How to implement the european Birds Directive?

Kako uresničevati evropsko Ptičjo direktivo?

On 19 Jul 2009, between 18 and 19 h, Annette Spangenberg, Gabriel Schwaderer and Rainer Luick were listening to the calls of Quails *Coturnix coturnix* in the cultural landscape near the village of Staraveci near Pheskopi, Korab mountain, Albania. The site is about 1000 m a.s.l. Twice two birds flew off when the group walked through this traditionally cultivated landscape with small fields. In Bosnia and Herzegovina a day before, I myself heard Quails in Dabarsko Polje (500 m a.s.l.) and Fatničko Polje (480 m a.s.l.) calling in the evening. On 14 Jul, even at 15 h, a Quail was calling in the remaining polje of Buško Blato (700 m a.s.l.). Why are these observations important?

We are celebrating the 30th birthday of the Birds Directive[1] in 2009. Yes, it is true that this first conservation act of the European Union is a great success. As early as 1989, the first inventory of the Important Bird Areas in Europe was published (Grimmett & Jones 1989) and included, from the beginning, the whole of Europe. A unique approach and a good basis, not only for the preservation of birds, but also for the protection of the most remarkable sites for nature conservation in Europe.

The Important Bird Area programme is based on Article 5 of the Directive, which requires Member States to take the requisite measures to "*establish a general system of protection for all species referred to in Article 1"* (European Commission 2008, page 11). Today the network of Important Bird Areas is dense and only in a few south-eastern countries – Albania, Bosnia and Herzegovina (Kotrošan *et al.* 2009) and Montenegro (Saveljić *et al.* 2007) – are there larger gaps that have to be closed. Croatia (Radović *et al.* 2005) and Slovenia are good examples of how this can be achieved in a short time.

However, the Birds Directive states in Article 1 that it relates to the *"conservation of* ***all species*** *of naturally occurring birds in the wild state in the European territory of the Member States"*, and thus addresses not only the management and preservation of habitats of rare or endangered species, but also socio-economic activities such as hunting. In Annex II are listed all species of birds that may be hunted under Article 7 of the Directive on the basis of "*…their population level, geographical distribution level and reproduction rate throughout the Community*" (European Commission 2008, page 11).

While creation of the system of protection started quite early – and already the second edition of the Important Bird Areas was published by BirdLife (Heath & Evans 2000) – implementation of the Birds Directive to protect birds from hunting impacts is still lagging behind. Many species have a bad conservation status, with depleted or even decreasing populations. Nevertheless they are still "huntable" or disturbed by hunting activities (Schneider-Jacoby & Spangenberg 2009). Many sites of great importance are impacted by hunting activity and their capacity in Europe is limited due to such disturbance. The Eurasian wader populations are decreasing rapidly (Delany *et al.* 2009),

[1] Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (codified version)

nevertheless the last remaining stopover sites at the Adriatic Coast, like the Neretva Delta in Croatia and the Bojana-Buna Delta in Albania and Montenegro, are still not safe.

In 2001 the Sustainable Hunting Initiative was launched by the European Commission. In 2004, the key partners – BirdLife International and FACE (The Federation of Associations for Hunting and Conservation of the EU) – have reached an agreement which will enable hunting to continue within a well-regulated framework, whilst fully respecting the provisions of the Directive. The Guide on Hunting (European Commission 2008) is most important for achieving this goal, and is available in 22 languages[2].

The Member States have to set the hunting period so as to ensure the period "*guarantees complete protection of the species concerned*" (European Commission 2008, page 12). The ORNIS committee has published the first survey of the length of the breeding season and the return to breeding grounds in 2001[2]. But still, hunting during the breeding season and during the return period is common in Europe. To implement the Birds Directive in Southeast Europe it is important to review the data in the ORNIS report and to collect information concerning (1) the return to breeding grounds, (2) the length of the breeding season and (3) disturbance of sites important for Annex I species.

