

## **EXECUTIVE NOTE**

### **The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2007 SSI/2007/80**

#### **Background**

The above instrument is made in exercise of the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2 to the European Communities Act 1972 and section 26A of the Wildlife and Countryside Act 1981. The instrument is subject to affirmative resolution procedure.

The overall effect of the instrument is to further transpose Council Directive 92/43/EEC (“the Habitats Directive”) by amending the Conservation (Natural Habitats, &c.) Regulations 1994 (“the 1994 Regulations”), which originally transposed the Directive (a copy of the Habitats Directive is provided at Annex A). This is necessary in the light of the judgement of the European Court of Justice (“the ECJ”) in cases C-6/04 and C-131/05. A number of consequential and related changes are made to other legislation (in particular to analogous provisions in the Wildlife and Countryside Act 1981 (c.69) and section 10 of the Conservation of Seals Act 1979 (c.30)) in order to maintain general consistency and coherence in the application of species protection measures.

The ruling in case C-6/04 found certain aspects of the 1994 Regulations to be inconsistent with a strict interpretation of the obligations arising under the Habitats Directive. For example, the ECJ held that certain statutory defences allowed for in the 1994 Regulations did not accord fully with the derogation requirements set out in Article 16 of the Directive. The ECJ ruling also clarified the extent to which certain requirements of the Directive (for example in relation to land-use plans) should be applied. As a result, it is apparent that the obligations which arise under European law are broader in their effect than had previously been understood to be the case.

In case C-131/05, the ECJ held that the UK had failed to transpose the Habitats Directive in full by omitting to extend controls on the possession of, and trade in, each of the protected species listed in Annex IV to the Directive. These controls are currently limited to those Annex IV species which are ordinarily found in Great Britain. Again, in the light of the ECJ ruling, the effect of the Directive can be seen to extend beyond the limits of current transposition arrangements.

In both instances, the UK Government has undertaken to rectify the matters specifically identified in the ECJ rulings. These amending regulations give effect to that undertaking in and as regards Scotland.

#### **Policy Objectives**

The policy aim is to satisfy the requirement to transpose the Habitats Directive accurately and in full, taking into account the requirements identified in the relevant ECJ rulings.

The relevant changes to the 1994 Regulations (and, where relevant, other statutes) take the form of new provisions, amendments to existing provisions and deletions of existing provisions (either in whole or in part). In conjunction with this, European Protected Species

(“EPS”) (being those species listed in Annex IV which are ordinarily found in Great Britain) are being removed from Schedules 5 and 8 of the Wildlife and Countryside Act 1981.

The instrument will have the following effects:

### **IN RELATION TO SPECIES**

- Enhanced monitoring of the effects of exploitation for species of Community interest (particularly species belonging to Annex V of the Directive).
- Removal of the existing “incidental result” defence for offences against animals which are EPS and changes to those offences.
- Removal of the existing Animal Health Act 1981 and Agriculture (Scotland) Act 1948 defences.
- Initiation of monitoring for the incidental capture and killing of animals which are EPS.
- Extension of the offence in the 1994 Regulations of keeping and selling specimens to all of the species listed in Annex IV of the Habitats Directive (except where those specimens were lawfully taken before 1994 in the EC or were lawfully taken outside the EC). Previously, only those Annex IV species found in Great Britain were protected
- Removal of the defence for keeping and selling EPS specimens which have been lawfully taken or killed. EPS specimens may be kept where they were lawfully taken in the EC before 1994 or were lawfully taken outside the EC. There is no defence available in relation to the sale of such specimens. Special provision, by means of licence, will be made for specimens already in circulation. A transitional period has been allowed for in the amending regulations
- Extension of the offence of using indiscriminate means of taking or killing animals listed in Schedule 3 of the 1994 Regulations.
- Introduction of the offence of breach of licence conditions for licences granted under regulation 44 of the 1994 Regulations.
- Technical amendment of section 10 of the Conservation of Seals Act 1970 to clarify the application of obligations arising under the Habitats Directive.

