcus ibis					2														2
Bucephala clangula						1												26	27
Bulbucus (Ardeola) ibis					3								2						5
Bulweria bulwerii					3														3
Burhinus oedicnemus																		1	1
Buteo buteo	71	1	9	3	5		2											1	92
Calidris alpina	1				1														2
Calidris ferruginea					1														1
Calidris minuta					1														1
Calidris temminckii	1																		1
Calonectris diomedea					10														10
Caprimulgus europaeus			1		1														2
Caprimulgus ruficollis					1														1
Carduelis cannabina					12112														1523
Carduelis carduelis	2				14593														4006
Carduelis chloris	2				12218														1631
Carduelis flammea	1		1																2
Carduelis spinus	1				1														2
Certhia brachydactyla			1																1
Charadrius dubius	1				1														2
Charadrius morinellus																		17	17
Chersophilus duponti					6														6
Chrysolophus pictus					1														1
Ciconia boyciana			1																1
Ciconia ciconia			27		297							68							392
Ciconia nigra					2														2
Cinclus cinclus					5		1											1	7
Circaetus gallicus					3														3
Circus aeruginosus			1		5													9	15
Circus cyaneus					16													186	202
Circus pygargus					35													3	38
Clamator glandarius					9														9
Clangula hyemalis							32											1	33
Coccothraustes coccothraustes	1		4																5
Columba livia					84					13						1	2		100
Columba livia (f. domestica)							9												9
Columba oenas			1																1
Columba palumbus		1		3	697	1				1		650			1	1		1355	
Coracias garrulus					1														1
Coracias garrulus					1														1
Corvus corax			1		74	20				1					1		2		99
Corvus corone	1	551		4	620					42			18		6		1		1243
Corvus frugilegus			175	3						1	2				1		2		184
Corvus monedula			4	2	679					2								1	688
Coturnix coturnix					1														1
Crex crex	2																	27	29
Cuculus canorus			1															1	2
Cursorius cursor					25														25
Cyanopica cyanus					81								16						97
Cygnus										1									1
Cygnus cygnus			1																1
Cygnus olor												1						4	5
Delichon urbica	1		50		38												9		102

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Dendrocopos leucotos			1												1
Dendrocopos major	1	1	6		1								1		10
Dendrocopos medius					5										5
Dendrocopos minor	1														1
Dryocopus martius			2												2
Egretta garzetta												1			1
Elanus caeruleus					15										15
Emberiza calandra	1				4										5
Emberiza cirrus					1									3	4
Emberiza citrinella	2		1												3
Emberiza schoeniclus	1														1
Erithacus rubecula	1		3		6									24	34
Falco biarmicus										6					6
Falco cherrug					1										1
Falco columbarius					1									33	34
Falco naumanni					43										43
Falco peregrinus			5		59									265	329
Falco subbuteo			3											6	9
Falco tinnunculus			23	2	19		1							1	46
Ficedula albicollis			1												1
Ficedula hypoleuca	1				3									2	6
Fringilla coelebs	2		3		1					26				3	35
Fringilla montifringilla					1					12					13
Fulica atra					2							650		7	659
Fulica cristata					4										4
Gallinago gallinago	1		3												4
Gallinula chloropus			2		73						200			17	292
Garrulus glandarius					2					3			29		34
Gavia arctica														49	49
Gavia stellata														70	70
Gelochelidon nilotica					1										1
Glareola pranticola					1										1
Glaucidium passerinum			1												1
Grus grus			3		2										5
Gypaetus barbatus							3								3
Gyps fulvus					11										11
Haematopus ostralegus				2										4	6
Hieraaetus fasciatus					23							3			26
Hieraaetus pennatus					8										8
Himantopus himantopus					1										1
Hippolais icterina	1														1
Hirundo daurica					3										3
Hirundo rustica	2		17		4					2				4	29
Hoplopterus spinosus									1						1
Hydrobates pelagicus					6										6
Jynx torquilla	1		1												2
Lanius collurio	1		1		3										5
Lanius excubitor					7										7
Lanius minor					15										15
Lanius senator					2										2
Laridae												250			250
Larus argentatus				4		16	49				2		3	8	82
Larus cachinnans					65					4					69
Larus cachinnans michahellis					4										4
Larus canus				3									2	8	13
Larus fuscus				2	1									10	13
Larus genei					6										6