The return to breeding areas is clearly identified, since birds wintering in Europe start very early to move back. For example, the Cranes *Grus grus* with transmitters, wintering in the Pannonian Plain, started to move North after mid-January 2009[3]. The 15 Jan is widely accepted as the latest date to stop bird hunting in order not to impact the so-called "spring migration". For all other birds that are returning from Africa, like Garganey *Anas querquedula* or Quail, hunting in the first months of the year is not possible anyhow. But not all countries, even in the EU, have implemented the Birds Directive concerning these basic standards, even though FACE and BirdLife have signed the Sustainable Hunting Agreement. In Southeast Europe many huntable bird species, like Woodcock *Scolopax rusticola*, Snipe *Gallinago gallinago*, ducks like Teal *Anas crecca* and Garganey, are very rare since they are killed when they return to the breeding sites. Often they return very early, as they winter near to the breeding grounds, and in order to occupy the best sites. Due to the "leapfrog" migration (European Commission 2008, page 27) the breeding populations of huntable species in several states such as Albania, Croatia and Bosnia and Herzegovina are extremely low, as they are depleted during the first months of the year. The implementation of the Birds Directive and a hunting ban after 15 Jan would prevent the loss of diversity in these countries.

While the information of the ORNIS committee concerning the return period and prenuptial migration is clear, and hunting of Woodcock, for example, after the 15 Jan is clearly against the Birds Directive, information listed in the tables concerning the breeding periods differs markedly. For example the breeding period of Quails is stated to end in Greece as early as 20 Jul, because only a few breeding birds survive and there is little information. In Germany and the United Kingdom, the breeding season is defined as September and even the first decade of October. If we use the Greece ORNIS data for Albania,

[2] http://ec.europa.eu/environment/nature/conservation/wildbirds/hunting
[3] http://www.satelliittikurjet.fi/engl_index.html

Bosnia and Herzegovina, Croatia, Montenegro and Serbia, a hunting season on Quail in August would not violate the Birds Directive. But is it correct that the breeding season in these countries is two months shorter than in Germany? Large parts of the Balkan Peninsula are mountainous. Here breeding starts late. However, it is possible that Quails try to breed later in the lowlands, but fail to do so due to the early start of hunting in August. The observations quoted at the beginning, of calling males in late July 2009 in Albania and Bosnia and Herzegovina, indicate that Quails are still displaying late in the year in these countries in Southeast Europe. This also indicates that egg laying is still possible and that the breeding period in fact extends, as in Germany, at least until the end of September.

Another extreme example in the ORNIS tables is the Grey Partridge *Perdix perdix*, where the breeding period is listed as just seven decades from March to the end of May in the Netherlands, but is in fact 21 decades until the end of September. For Greece no data are available. The European endemic Rock Partridge *Alectoris graeca* also has a very long breeding season, from February to the end of September. It is clear, that both species suffer and reproduction decreases if hunting seasons start earlier than October, with disturbance of families or even breeding hens.

As data on breeding, incubation and observation of families are difficult to collect, it is important to argue in favour of the protection of the species (compare European Commission 2008, page 12). The hunting season has to be shortened in order to avoid any impact on breeding success or even worse, on the successful females. Every item of information that can be obtained is important now, for the countries in the process of entering the EU. Is the Mallard *Anas platyrhynchos* not rearing young in September? Have you seen families at the end of July or even in August? Many ducks breed so late, especially in areas where disturbance is low. I observed, for example, a Mallard with chicks about 5 days old in the potential IBA site Haljinići near Visoko (Central Bosnia) on 19 Jul 2009. The ducklings will have difficulty in flying by 1 Sep. If bird hunting starts in August, the chances for survival are small.

A third point is also very important. Many species protected in Annex I are extremely sensitive to hunting impacts. If bird hunting starts in September, or even in August as is normal in Southeast Europe, late breeding Annex I species are disturbed. In the wetlands of Southeast Europe the best example is the Ferruginous Duck *Aythya nyroca* (Schneider-Jacoby 2003). On 11 Sep 2009, I saw a duckling about four weeks old in the marshes on the Island of Krk, Croatia, which would need the whole month before being ready to fly. It is clear that duck hunting should not start before 1 Oct if this Annex I species is not to be impacted. Based on such evidence it is clear that in many countries in Southeast Europe the breeding season appears to end early, because the hunting season starts too early and a significant proportion of bird populations cannot breed anymore or raise chicks due to the impact of hunting.