### **IN RELATION TO EUROPEAN SITES**

#### **Water abstraction**

Part IV of the 1994 Regulations is amended to include specific reference to the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (“CAR”). This relates to responsibilities exercised by the Scottish Environment Protection Agency (SEPA) and clarifies powers to grant and vary authorisations for water abstraction and other controlled activities under CAR in accordance with the requirements of the Habitats Directive

### **Development plans**

Insertion of a new Part IVA into the 1994 Regulations which requires appropriate assessment of land use plans when such plans are likely to have a significant effect on a European site or sites. Land use plans comprise structure plans and local plans as provided for in Part II of the Town and Country Planning (Scotland) Act 1997. Further appropriate amendments to this definition will be made in due course to take account of the new types of plans provided for under the Planning etc. (Scotland) Bill.

## **CONSULTATION**

A draft of the instrument was the subject of public consultation, having been contained in the consultation paper *The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2006*, published by the Scottish Executive in June 2006. This consultation paper set out the Scottish Executive’s proposals for implementing the changes required by the ECJ judgement of October 2005 and was distributed widely to a diverse range of organisations and individuals. 55 responses were received, largely from NGOs, public bodies, trade organisations and private individuals.

## **FINANCIAL EFFECTS**

The principal purpose of the amendments is to clarify the precise state of the law in relation to the obligations arising under the Habitats Directive. As a consequence, it is not expected that the amendments will give rise, overall, to significant new demands on the public, private or voluntary sectors or impose unreasonable new demands on individuals.

Certain administrative processes, however, will require revision in light of the amendments. This in turn may require affected parties to make adjustments to their own internal procedures. For example, those activities which are currently covered by statutory defences may in future require to be explicitly licensed and time will need to be built into the relevant processes to allow for this. Similarly, local authorities will need to ensure that local plans and structure plans are assessed in a manner which is fully compliant with the Habitats Directive. Interim guidance in this connection has already been issued to all planning authorities in Scotland.

A draft partial Regulatory Impact Assessment (RIA) was included as part of the consultation. This draft RIA concluded that there would be no extra costs to businesses, however some responses to the consultation felt that there would be increased costs to some operators. The RIA is attached at Annex B.

Scottish Executive Environment and Rural Affairs Department

December 2006

Office for Official Publications of the European Communities  
**COUNCIL DIRECTIVE 92/43/EEC**

**of 21 May 1992**

**on the conservation of natural habitats and of wild fauna and flora**

(OJ L 206, 22.7.1992, p. 7)

Amended by:

Official Journal

No page date

► **M1** Council Directive 97/62/EC of 27 October 1997 L 305 42 8.11.1997

► **M2** Regulation (EC) No 1882/2003 of the European Parliament and of the Council of 29 September 2003

L 284 1 31.10.2003

Amended by:

► **A1** Act of Accession of Austria, Sweden and Finland C 241 21 29.8.1994

(adapted by Council Decision 95/1/EC, Euratom, ECSC) L 1 1 1.1.1995

► **A2** Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded

L 236 33 23.9.2003

Corrected by:

► **C1** Corrigendum, OJ L 176, 20.7.1993, p. 29 (92/43/EEC)

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**COUNCIL DIRECTIVE 92/43/EEC**

**of 21 May 1992**

**on the conservation of natural habitats and of wild fauna and flora**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 130s thereof,

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the European Parliament (2),

Having regard to the opinion of the Economic and Social Committee (3),

Whereas the preservation, protection and improvement of the quality of the environment, including the conservation of natural habitats and of wild fauna and flora, are an essential objective of general interest pursued by the Community, as stated in Article 130r of the Treaty;

Whereas the European Community policy and action programme on the environment (1987 to 1992) (4) makes provision for measures regarding the conservation of nature and natural resources;

Whereas, the main aim of this Directive being to promote the maintenance of biodiversity, taking account of economic, social, cultural and regional requirements, this Directive makes a contribution to the general objective of sustainable development; whereas the maintenance of such biodiversity may in certain cases require the maintenance, or indeed the encouragement, of human activities;

Whereas, in the European territory of the Member States, natural habitats are continuing to deteriorate and an increasing number of wild species are seriously threatened; whereas given that the threatened habitats and species form part of the Community's natural heritage and the threats to them are often of a transboundary nature, it is necessary to take measures at Community level in order to conserve them;

Whereas, in view of the threats to certain types of natural habitat and certain species, it is necessary to define them as having priority in order to favour the early implementation of measures to conserve them; Whereas, in order to ensure the restoration or maintenance of natural habitats and species of Community interest at a favourable conservation status, it is necessary to designate special areas of conservation in order to create a coherent European ecological network according to a specified timetable;

Whereas all the areas designated, including those classified now or in the future as special protection areas pursuant to Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds (5), will have to be incorporated into the coherent European ecological network;

Whereas it is appropriate, in each area designated, to implement the necessary measures having regard to the conservation objectives pursued;

Whereas sites eligible for designation as special areas of conservation are proposed by the Member States but whereas a procedure must nevertheless be laid down to allow the designation in exceptional cases of a site which has not been proposed by a Member State but which the Community considers essential for either the maintenance or the survival of a priority natural habitat type or a priority species;

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(1) OJ No C 247, 21. 9. 1988, p. 3 and

OJ No C 195, 3. 8. 1990, p. 1.

