



FACE for better wild bird *conservation*

Directive 79/409/EEC *on the conservation of wild birds* is one of the first environmental legal instruments of the European Community. Conceived 30 years ago for (and adopted by) only 9 Member States, the Directive had to cope with a considerable extension of its bio-geographical scope (27 Member States!) and also with significant changes in the conservation status of many bird species / populations.

The Directive has resulted in positive measures and initiatives for the conservation of birds and their habitats, but not everything has been smooth sailing. It has in some respects come to be interpreted in a disproportionately restrictive way in relation to its original conservation objectives – including the sustainable use of wild birds.

The Directive has arguably failed to take full account of socio-cultural diversity within the European Union, and now relies for its implementation on science and data that have not always been subject to peer review or understood by local stakeholders.

What the EU should do, as a matter of urgency, to ensure that the Directive continues to serve its conservation objectives:

In general:

- (1) Review the current conservation priorities for wild bird species and populations at the EU level;
- (2) Review the relevant science, data and other evidence that sheds light on how best to address those priorities;
- (3) Ensure that the provisions of the Directive and associated jurisprudence focus exclusively on serving those priorities;
- (4) Encourage international management systems, practical guidance and consensus to that end.

In particular:

- (1) Review the current system of assessing hunting seasons, to be based on reliable biological data and on a sound legal and biological interpretation of the key provisions of the Directive, bearing in mind the principles of subsidiarity and proportionality;
- (2) Review the application of Article 9§1(c) for ecologically sound traditional small-scale hunting, taking account of economic, social and recreational requirements;
- (3) Continue the drafting and implementation of *Management Plans* for species (or groups of species) in an *unfavourable conservation status*, addressing the real causes of their decline – in particular in farmland ecosystems and wetlands, this with a view of returning them to a *favourable conservation status*;
- (4) Initiate and actively support an internationally coordinated monitoring scheme of bird populations (in particular of migratory ones), of their habitats and of their sustainable use through hunting;
- (5) Provide for the regular adaptation of the Directive's Annexes to changes in scientific and technical knowledge (e.g. taking into account the conservation status of species and populations, the impact of climate change etc.);
- (6) Integrate systematically the principle of sustainable use, as a tool for conservation of biodiversity, in all *Management Plans*, as well as in provisions for the good management of Natura 2000 sites;
- (7) Explore options for a consolidation of the existing “Nature” Directives in a wider “Biodiversity” Directive.