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Dne 19.7.2009, med šesto in sedmo uro popoldne, so Annette Spangenberg, Gabriel Schwaderer in Rainer Luick zavzeto poslušali prepelice *Coturnix coturnix*, ki so se oglašale sredi kulturne krajine v bližini vasice Staraveci na gori Korab nedaleč od Pheskopija v Albaniji. Medtem ko je skupinica pešačila po tej tradicionalno obdelovani krajini z majhnimi polji, sta se s tal dvakrat dvignili dve prepelici. Dan pred tem, v večernih urah, sem imel na Dabarskem polju (500 m nm.v.) in Fatničkem polju (480 m nm.v.) v Bosni in Hercegovini priložnost poslušati te ptice tudi sam. Poleg tega se je 14.7. ob 15 h prepelica oglašala na Buškem blatu (700 m nm.v.). In zakaj so pomembni ti podatki?

Pred kratkim smo praznovali 30. obletnico Ptičje direktive[1] (2009). Da, ta prvi naravovarstveni predpis Evropske unije je resnično velik uspeh. Že leta 1989 je bil objavljen prvi popis Mednarodno pomembnih območij za ptice – IBA (Grimmett & Jones 1989), ki je že od samega začetka pokrival celotno Evropo. Ta svojevrstni pristop je bil dobra osnova za ohranitev ne le ptic, marveč tudi za naravovarstveno zaščito najbolj izjemnih lokacij v Evropi.

Program IBA sloni na 5. členu Direktive, ki od držav članic EU terja, da sprejmejo potrebne ukrepe za *»uvedbo splošnega sistema varstva vseh vrst ptic iz člena 1«* (Evropska komisija 2008, str. 10). Danes je omrežje IBA že precej gosto, tako da je treba zapolniti le še nekaj večjih vrzeli v državah jugovzhodne Evrope, kot so Albanija, Bosna in Hercegovina (Kotrošan *et al.* 2009) in Črna gora (Saveljić *et al.* 2007). Dobra primera, kako je to mogoče uspešno uresničiti, sta Hrvaška (Radović *et al.* 2005) in Slovenija.

Toda Ptičja direktiva v 1. členu navaja, da se Direktiva nanaša na *»ohranjanje **vseh** prostoživečih vrst ptic, naravno prisotnih na evropskem ozemlju držav članic«*, pri čemer ne obravnava le upravljanja in ohranjanja habitatov redkih ali ogroženih vrst, marveč tudi socio-ekonomske dejavnosti, vključno z lovom. V Prilogi II so navedene vse ptičje vrste, ki jih je v okviru 7. člena Direktive dovoljeno loviti zaradi *»svojega populacijskega nivoja, geografske razporeditve in stopnje razmnoževanja v Skupnosti«* (Evropska komisija 2008, str. 11).

Medtem ko je sistem za zaščito že zgodaj dosegel zavidljivo raven in je BirdLife (Heath & Evans 2000) poskrbel še za drugo izdajo mednarodno pomembnih območij za ptice (IBA), pa uresničevanje Ptičje direktive, ki zadeva zaščito ptic pred posledicami (pretiranega) lova, še vedno močno zaostaja za načrti. Mnoge vrste so v slabem stanju ohranjenosti, z močno zredčenimi in celo upadajočimi populacijami. Pa vendar so še vedno "lovne" in vznemirjane zaradi lovskih dejavnosti (Schneider-Jacoby & Spangenberg 2009). Mnoge zelo pomembne lokalitete so pod velikim pritiskom zaradi lovskih aktivnosti, število lokalitet brez večjih motenj pa je v Evropi omejeno. Kljub naglemu upadanju evrazijskih populacij pobrežnikov (Delany *et al.* 2009) še vedno niso varne tudi zadnje obstoječe selitvene postaje na jadranski obali, kot na primer delta Neretve na Hrvaškem in delta Bojane-Bune v Albaniji in Črni gori.