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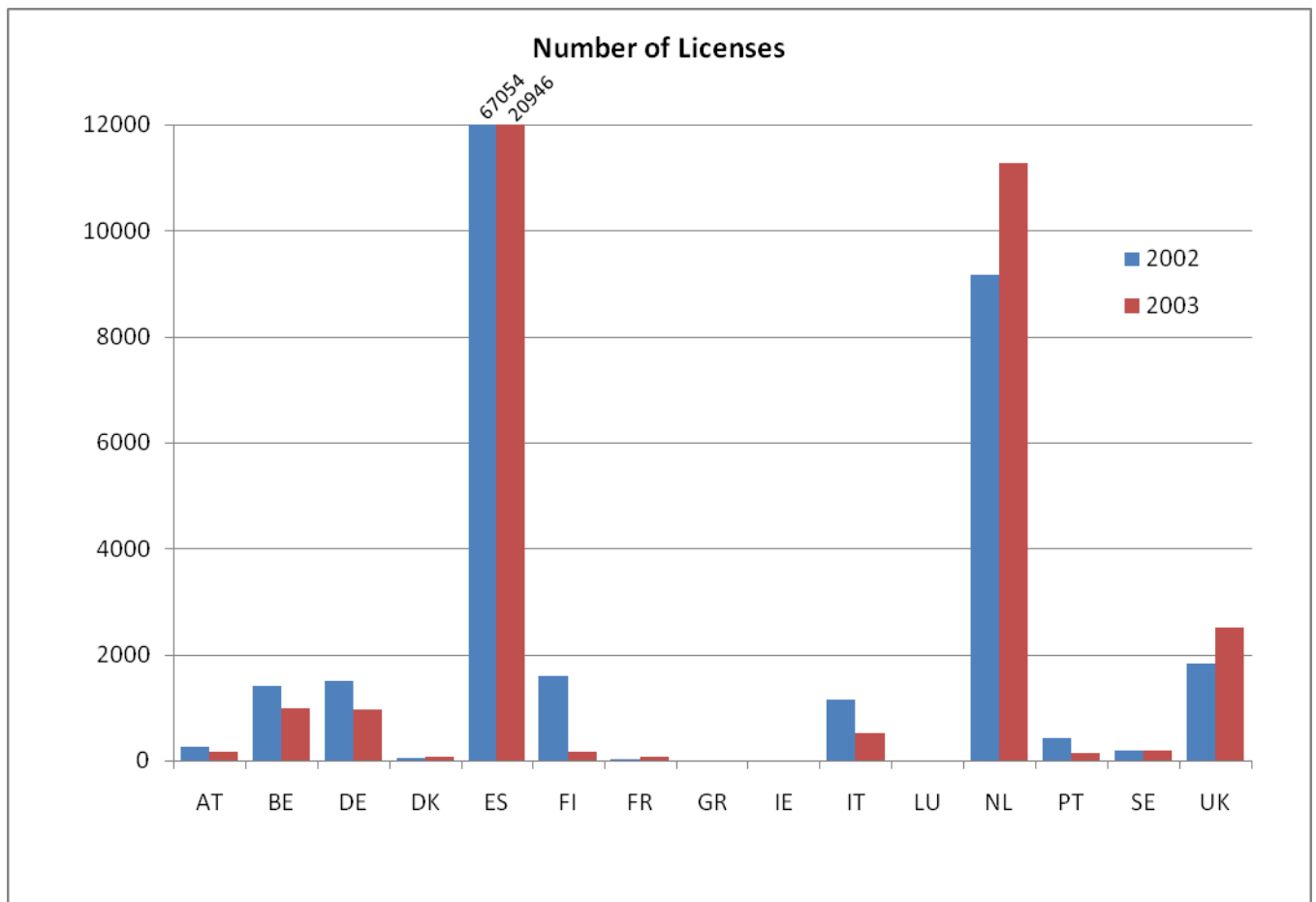
Larus marinus				2		9						1		12
Larus ridibundus				4	2							1	35	42
Limosa limosa													15	15
Locustella fluviatilis	1													1
Locustella luscinioides	1													1
Locustella naevia	1													1
Loxia curvirostra	1		2											3
Luscinia svecica svecica	1													1
Luscinia (Cyanosylvia) svecica					1									1
Luscinia luscinia	1													1
Luscinia megarhynchos	1								1					2
Melanitta fusca						1								1
Melanitta nigra			1											1
Mergus merganser						21							28	49
Mergus serrator						1							8	9
Merops apiaster	1				20									21
Milvus migrans					4									4
Milvus milvus			3		20								32	55
Motacilla alba	1		2										2	5
Motacilla cinerea													1	1
Motacilla flava	1								1					2
Muscicapa striata	1								1				1	3
Neophron percnopterus					24									24
Numenius arquata			1	1									5	7
Numenius phaeopus													13	13
Nycticorax nycticorax					1									1
Oceanodroma castro					3									3
Oceanodroma leucorhoa													8	8
Oriolus oriolus	1												1	2
Otis tarda					10									10
Otus scops					17									17
Oxyura jamaicensis					1								1	2
Pandion haliaetus			1		25								47	73
Parabuteo unicinctus					1									1
Parus ater													2	2
Parus caeruleus	1		8		7		1		1				3	21
Parus cristatus					4									4
Parus major	1		7		7		1		1			1	8	26
Passer domesticus			127		311				26			1	1	466
Passer hispaniolensis					235									235
Passer montanus	1		3		4				19			1	2	30
Pelagodroma marina					28									28
Perdix perdix				2								18		20
Pernis apivorus					1								10	11
Petronia petronia					6									6
Phalacrocorax aristotelis					6								4	10
Phalacrocorax c. sinensis			36									10		46
Phalacrocorax carbo	3		38	3	5		6		17				179	251
Phasianus colchicus	1			4					1		650	13		669
Phoenicurus ochrurus			56											56
Phoenicurus phoenicurus	1													1
Phylloscopus c. exsul					2									2
Phylloscopus canariensis					4									4
Phylloscopus collybita	1													1
Phylloscopus trochilus	1													1
Pica pica	2	384		4	1870	15			31			1	2	2309
Picus canus			2											2

