

Birds Directive Article 9§1.c - judicious use for socio-cultural and conservation benefit.

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A New Vision for the Birds Directive
Brussels, 23 September 2014



Considerations

1. Basic scientific and cultural requirements.
2. Article 9 provides scope for adaptive governance.
3. To realise science-based cultural benefits that conserve bird populations.

The Birds Directive

Article 2

Member States shall take the requisite measures to maintain the population of [all species of naturally occurring birds in the wild state in the European territory of the Member States] 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.

This combination of Article 1 with Article 2 is the primary objective of the Birds Directive.

The Birds Directive

Article 7

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.

Article 9

1. Member States may derogate from the provisions of Articles 5 [protection], 6 [trade control], 7 [hunting control] and 8 [techniques], where there is no other satisfactory solution, for the following reasons:
 - (a) in the interests of public health and safety,
 - in the interests of air safety,
 - to prevent serious damage to crops, livestock, forests, fisheries, 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 authorized ...,
- the conditions of risk and the circumstances ... ,
- the authority empowered to declare that the required conditions obtain & to decide what [how] & by whom..

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.

Thus,

Member States may derogate [from specific restrictions and permissions], where there is no other satisfactory solution to maintain[ing] the population of [wild birds] at a level which corresponds in particular to ecological, scientific and cultural requirements, while taking account of economic and recreational requirements, for ...

- Protecting people, property, water, fauna and flora
- Research, education and biodiversity restoration
- Capture, keeping and other judicious use (in small numbers, under strictly supervised conditions and on a selective basis).

However, they must enable annual Commission review.

Number, supervision, selectivity

Source: http://ec.europa.eu/environment/nature/conservation/wildbirds/hunting/docs/hunting_guide_en.pdf

For abundant species with a favourable conservation status, taking in excess of the 1% threshold (up to 5% of annual mortality) may be considered following an in-depth scientific analysis by the competent authority which authorises the derogation. This would be in order to verify that the derogation is not incompatible with the objectives of the Directive (section 3.5.42).

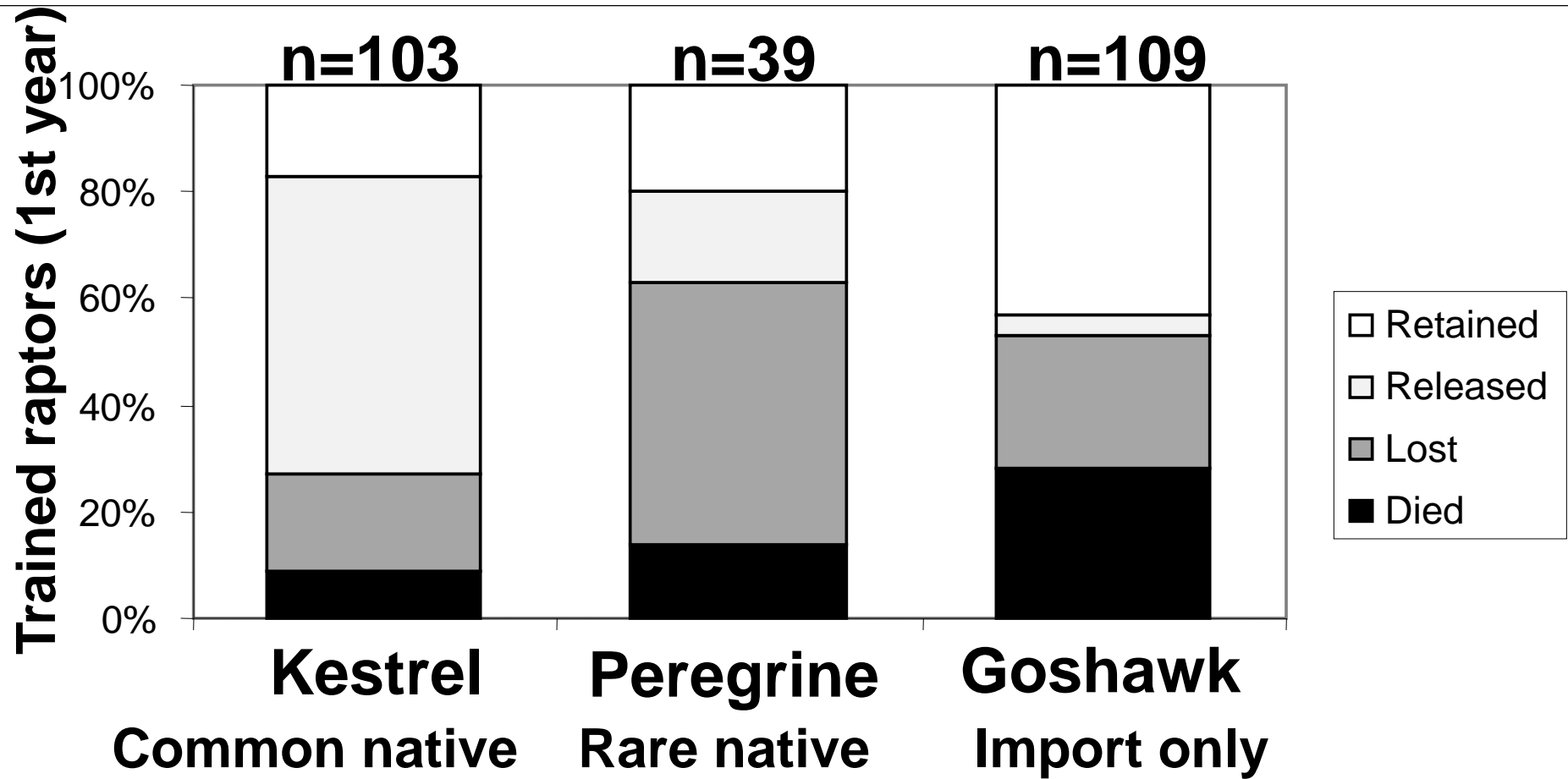
It would seem reasonable to propose that the phrases "under strictly supervised conditions and on a selective basis" should be understood to imply a system of individual authorisations (or narrow-category authorisations involving a high degree of accountability), and should imply strict territorial, temporal and personal controls (section 3.5.54)

Falconry, wild raptors and habitats



Pre 1970: trained UK raptors were wild³

Wild-use by British Falconers' Club pre-1970. Most were Kestrel, Peregrine & notably Goshawk. Kestrels were more often lost or released in their first year of life than (relatively expensive imported) Goshawks.