Leta 2001 je Evropska komisija predstavila tako imenovano Pobudo za trajnostni lov. Leta 2004 pa sta glavna partnerja – BirdLife International in

[1] Direktiva 2009/147/ES Evropskega parlamenta in Sveta z dne 30. novembra 2009 o ohranjanju prosto živečih ptic (kodificirana različica)

FACE (Zveza organizacij za lov in varstvo divjadi Evropske unije) – dosegla sporazum, po katerem je lov mogoče sicer nadaljevati, a v podrobno predpisanem okviru in ob strogem upoštevanju zahtev Ptičje direktive. Najpomembnejši za doseganje tega cilja je »Navodilo o lovu« (Evropska komisija 2008), ki je na voljo v 22 jezikih[2].

Države članice EU morajo določiti lovne dobe tako, da *»zagotovijo popolno varovanje zadevnih vrst«* (Evropska komisija 2008, str. 11). Odbor ORNIS je v letu 2001 objavil prvi pregled obdobij gnezditve in spomladanskega vračanja ptic na gnezditvena območja v letu 2001[2]. Pa vendar je lov med gnezdilno sezono in med obdobjem vračanja ptic še vedno običajna praksa v Evropi. Za uresničevanje Ptičje direktive v JV Evropi je nadvse pomembno ponovno preveriti podatke v poročilu odbora ORNIS in zbirati informacije, ki zadevajo (1) vračanje ptic na gnezdišča, (2) dolžino gnezditvenega obdobja in (3) motnje na lokalitetah, pomembnih za vrste, navedene v Prilogi I.

Čas vračanja na gnezdišča je jasno določen, saj se ptice, prezimujoče v Evropi, začnejo vračati nanje zelo zgodaj. Žerjavi *Grus grus*, na primer, ki so opremljeni z oddajniki prezimovali v Panonski nižini, so se začeli seliti proti severu sredi januarja 2009[3]. 15.1. je tako splošno sprejet kot najpoznejši datum začetka lovopusta za ptice, da lov ne bi vplival na njihovo spomladansko selitev. Na vse druge ptice, ki se vračajo iz Afrike, kot na primer reglja *Anas querquedula* in prepelica, pa tako ali tako ni možen lov v prvih mesecih leta. Toda dejstvo je, da Ptičje direktive, kar zadeva te osnovne standarde, ne uresničujejo celo nekatere države v EU, pa čeprav sta FACE in BirdLife podpisala Sporazum o trajnostnem lovu. V JV Evropi so mnoge lovne vrste, kot na primer sloka *Scolopax rusticola*, kozica *Gallinago gallinago* in race, kakršne so kreheljc *Anas crecca* ali reglja, zelo redke, saj jih pobijajo že v času, ko se vračajo na gnezdišča. In pogosto se vrnejo zelo zgodaj, ker prezimujejo nedaleč od gnezditvenih območij. Ptice se namreč poskušajo vrniti brž ko je mogoče, da bi zasedle kar najboljša gnezdišča. Zaradi selitve v slogu "žabjega skoka" (Evropska komisija 2008, str. 27) so gnezditvene populacije lovnih vrst v mnogih državah, kot na primer v Albaniji, Hrvaški ter Bosni in Hercegovini, izjemno majhne, saj so močno zredčene že v prvih mesecih leta. Uresničevanje Ptičje direktive in prepoved lova po 15.1. bi torej preprečila nadaljnjo izgubo diverzitete v teh državah.

Medtem ko je informacija odbora ORNIS glede obdobja vračanja in selitve v času pred gnezditvijo povsem jasna in je lov na sloko, na primer, po 15.1. brez dvoma v nasprotju s Ptičjo direktivo, pa se informacije v tabelah, ki obravnavajo gnezditveno obdobje, precej razlikujejo. Gnezditvena sezona prepelice, na primer, se v Grčiji konča že 20.7., saj je preživelo zelo malo gnezdečih osebkov, tako da so na voljo le redke informacije. V Nemčiji in Veliki Britaniji štejejo september in tudi prvo dekado oktobra za del gnezditvenega obdobja. Če uporabimo podatke grškega odbora ORNIS za Albanijo, Bosno in Hercegovino, Hrvaško, Črno goro in Srbijo, sezona lova na prepelico v mesecu avgustu ne bi bila v nasprotju s Ptičjo direktivo. Toda le zakaj bi morala biti gnezditvena sezona v teh državah kar za dva meseca krajša kot v Nemčiji? Velika območja Balkanskega polotoka so gorata. Tu se gnezdenje začne precej pozno. Toda tudi v nižinskem svetu je mogoče, da prepelice poskušajo gnezditi pozneje, a jim je to morda onemogočeno zaradi zgodnjega začetka lova v avgustu. Opažanja,