(2) OJ No C 75, 20. 3. 1991, p. 12.

(3) OJ No C 31, 6. 2. 1991, p. 25.

(4) OJ No C 328, 7. 12. 1987, p. 1.

(5) OJ No L 103, 25. 4. 1979, p. 1. Directive as last amended by Directive 91/244/ECC (OJ No L 115, 8. 5. 1991, p. 41).

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Whereas an appropriate assessment must be made of any plan or programme likely to have a significant effect on the conservation objectives of a site which has been designated or is designated in future;

Whereas it is recognized that the adoption of measures intended to promote the conservation of priority natural habitats and priority species of Community interest is a common responsibility of all Member States; whereas this may, however, impose an excessive financial burden on certain Member States given, on the one hand, the uneven distribution of such habitats and species throughout the Community and, on the other hand, the fact that the 'polluter pays' principle can have only limited application in the special case of nature conservation;

Whereas it is therefore agreed that, in this exceptional case, a contribution by means of Community co-financing should be provided for within the limits of the resources made available under the Community's decisions;

Whereas land-use planning and development policies should encourage the management of features of the landscape which are of major importance for wild fauna and flora;

Whereas a system should be set up for surveillance of the conservation status of the natural habitats and species covered by this Directive;

Whereas a general system of protection is required for certain species of flora and fauna to complement Directive 79/409/EEC; whereas provision should be made for management measures for certain species, if their conservation status so warrants, including the prohibition of certain means of capture or killing, whilst providing for the possibility of derogations on certain conditions;

Whereas, with the aim of ensuring that the implementation of this Directive is monitored, the Commission will periodically prepare a composite report based, *inter alia*, on the information sent to it by the Member States regarding the application of national provisions adopted under this Directive;

Whereas the improvement of scientific and technical knowledge is

essential for the implementation of this Directive; whereas it is consequently appropriate to encourage the necessary research and scientific work;

Whereas technical and scientific progress mean that it must be possible to adapt the Annexes; whereas a procedure should be established whereby the Council can amend the Annexes;

Whereas a regulatory committee should be set up to assist the Commission in the implementation of this Directive and in particular when decisions on Community co-financing are taken;

Whereas provision should be made for supplementary measures governing the reintroduction of certain native species of fauna and flora and the possible introduction of non-native species;

Whereas education and general information relating to the objectives of this Directive are essential for ensuring its effective implementation,  
HAS ADOPTED THIS DIRECTIVE:

## **Definitions**

### *Article 1*

For the purpose of this Directive:

(a) *conservation* means a series of measures required to maintain or restore the natural habitats and the populations of species of wild fauna and flora at a favourable status as defined in (e) and (i);

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(b) *natural habitats* means terrestrial or aquatic areas distinguished by geographic, abiotic and biotic features, whether entirely natural or semi-natural;

(c) *natural habitat types of Community interest* means those which, within the territory referred to in Article 2:

(i) are in danger of disappearance in their natural range;

or

(ii) have a small natural range following their regression or by reason of their intrinsically restricted area;

or

(iii) present outstanding examples of typical characteristics of one or more of the seven following biogeographical regions:

Alpine, Atlantic, Boreal, Continental, Macaronesian, Mediterranean and Pannonian.

Such habitat types are listed or may be listed in Annex I;

(d) *priority natural habitat types* means natural habitat types in danger of disappearance, which are present on the territory referred to in Article 2 and for the conservation of which the Community has particular responsibility in view of the proportion of their natural range which falls within the territory referred to in Article 2; these priority natural habitat types are indicated by an asterisk (\*) in Annex I;

(e) *conservation status of a natural habitat* means the sum of the influences acting on a natural habitat and its typical species that may affect its long-term natural distribution, structure and functions as well as the long-term survival of its typical species within the territory referred to in Article 2.