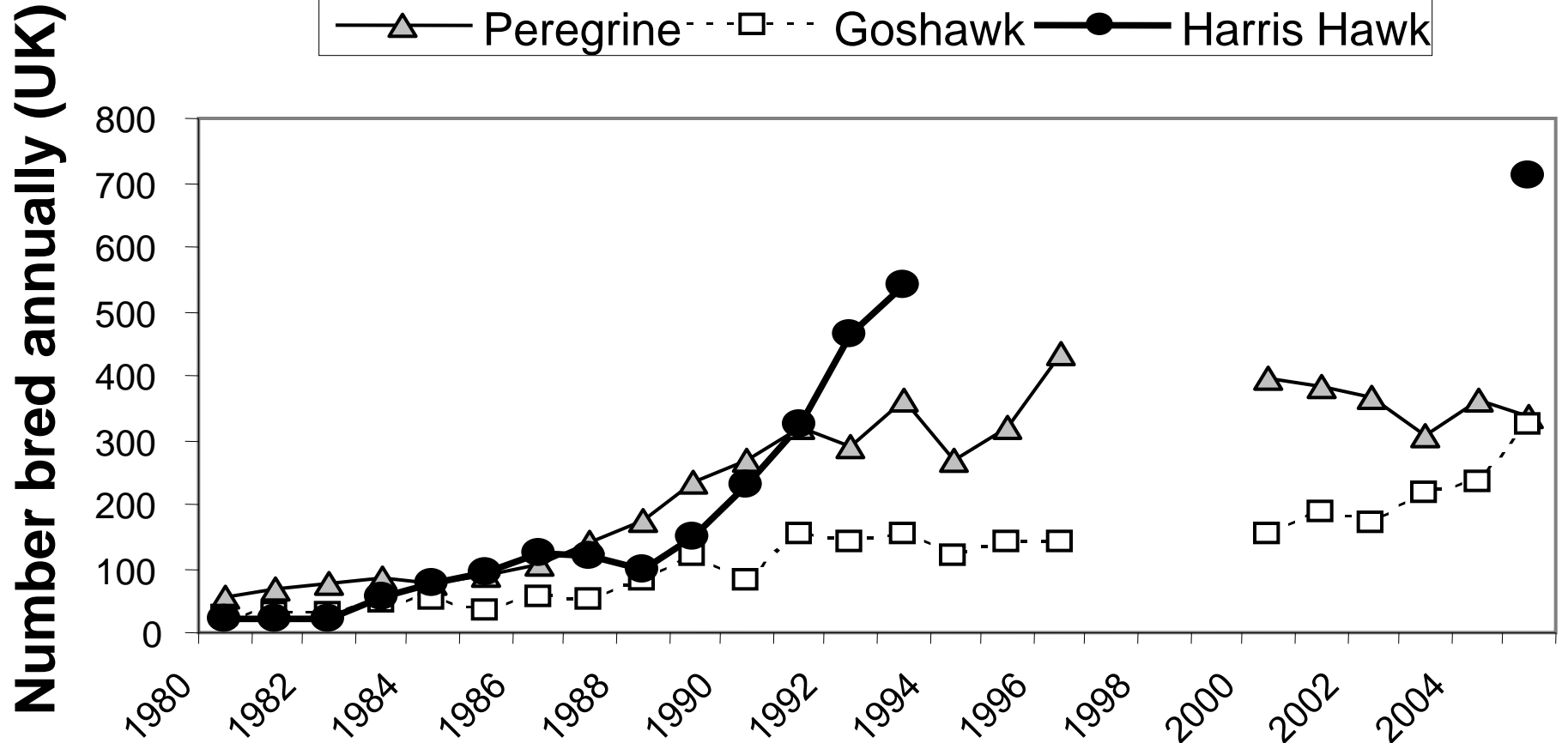


However, with pesticide (DDT) era in UK:

- **Falconers stopped seeking wild-use licences**
- **Domestic bred values rose to €1,500**
- **DNA-parent-testing stopped ‘laundering’**
- **Supply = Demand: prices fell to ca. €750**
- **Breeding of exotic raptors increased**

Development of domestic breeding (UK)

