

WRITTEN QUESTION E-4512/06  
by Caroline Lucas (Verts/ALE)  
to the Commission

Subject: Protection of the hen harrier in the UK under Directive 79/409/EEC

Directive 79/409/EEC<sup>1</sup> on the Conservation of Wild Birds calls for all necessary measures to be taken to preserve and create habitats, and to prevent deliberate killing, capture or destruction of nests for birds including the hen harrier (*circus cyaneus*).

The hen harrier is a very vulnerable ground-nesting species which requires year-round protection of its breeding sites, since birds often re-use traditional sites year after year. To properly protect hen harriers, proactive surveying and monitoring on private land is required.

However, the UK failed to include hen harriers in the list of birds requiring year-round protection under the Natural Environment and Rural Communities (NERC) Bill. As regards surveying and monitoring, wildlife inspectors only have the power to do this where prior permission has been obtained from the landowner. Clearly this is doomed to failure with those on whose land the birds are most at risk; and the NERC Bill makes no provision to change this.

The inadequacy of the protection provided by the UK regime is demonstrated by the very poor breeding figures for recent years, and widespread evidence of persecution such as shooting, poisoning and trapping of birds.

Does the Commission agree that, in failing to do what is actually required to properly protect the hen harrier, the UK is failing in its obligations under Directive 79/409/EEC? If so what action does it intend to take?

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<sup>1</sup> OJ L 103, 25.4.1979, p. 1.