[2] http://ec.europa.eu/environment/nature/conservation/wildbirds/hunting
[3] http://www.satelliittikurjet.fi/engl_index.html

kot smo jih opisali na začetku tega besedila o kličočih prepeličjih samcih proti koncu julija 2009 v Albaniji ter Bosni in Hercegovini, kažejo, da prepelice svatujejo pozno poleti tudi v teh državah jugovzhodne Evrope. To pa hkrati kaže na to, da lahko še vedno ležejo jajca in da je gnezditveno obdobje daljše, in traja tako kot v Nemčiji, vse do konca septembra.

Še en skrajen primer na tabelah odbora ORNIS je jerebica *Perdix perdix*, katere gnezditvena sezona traja na Nizozemskem samo sedem dekad od marca do konca maja, medtem ko dejansko traja 21 dekad, do konca septembra. Za Grčijo ni nobenih podatkov. Tudi kotorna *Alectoris graeca*, evropska endemična vrsta, ima zelo dolgo gnezditveno obdobje, in sicer od februarja do konca septembra. Jasno je, da sta obe vrsti pod pritiskom lova in da se reprodukcija zmanjšuje, če se lovska sezona začne prej kot oktobra in so močno vznemirjane družine in celo gnezdeče samice.

Ker je podatke o gnezditvi, valjenju in opažanja o družinah težko zbrati, je pomembno, da se bojujemo za zaščito vrst (primerjaj Evropska komisija 2008, str. 12). Lovne dobe je treba vsekakor skrajšati, če se želimo ogniti vplivom na gnezditveni uspeh ali, celo hujše, na uspešne samice. Za države v fazi približevanju EU je zdaj pomembna vsaka informacija, ki jo je mogoče dobiti. Ali mlakarica *Anas platyrhynchos* ne vzgaja mladičev v mesecu septembru? Ste že videli družine ob koncu julija ali celo avgusta? Mnoge race gnezdijo tako pozno posebno v območjih, kjer je njihovo vznemirjanje majhno. Osebno, na primer, sem opazoval mlakarico s pet dni starimi mladiči v Haljinićih, potencialnem mednarodno pomembnem območju za ptice, blizu Visokega v osrednji Bosni 19.7.2009. Račke bodo seveda težko poletele pred 1.9. In če se lov na ptice začne že avgusta, so možnosti, da bodo preživele, zelo majhne.

Zelo pomembno pa je tudi naslednje. Mnoge vrste, ki jih ščiti Priloga I, so izjemno občutljive za lovske vplive. Če se lov na ptice začne septembra ali celo avgusta, kar je povsem običajna praksa v JV Evropi, se pod hudim pritiskom znajdejo pozno gnezdeče vrste iz Priloge I. Na mokriščih v JV Evropi je najboljši takšen primer kostanjevka *Aythya nyroca* (Schneider-Jacoby 2003). Dne 11.9.2009 sem na otoku Krku na Hrvaškem opazoval kake štiri tedne starega mladiča, za katerega je bilo očitno, da bo potreboval cel mesec september, preden bo sposoben poleteti. Jasno je, da se lov na race ne bi smel začeti pred 1. oktobrom, če bi želeli, da to ne bi vplivalo na to vrsto iz Priloge I. Meni osebno se zdi jasno, da se gnezditvena sezona v mnogih državah JV Evrope konča zgodaj, ker se sezona lova začne prezgodaj, tako da velik del ptičje populacije zaradi motenj ne more več gnezditi ali vzgojiti mladičev.

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