►C1 The conservation status ◀ of a natural habitat will be taken as 'favourable' when:

— its natural range and areas it covers within that range are stable or increasing, and

— the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and

— the conservation status of its typical species is favourable as defined in (i);

(f) *habitat of a species* means an environment defined by specific abiotic and biotic factors, in which the species lives at any stage of its biological cycle;

(g) *species of Community interest* means species which, within the

territory referred to in Article 2, are:

- (i) endangered, except those species whose natural range is marginal in that territory and which are not endangered or vulnerable in the western palearctic region; or
- (ii) vulnerable, i.e. believed likely to move into the endangered category in the near future if the causal factors continue operating; or
- (iii) rare, i.e. with small populations that are not at present endangered or vulnerable, but are at risk. The species are located within restricted geographical areas or are thinly scattered over a more extensive range; or
- (iv) endemic and requiring particular attention by reason of the specific nature of their habitat and/or the potential impact of their exploitation on their habitat and/or the potential impact of their exploitation on their conservation status.

Such species are listed or may be listed in Annex II and/or Annex IV or V;

(h) *priority species* means species referred to in (g) (i) for the conservation of which the Community has particular responsibility in view of the proportion of their natural range which falls within 1992L0043 — EN — 01.05.2004 — 004.001 — 4

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the territory referred to in Article 2; these priority species are indicated by an asterisk (\*) in Annex II;

(i) *conservation status of a species* means the sum of the influences acting on the species concerned that may affect the long-term distribution and abundance of its populations within the territory referred to in Article 2;

The *conservation status* will be taken as 'favourable' when:

- population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats, and
- the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and
- there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis;

(j) *site* means a geographically defined area whose extent is clearly delineated;

(k) *site of Community importance* means a site which, in the biogeographical region or regions to which ►C1 it belongs, ◀

contributes significantly to the maintenance or restoration at a favourable conservation status of a natural habitat type in Annex I or of a species in Annex II and may also contribute significantly to the coherence of Natura 2000 referred to in Article 3, and/or contributes significantly to the maintenance of biological diversity within the biogeographic region or regions concerned.

For animal species ranging over wide areas, sites of Community importance shall correspond to the places within the natural range of such species which present the physical or biological factors essential to their life and reproduction;

(l) *special area of conservation* means a site of Community importance designated by the Member States through a statutory, administrative and/or contractual act where the necessary conservation measures are applied for the maintenance or restoration, at a favourable conservation status, of the natural habitats and/or the populations of the species for which the site is designated;

(m) *specimen* means any animal or plant, whether alive or dead, of the species listed in Annex IV and Annex V, any part or derivative thereof, as well as any other goods which appear, from an accompanying document, the packaging or a mark or label, or from any other circumstances, to be parts or derivatives of animals or plants

of those species;

(n) *the committee* means the committee set up pursuant to Article 20.  
*Article 2*

1. The aim of this Directive shall be to contribute towards ensuring bio-diversity through the conservation of natural habitats and of wild fauna and flora in the European territory of the Member States to which the Treaty applies.

2. Measures taken pursuant to this Directive shall be designed to maintain or restore, at favourable conservation status, natural habitats and species of wild fauna and flora of Community interest.

3. Measures taken pursuant to this Directive shall take account of economic, social and cultural requirements and regional and local characteristics.

#### **Conservation of natural habitats and habitats of species**

*Article 3*

1. A coherent European ecological network of special areas of conservation shall be set up under the title Natura 2000. This network, composed of sites hosting the natural habitat types listed in Annex I and habitats of the species listed in Annex II, shall enable the natural habitat types and the species' habitats concerned to be maintained or, 1992L0043 — EN — 01.05.2004 — 004.001 — 5

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where appropriate, restored at a favourable conservation status in their natural range.

The Natura 2000 network shall include the special protection areas classified by the Member States pursuant to Directive 79/409/EEC.

2. Each Member State shall contribute to the creation of Natura 2000 in proportion to the representation within its territory of the natural habitat types and the habitats of species referred to in paragraph

1. To that effect each Member State shall designate, in accordance with Article 4, sites as special areas of conservation taking account of the objectives set out in paragraph 1.

3. Where they consider it necessary, Member States shall endeavour to improve the ecological coherence of Natura 2000 by maintaining, and where appropriate developing, features of the landscape which are of major importance for wild fauna and flora, as referred to in Article 10.