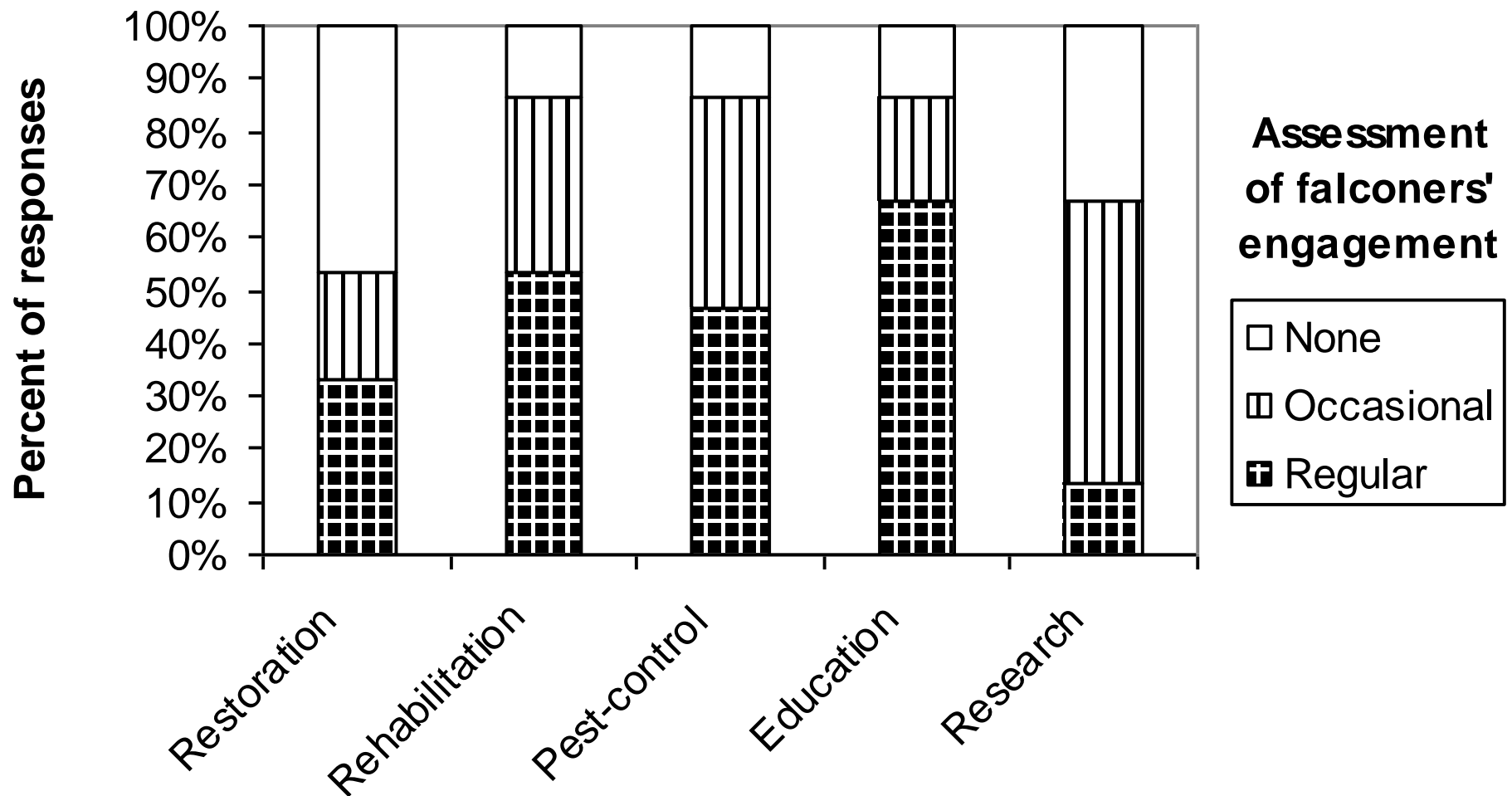
Production of goshawks developed more slowly than for other species favoured by falconers, especially Harris Hawks (government data were kept only for Annex I species after 1993).



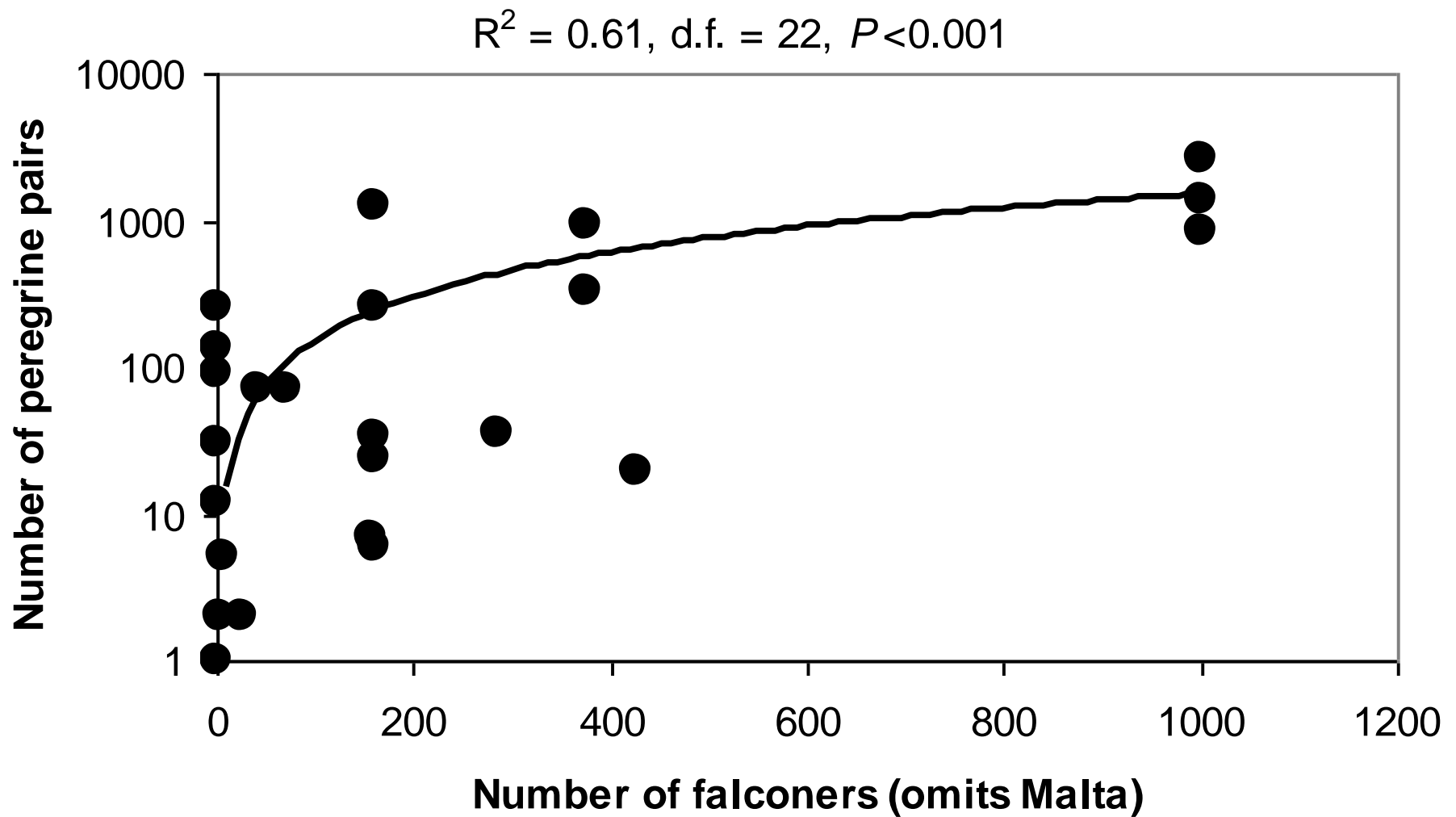
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- **European Commission’s Ornis Committee, responsible for the Wild Birds Directive, conducted a survey of falconry.**

