

E-4512/06EN

Answer given by Mr Dimas  
on behalf of the Commission  
(20.12.2006)

In addition to being covered by the general scheme of protection defined under Article 5 of Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds (the Birds Directive)<sup>1</sup> the Hen Harrier (*Circus cyaneus*) is also, as a species listed in Annex I to the Directive, subject to the special habitat conservation measures defined under Article 4 of the Directive, which includes the requirement to establish a network of special protection areas (SPAs) for this species.

Whereas the directive sets out these clear objectives in relation to the protection of Hen Harriers and other bird species it is for the Member States to define the precise measures to ensure their implementation, including, where necessary, the consultation of landowners on whose territory the birds may be nesting with a view to surveying and monitoring the species.

The Commission has assessed the adequacy of protection of Hen Harriers by the United Kingdom, including the measures in place to address illegal persecution as well as insufficiencies in the network of SPAs. In the course of this assessment, the United Kingdom has clarified that legislation transposing obligations in relation to protection of the species under the Birds Directive has been adopted. It has also expanded the network of SPAs for this species, including recently classified sites for Northern Ireland.

On the basis of information received to date, the Commission does not have grounds to conclude that the United Kingdom is failing to meet its requirements to protect Hen Harriers under Council Directive 79/409/EEC.

---

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