*Article 4*

1. On the basis of the criteria set out in Annex III (Stage 1) and relevant scientific information, each Member State shall propose a list of sites indicating which natural habitat types in Annex I and which species in Annex II that are native to its territory the sites host. For animal species ranging over wide areas these sites shall correspond to the places within the natural range of such species which present the physical or biological factors essential to their life and reproduction. For aquatic species which range over wide areas, such sites will be proposed only where there is a clearly identifiable area representing the physical and biological factors essential to their life and reproduction. Where appropriate, Member States shall propose adaptation of the list in the light of the results of the surveillance referred to in Article 11.

The list shall be transmitted to the Commission, within three years of the notification of this Directive, together with information on each site. That information shall include a map of the site, its name, location, extent and the data resulting from application of the criteria specified in Annex III (Stage 1) provided in a format established by the Commission in accordance with the procedure laid down in Article 21.

2. On the basis of the criteria set out in Annex III (Stage 2) and in the framework both of each of the ►A2 seven ◀ biogeographical regions referred to in Article 1 (c) (iii) and of the whole of the territory referred to in Article 2 (1), the Commission shall establish, in agreement with each Member State, a draft list of sites of Community importance drawn from the Member States' lists identifying

► C1 those which host one ◀ or more priority natural habitat types or priority species.

Member States whose sites hosting one or more priority natural habitat types and priority species represent more than 5 % of their national territory may, in agreement with the Commission, request that the criteria listed in Annex III (Stage 2) be applied more flexibly in selecting all the sites of Community importance in their territory.

The list of sites selected as sites of Community importance, identifying those which host one or more priority natural habitat types or priority species, shall be adopted by the Commission in accordance with the procedure laid down in Article 21.

3. The list referred to in paragraph 2 shall be established within six years of the notification of this Directive.

4. Once a site of Community importance has been adopted in accordance with the procedure laid down in paragraph 2, the Member State concerned shall designate that site as a special area of conservation as soon as possible and within six years at most, establishing priorities in the light of the importance of the sites for the maintenance or restoration, at a favourable conservation status, of a natural habitat type in Annex I or a species in Annex II and for the coherence of Natura 1992L0043 — EN — 01.05.2004 — 004.001 — 6

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2000, and in the light of the threats of degradation or destruction to which those sites are exposed.

5. As soon as a site is placed on the list referred to in the third subparagraph of paragraph 2 it shall be subject to Article 6 (2), (3) and (4).

#### Article 5

1. In exceptional cases where the Commission finds that a national list as referred to in Article 4 (1) fails to mention a site hosting a priority natural habitat type or priority species which, on the basis of relevant and reliable scientific information, it considers to be essential for the maintenance of that priority natural habitat type or for the survival of that priority species, a bilateral consultation procedure shall be initiated between that Member State and the Commission for the purpose of comparing the scientific data used by each.

2. If, on expiry of a consultation period not exceeding six months, the dispute remains unresolved, the Commission shall forward to the Council a proposal relating to the selection of the site as a site of Community importance.

3. The Council, acting unanimously, shall take a decision within three months of the date of referral.

4. During the consultation period and pending a Council decision, the site concerned shall be subject to Article 6 (2).

#### Article 6

1. For special areas of conservation, Member States shall establish the necessary conservation measures involving, if need be, appropriate management plans specifically designed for the sites or integrated into other development plans, and appropriate statutory, administrative or contractual measures which correspond to the ecological requirements of the natural habitat types in Annex I and the species in Annex II present on the sites.

2. Member States shall take appropriate steps to avoid, in the special areas of conservation, the deterioration of natural habitats and the habitats of species as well as disturbance of the species for which the areas have been designated, in so far as such disturbance could be significant in relation to the objectives of this Directive.

3. Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and

subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.

4. If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.

Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.

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##### *Article 7*

Obligations arising under Article 6 (2), (3) and (4) of this Directive shall replace any obligations arising under the first sentence of Article 4 (4) of Directive 79/409/EEC in respect of areas classified pursuant to Article 4 (1) or similarly recognized under Article 4 (2) thereof, as from the date of implementation of this Directive or the date of classification or recognition by a Member State under Directive 79/409/EEC, where the latter date is later.