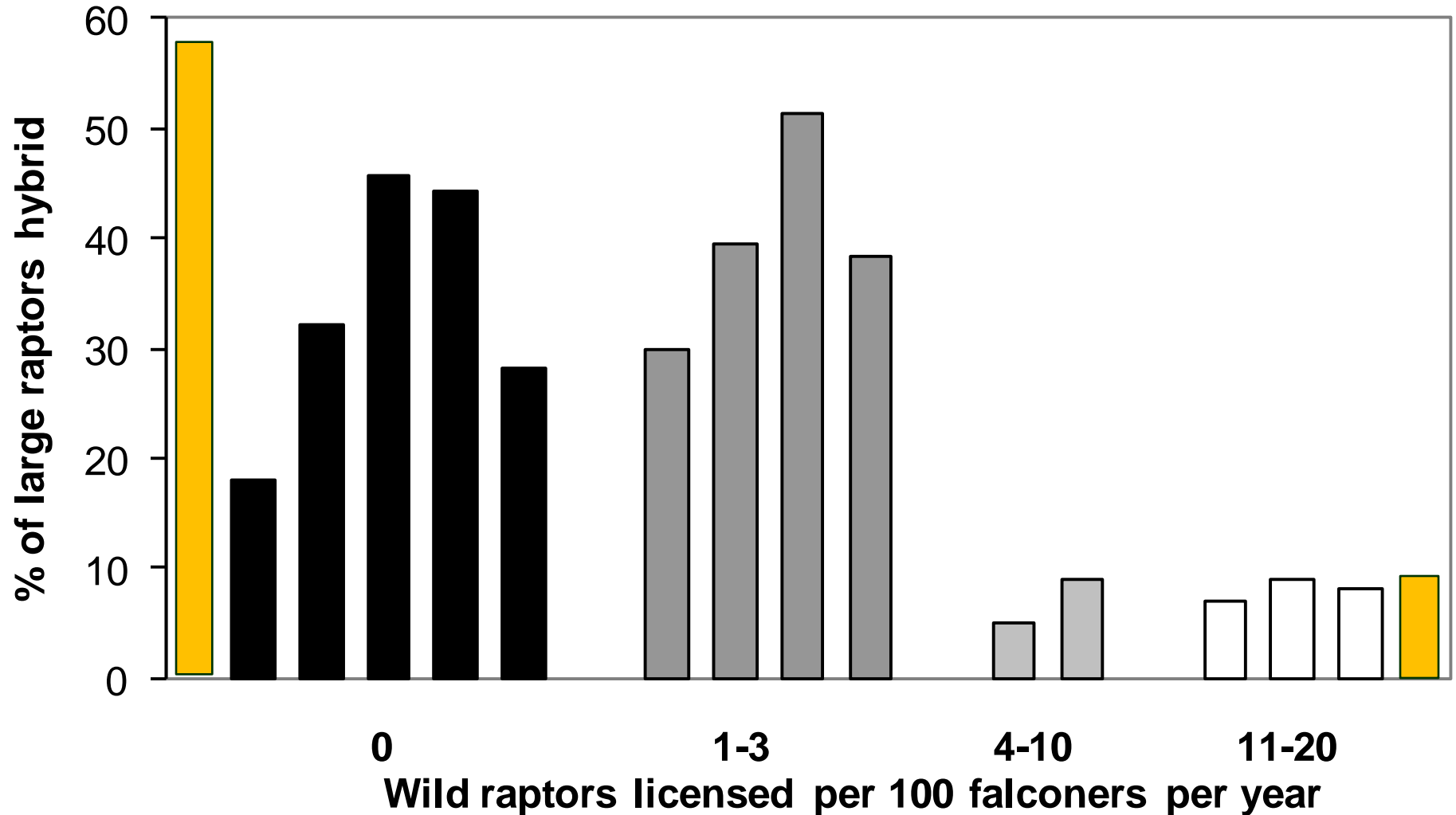
Assessment of Falconry Contributions by Wild Bird Directive Representatives from European Union member states⁴



BirdLife recorded large Peregrine populations in EU states with high numbers of falconers, giving no evidence of damage to this popular species⁴.



Falconers use few hybrids where they have good access to wild raptors (IAF+CMS data)



Value from Falconers for Culture (recognition by UNESCO) and Science-based Conservation

Education (hands-on attracts the young)
Research (e.g. breeding, predation, disease)
Management (e.g. release, pest-control)