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Tyto alba		1	22		13										11	47
Upopa epops			1													1
Upupa epops					1											1
Vanellus vanellus	1	1		1	2		1			4		8000			6	8016
Total number of Licenses	166	985	954	61	52713	177	73	1	4	527	4	11294	150	194	2521	38057
Total number of Species	80	13	76	26	158	19	14	1	2	34	2	10	11	28	108	275

Annex II – Table of the number of derogation licenses

Below is a figure with the number of licenses reported by the Member States in 2002 and 2003.



Annex III – Raw extract from database

The information provided in the Member States derogation reports from 2004 have been entered into a database (Access) made available for the Commission on CD ROM as part of this reporting.

A raw extract of data from the database is provided in this Annex III.

An interpretation of the standardised codes for derogation motive (reason), activity (action) and method (means of kill) applied in the database is shown in the three tables below.

Reason code	NAME	BBCODE
0	N/A	0
10	in the interests of public health and safety	iii
11	in the interests of public health	iii
12	in the interests of public safety	iii
20	in the interests of air safety	iii
30	to prevent serious damage to crops, livestock, forests, fishery and water	ii
31	to prevent serious damage to crops	ii
32	to prevent serious damage to livestock	ii
33	to prevent serious damage to forests	ii
34	to prevent serious damage to fishery	ii
35	to prevent serious damage to water	ii
36	to prevent serious damage to agricultural stock-breeding	ii
40	for the protection of flora and fauna	i
41	for the protection of wild flora	i
42	for the protection of wild fauna	i
50	for the purposes of research and teaching, of restocking, of re-introduction and for the breeding necessary for these purposes	iv
51	for the purposes of research and teaching	iv
52	for the purposes of restocking	iv
53	for the purposes of re-introduction	iv
54	for the purposes of breeding necessary for activities 51, 52, 53	iv
60	to permit, under strictly supervised conditions and on a selective basis, the capture, keeping or other judicious use of certain birds in small numbers	v
61	to permit, under strictly supervised conditions and on a selective basis, the capture of certain birds in small numbers	v
62	to permit, under strictly supervised conditions and on a selective basis, the keeping of certain birds in small numbers	v
63	to permit, under strictly supervised conditions and on a selective basis, other judicious use of certain birds in small numbers	v

Action code	NAME
0	N/A
20	Capture
21	Capture for decoy use
22	Capture (ringing)
23	Capture (hunting with nets)
24	Capture (hunting with snares)
25	Capture (hunting with lime)
26	Capture for keeping in captivity
30	Killing
31	Poisoned baits
40	Hunting
41	Falconry
50	Keeping in captivity
51	Keeping and caring for wounded birds
60	Releasing
70	Stuffing
80	Scaring away
90	Breeding
100	Taking of eggs
110	Marketing
120	Destruction of nests
130	Transport

Means of kill codes	NAME
0	N/A
1	snares
2	live animal used as decoys which are blind or mutilated
3	tape recorders
4	electrical devices capable of killing and stunning
5	artificial light sources
6	mirrors and other dazzling devices
7	devices for illuminating targets
8	sighting devices for night shooting
9	explosives
10	nets
11	traps
12	poison and poisoned or anaesthetic bait
13	gassing or smoking out
14	semi-automatic weapons with a magazine
15	aircraft
16	motor vehicles in motion
17	limes
18	hooks
20	killing
21	killing by firearms
22	killing egg pricking
30	capture
31	capture, traps
32	capture, nets
40	destruction of nests
41	destruction of nests by hand
42	found dead
43	Killing by hand
44	scared away with repellent
45	Construction mashines
46	Falconry
47	Taking by hand
48	scared away with firearms and gas machines
49	Taking of sterile eggs