##### *Article 8*

1. In parallel with their proposals for sites eligible for designation as special areas of conservation, hosting priority natural habitat types and/or priority species, the Member States shall send, as appropriate, to the Commission their estimates relating to the Community co-financing which they consider necessary to allow them to meet their obligations pursuant to Article 6 (1).

2. In agreement with each of the Member States concerned, the Commission shall identify, for sites of Community importance for which co-financing is sought, those measures essential for the maintenance or re-establishment at a favourable conservation status of the priority natural habitat types and priority species on the sites concerned, as well as the total costs arising from those measures.

3. The Commission, in agreement with the Member States concerned, shall assess the financing, including co-financing, required for the operation of the measures referred to in paragraph 2, taking into account, amongst other things, the concentration on the Member State's territory of priority natural habitat types and/or priority species and the relative burdens which the required measures entail.

4. According to the assessment referred to in paragraphs 2 and 3, the Commission shall adopt, having regard to the available sources of funding under the relevant Community instruments and according to the procedure set out in Article 21, a prioritized action framework of measures involving co-financing to be taken when the site has been designated under Article 4 (4).

5. The measures which have not been retained in the action framework for lack of sufficient resources, as well as those included in the abovementioned action framework which have not received the necessary co-financing or have only been partially co-financed, shall be reconsidered in accordance with the procedure set out in Article 21, in the context of the two-yearly review of the action framework and may, in the meantime, be postponed by the Member States pending such review. This review shall take into account, as appropriate, the new situation of the site concerned.

6. In areas where the measures dependent on co-financing are postponed, Member States shall refrain from any new measures likely to

result in deterioration of those areas.

#### *Article 9*

The Commission, acting in accordance with the procedure laid down in Article 21, shall periodically review the contribution of Natura 2000 towards achievement of the objectives set out in Article 2 and 3. In this context, a special area of conservation may be considered for declassification where this is warranted by natural developments noted as a result of the surveillance provided for in Article 11.

#### *Article 10*

Member States shall endeavour, where they consider it necessary, in their land-use planning and development policies and, in particular, with a view to improving the ecological ► **C1** coherence of the Natura ◀ 2000 network, to encourage the management of features of the landscape which are of major importance for wild fauna and flora. 1992L0043 — EN — 01.05.2004 — 004.001 — 8

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Such features are those which, by virtue of their linear and continuous structure (such as rivers with their banks or the traditional systems for marking field boundaries) or their function as stepping stones (such as ponds or small woods), are essential for the migration, dispersal and genetic exchange of wild species.

#### *Article 11*

Member States shall undertake surveillance of the conservation status of the natural habitats and species referred to in Article 2 with particular regard to priority natural habitat types and priority species.

#### **Protection of species**

#### *Article 12*

1. Member States shall take the requisite measures to establish a system of strict protection for the animal species listed in Annex IV

(a) in their natural range, prohibiting:

- (a) all forms of deliberate capture or killing of specimens of these species in the wild;
- (b) deliberate disturbance of these species, particularly during the period of breeding, rearing, hibernation and migration;
- (c) deliberate destruction or taking of eggs from the wild;
- (d) deterioration or destruction of breeding sites or resting places.

2. For these species, Member States shall prohibit the keeping, transport and sale or exchange, and offering for sale or exchange, of specimens taken from the wild, except for those taken legally before this Directive is implemented.

3. The prohibition referred to in paragraph 1 (a) and (b) and paragraph 2 shall apply to all stages of life of the animals to which this Article applies.

4. Member States shall establish a system to monitor the incidental capture and killing of the animal species listed in Annex IV (a). In the light of the information gathered, Member States shall take further research or conservation measures as required to ensure that incidental capture and killing does not have a significant negative impact on the species concerned.

#### *Article 13*

1. Member States shall take the requisite measures to establish a system of strict protection for the plant species listed in Annex IV (b), prohibiting:

- (a) the deliberate picking, collecting, cutting, uprooting or destruction of such plants in their natural range in the wild;
- (b) the keeping, transport and sale or exchange and offering for sale or exchange of specimens of such species taken in the wild, except for those taken legally before this Directive is implemented.

2. The prohibitions referred to in paragraph 1 (a) and (b) shall apply to all stages of the biological cycle of the plants to which this Article applies.