**Conserving through Use (what pays, stays)
of raptors**



Goshawks and pheasants in Sweden

captured near nests post fledging,



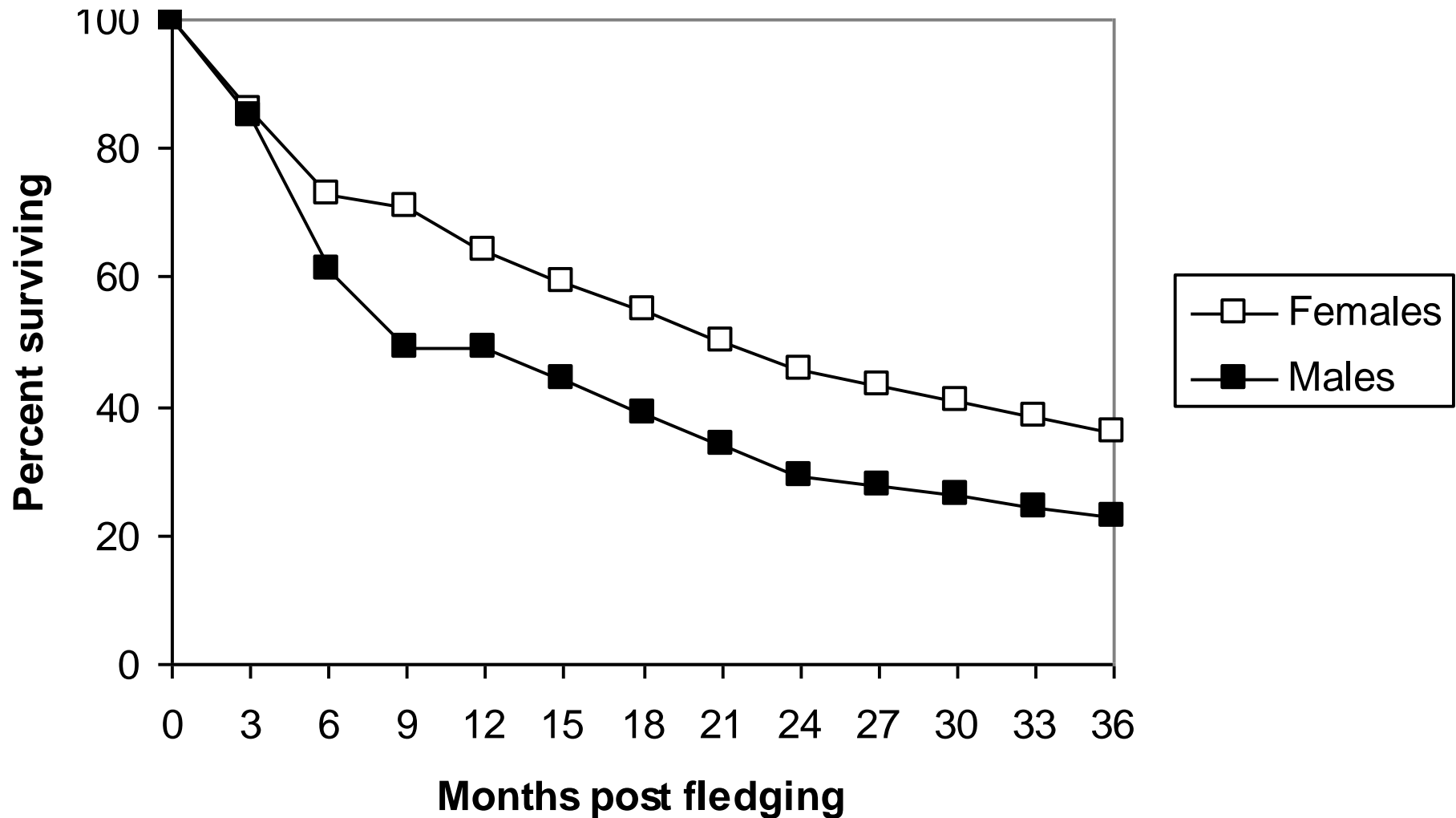
tracked with tail-mount radio tags



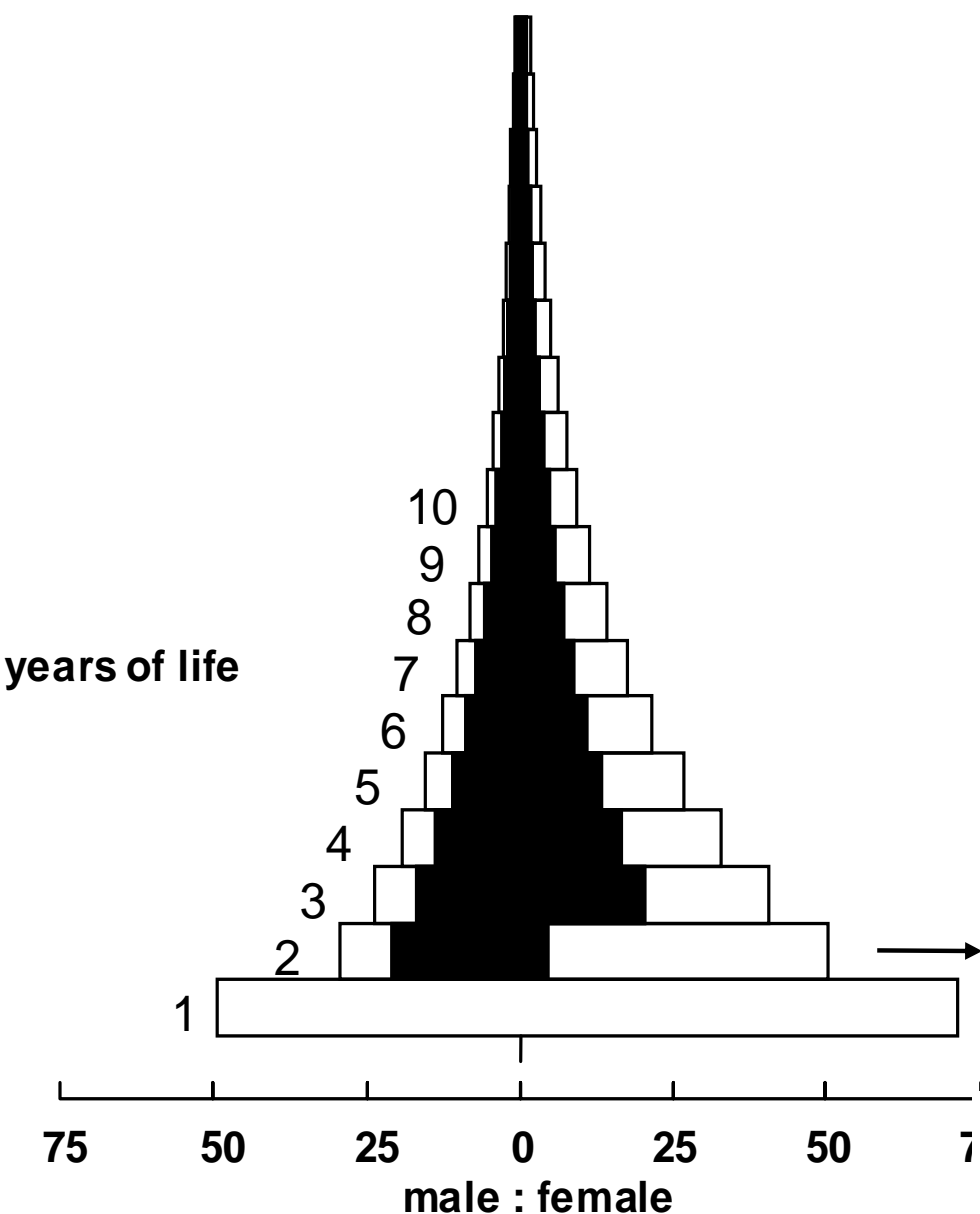


... over considerable distances,

**estimated survival rates for combination
with breeding data to model populations.
Females survived better than males, so ..**



population models showed many females could be taken, but fewer males.



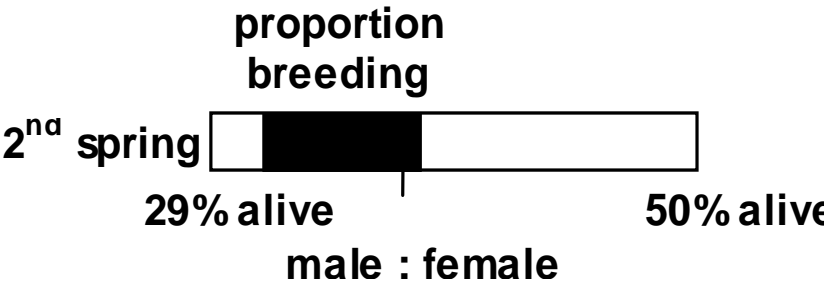
PARAMETERS
male : female

Survive year 1 :	49%	71%
Survive year 2 :	59%	70%
Survive year 3+:	81%	81%

Breed year 1 :	0%	0%
Breed year 2 :	82%	82%
Breed year 3+:	25%	53%

Fledged/breeding pair: 1.68 young

Maximum age: 18 years



Falconers like females!

The same modelling has been done for buzzards, and for saker falcons for CMS



SUSTAINABLE EYASS HARVEST LEVELS²

Goshawk

male 16%, female 53%

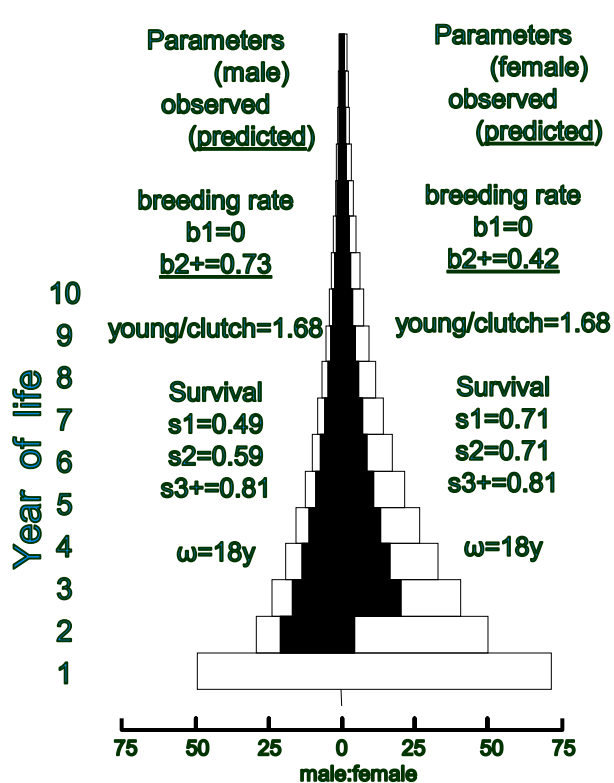
Buzzard

both 66%

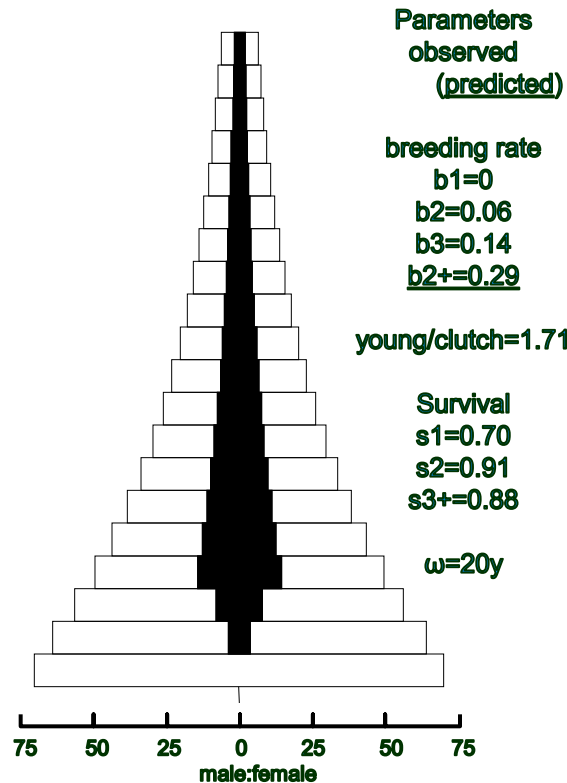
Saker (Asia)

both 50%

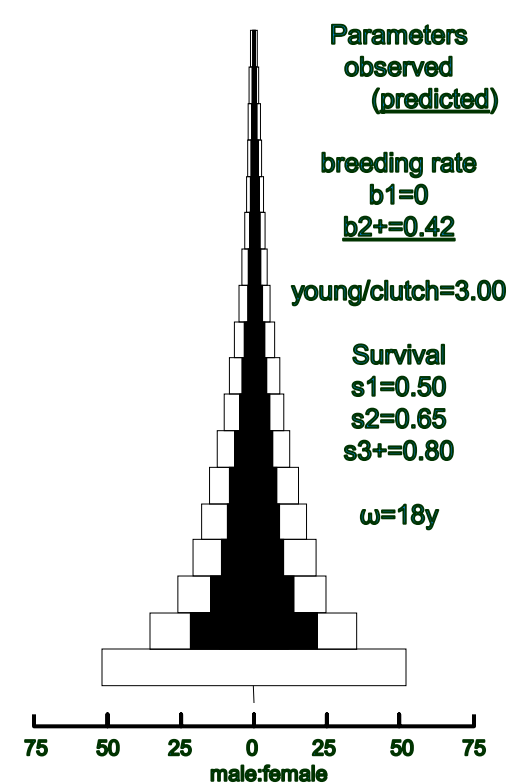
Birds present in spring: survivors in white, breeders in black