#### *Article 14*

1. If, in the light of the surveillance provided for in Article 11,

Member States deem it necessary, they shall take measures to ensure that the taking in the wild of specimens of species of wild fauna and flora listed in Annex V as well as their exploitation is compatible with their being maintained at a favourable conservation status.

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2. Where such measures are deemed necessary, they shall include continuation of the surveillance provided for in Article 11. Such measures may also include in particular:

- regulations regarding access to certain property,
- temporary or local prohibition of the taking of specimens in the wild and exploitation of certain populations,
- regulation of the periods and/or methods of taking specimens,
- application, when specimens are taken, of hunting and fishing rules which take account of the conservation of such populations,
- establishment of a system of licences for taking specimens or of quotas,
- regulation of the purchase, sale, offering for sale, keeping for sale or transport for sale of specimens,
- breeding in captivity of animal species as well as artificial propagation of plant species, under strictly controlled conditions, with a view to reducing the taking of specimens of the wild,
- assessment of the effect of the measures adopted.

*Article 15*

In respect of the capture or killing of species of wild fauna listed in Annex V (a) and in cases where, in accordance with Article 16, derogations are applied to the taking, capture or killing of species listed in Annex IV (a), Member States shall prohibit the use of all indiscriminate means capable of causing local disappearance of, or serious disturbance to, populations of such species, and in particular:

- (a) use of the means of capture and killing listed in Annex VI (a);
- (b) any form of capture and killing from the modes of transport referred to in Annex VI (b).

*Article 16*

1. Provided that there is no satisfactory alternative and the derogation is not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range, Member States may derogate from the provisions of Articles 12, 13, 14 and 15 (a) and (b):

- (a) in the interest of protecting wild fauna and flora and conserving natural habitats;
- (b) to prevent serious damage, in particular to crops, livestock, forests, fisheries and water and other types of property;
- (c) in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment;
- (d) for the purpose of research and education, of repopulating and reintroducing these species and for the breeding operations necessary for these purposes, including the artificial propagation of plants;
- (e) to allow, under strictly supervised conditions, on a selective basis and to a limited extent, the taking or keeping of certain specimens of the species listed in Annex IV in limited numbers specified by the competent national authorities.

2. Member States shall forward to the Commission every two years a report in accordance with the format established by the Committee on the derogations applied under paragraph 1. The Commission shall give its opinion on these derogations within a maximum time limit of 12 months following receipt of the report and shall give an account to the Committee.

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3. The reports shall specify:

- (a) the species which are subject to the derogations and the reason for the derogation, including the nature of the risk, with, if appropriate, a reference to alternatives rejected and scientific data used;
- (b) the means, devices or methods authorized for the capture or killing of animal species and the reasons for their use;
- (c) the circumstances of when and where such derogations are granted;
- (d) the authority empowered to declare and check that the required conditions obtain and to decide what means, devices or methods may be used, within what limits and by what agencies, and which persons ► C1 are to carry out the ◀ task;
- (e) the supervisory measures used and the results obtained.

### **Information**

#### *Article 17*

1. Every six years from the date of expiry of the period laid down in Article 23, Member States shall draw up a report on the implementation of the measures taken under this Directive. This report shall include in particular information concerning the conservation measures referred to in Article 6 (1) as well as evaluation of the impact of those measures on the conservation status of the natural habitat types of Annex I and the species in Annex II and the main results of the surveillance referred to in Article 11. The report, in accordance with the format established by the committee, shall be forwarded to the Commission and made accessible to the public.

2. The Commission shall prepare a composite report based on the reports referred to in paragraph 1. This report shall include an appropriate evaluation of the progress achieved and, in particular, of the contribution of Natura 2000 to the achievement of the objectives set out in Article 3. A draft of the part of the report covering the information supplied by a Member State shall be forwarded to the Member State in question for verification. After submission to the committee, the final version of the report shall be published by the Commission, not later than two years after receipt of the reports referred to in paragraph 1, and shall be forwarded to the Member States, the European Parliament, the Council and the Economic and Social Committee.

3. Member States may mark areas designated under this Directive by means of Community notices designed for that purpose by the committee.

### **Research**

#### *Article 18*

1. Member States and the Commission shall encourage the necessary research and scientific work having regard to the objectives set out in Article 2 and the obligation referred to in Article 11. They shall exchange information for the purposes of proper coordination of research carried out at Member State and at Community level.

2. Particular attention shall be paid to scientific work necessary for the implementation of Articles 4 and 10, and transboundary cooperative research between Member States shall be encouraged.