Northern Goshawk
best-estimate survival



Common Buzzard
minimum survival



Saker Falcon
DNA & minimum survival

Combining science and culture: conserving raptors through use

Annually in Europe:

Domestic bred raptors for falconry: 10,000

Goshawk value by breeding: £750-£1,000

Pairs of wild goshawks in Europe: 55,000

Young of wild goshawks in Europe: 100,000

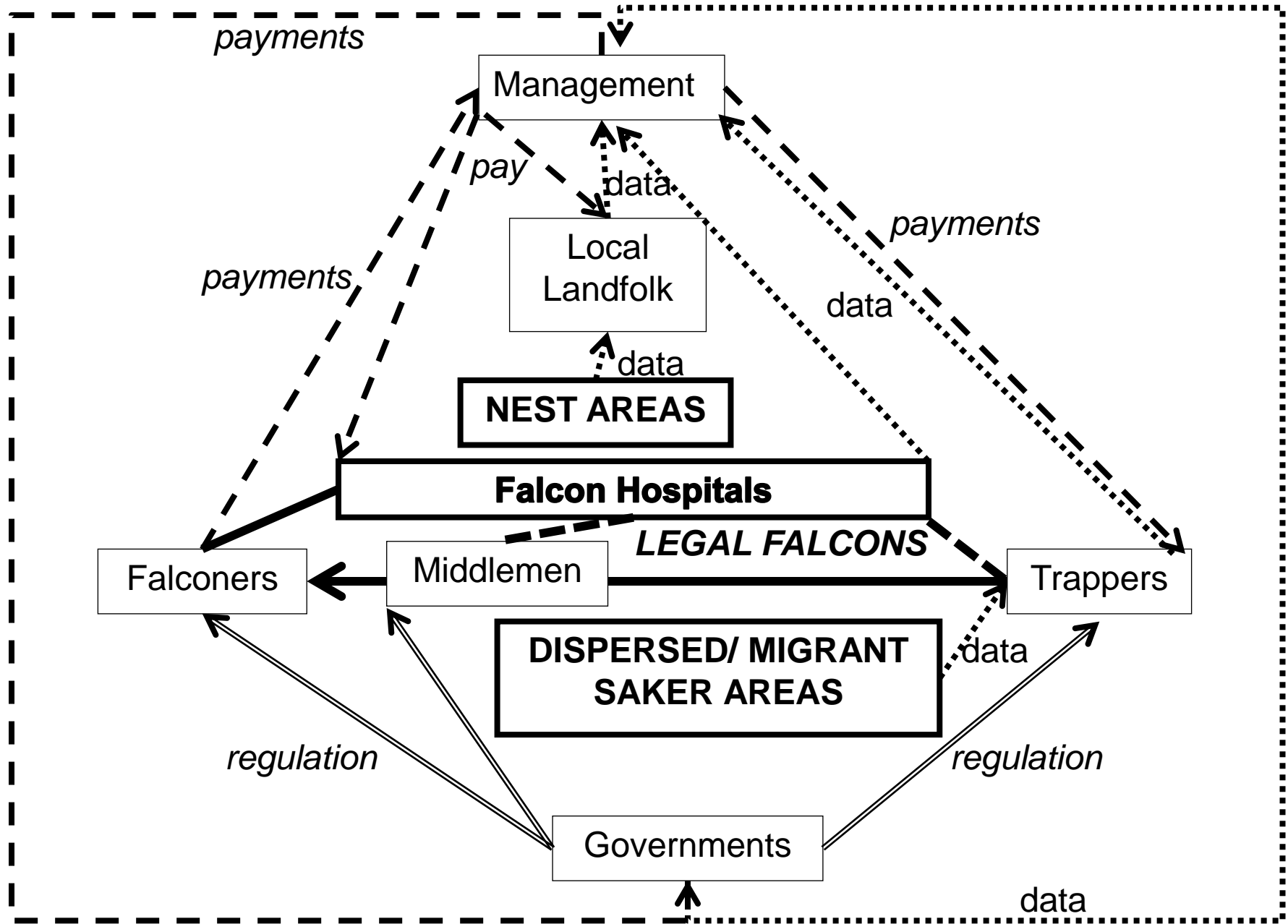
Use in falconry: 5% = 5,000 = £4-5 million

SCOPE FOR MONITORING

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CMS management system for Sakers

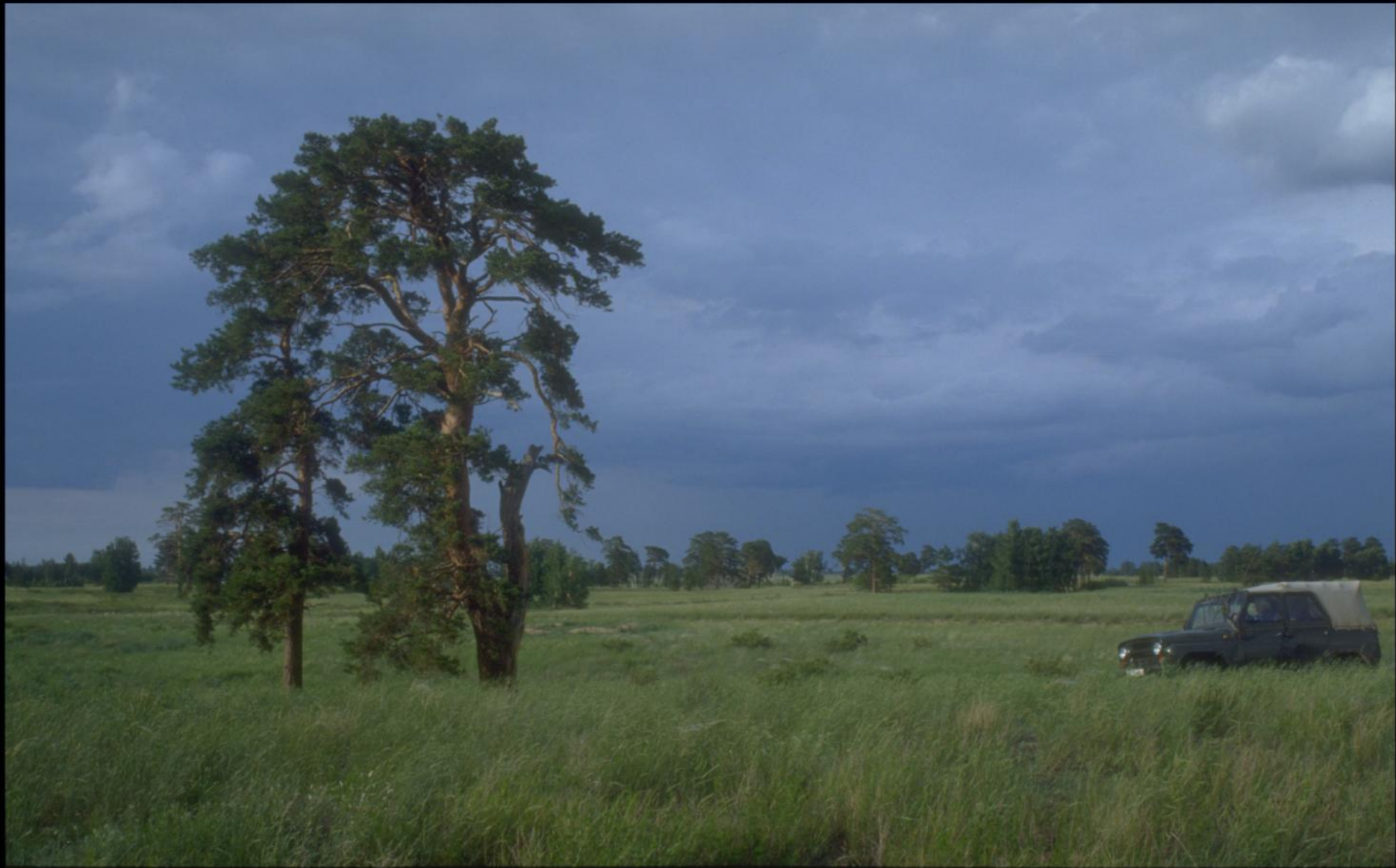


Value from Falconers for Culture (recognition by UNESCO) and Conservation

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**Conserving through Use (what pays, stays)
of raptors and their habitats.**

Saker steppe-land breeding sites, at risk from re-cultivation, power poles, poisons.



Grouse-moors too are an important biotope that is conserved by hunting, including falconry with Peregrines.



Article 9 and the Tragedy of the Common

Citizens of the EU demand increased subsidiarity!

Can current Article 9 handle reporting for 1-200 Peregrines in 5-10 countries. **Probably YES.**

Can it handle reporting for 5,000 goshawks in 20 EU states? **Probably NO.**

Monitoring at national level could be challenging too.

Article 9 also covers prey derogation for falconry.

Could current Article 9 reporting handle reporting and monitoring for 1% of EU blackbirds. **NO WAY!**

Solution to complex administration needed for conservation through use.

To meet requirements for:

- **Very extensive awareness-raising among users**
- **Organising local marking for mark-recapture data**
- **Recording data from trappers & falcon hospitals**
- **Licensing falconers**

CMS/IAF solution: a Trust-Building Internet Portal, in Arabic, Persian, Pashto, Russian, to encourage:

- **Best practise in marking, trapping, training etc;**
- **Volunteering data to gain rewards/prizes;**
- **Sponsorship of more conservation work;**
- **Treat people as solutions, not problems; and to**
- **Handle quotas / licences / reporting in due course**

A CMS portal for building trust and engaging local people in conserving through use will be based on the IUCN-SULi system www.naturalliance.eu

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La acuicultura o la pesca destinadas a la alimentación

La pesca en ríos, lagos y el mar

La caza y la gestión de la caza

La recolección de productos naturales

Observación y fotografía de la naturaleza

Gestión de reservas naturales y otras áreas de importancia cultural

Cuidado del caballo para el trabajo y el placer

Agricultura: Buenas Prácticas

El Proyecto Allerton

Game & Wildlife Conservation Trust

El Proyecto Allerton se creó en 1992 como una empresa mixta de tierra cultivable y ganadería (280 ovejas) en 333 hectáreas de suelo arcilloso. Los cultivos son principalmente de trigo de invierno y avena (que se venden certificados como "Conservation Grade"), de semillas oleaginosas y legumbres de primavera. La granja es una prueba de la conservación. La contabilidad, incluidos los gastos de conservación, se publica en la revisión anual del "Game and Wildlife Conservation Trust".

Gestión de la Caza y Conservación de Vida Silvestre

Se estableció una situación inicial de referencia relativa a la abundancia de poblaciones cinegéticas y fauna salvaje. La cobertura de anidación, los insectos para la alimentación de los pollos y los alimentos y la cobertura en invierno se incrementaron. Los depredadores de nidos fueron controlados, fue distribuida la alimentación en invierno, pero no hubo liberación de caza de cría.

Todo esto resultó en un efecto positivo en las poblaciones de faisanes



... and could also be used in European languages.

Conclusions

1. Directive has scientific & cultural requirements for maintaining bird population levels.
2. Article 9 provides scope for adaptive governance to facilitate protection, research, education, nature restoration and judicious use, but requires regular reporting for overview by European Commission.
3. Governments have found Article 9 reporting convenient for specific small-scale practises like falconry, but modern technology gives wider scope for conserving via the Directive.

Thank you for listening



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Avoiding restrictions which prejudice habitat conservation

In addition, where it can be demonstrated that the huntability of a bird species is clearly linked to conservation benefits for that and/or for other wild bird species as a result of hunting-associated habitat conservation measures, it may be appropriate, where a hunting ban is contemplated, to consider any disbenefits that may arise for habitat conservation (section 1.12.2).

Source: http://ec.europa.eu/environment/nature/conservation/wildbirds/hunting/docs/hunting_guide_en.pdf