### **Procedure for amending the Annexes**

#### *Article 19*

Such amendments as are necessary for adapting Annexes I, II, III, V and VI to technical and scientific progress shall be adopted by the Council acting by qualified majority on a proposal from the Commission.

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Such amendments as are necessary for adapting Annex IV to technical and scientific progress shall be adopted by the Council acting unanimously on a proposal from the Commission.

### **Committee**

#### *Article 20*

The Commission shall be assisted by a committee.

#### *Article 21*

1. Where reference is made to this Article, Articles 5 and 7 of Decision

1999/468/EC (1) shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

2. The Committee shall adopt its rules of procedure.

### **Supplementary provisions**

#### *Article 22*

In implementing the provisions of this Directive, Member States shall:

(a) study the desirability of re-introducing species in Annex IV that are native to their territory where this might contribute to their conservation, provided that an investigation, also taking into account

experience in other Member States or elsewhere, has established that such re-introduction contributes effectively to re-establishing these species at a favourable conservation status and that it takes place only after proper consultation of the public concerned;

(b) ensure that the deliberate introduction into the wild of any species which is not native to their territory is regulated so as not to prejudice natural habitats within their natural range or the wild native fauna and flora and, if they consider it necessary, prohibit such introduction. The results of the assessment undertaken shall be forwarded to the committee for information;

(c) promote education and general information on the need to protect species of wild fauna and flora and to conserve their habitats and natural habitats.

### **Final provisions**

#### *Article 23*

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive within two years of its notification. They shall forthwith inform the Commission thereof.

2. When Member States adopt such measures, they shall contain a reference to this Directive or be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

3. Member States shall communicate to the Commission the main provisions of national law which they adopt in the field covered by this Directive.

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(1) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).

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#### *Article 24*

This Directive is addressed to the Member States.

#### *ANNEX I*

### **NATURAL HABITAT TYPES OF COMMUNITY INTEREST WHOSE CONSERVATION REQUIRES THE DESIGNATION OF SPECIAL AREAS OF CONSERVATION**

#### **Interpretation**

Guidance on the interpretation of habitat types is given in the 'Interpretation Manual of European Union Habitats' as approved by the committee set up under Article 20 ('Habitats Committee') and published by the European Commission (1).

The code corresponds to the NATURA 2000 code.

The sign '\*' indicates priority habitat types.

#### **1. COASTAL AND HALOPHYTIC HABITATS**

##### **11. Open sea and tidal areas**

1110 Sandbanks which are slightly covered by sea water all the time

1120 \* *Posidonia* beds (*Posidonium oceanicae*)

1130 Estuaries

1140 Mudflats and sandflats not covered by seawater at low tide

1150 \* Coastal lagoons

1160 Large shallow inlets and bays  
1170 Reefs  
1180 Submarine structures made by leaking gases  
**12. Sea cliffs and shingle or stony beaches**  
1210 Annual vegetation of drift lines  
1220 Perennial vegetation of stony banks  
1230 Vegetated sea cliffs of the Atlantic and Baltic Coasts  
1240 Vegetated sea cliffs of the Mediterranean coasts with endemic *Limonium* spp.  
1250 Vegetated sea cliffs with endemic flora of the Macaronesian coasts  
**13. Atlantic and continental salt marshes and salt meadows**  
1310 *Salicornia* and other annuals colonizing mud and sand  
1320 *Spartina* swards (*Spartinion maritimae*)  
1330 Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)  
1340 \* Inland salt meadows  
**14. Mediterranean and thermo-Atlantic salt marshes and salt meadows**  
1410 Mediterranean salt meadows (*Juncetalia maritimi*)  
1420 Mediterranean and thermo-Atlantic halophilous scrubs (*Sarcocornetea fruticosi*)  
1430 Halo-nitrophilous scrubs (*Pegano-Salsoletea*)  
**15. Salt and gypsum inland steppes**  
1510 \* Mediterranean salt steppes (*Limonietalia*)  
1520 \* Iberian gypsum vegetation (*Gypsophiletalia*)  
1530 \* Pannonic salt steppes and salt marshes  
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(i) 'Interpretation Manual of European Union Habitats, version EUR 15/2' adopted by the Habitats Committee on 4 October 1999 and 'Amendments to the "Interpretation Manual of European Union Habitats" with a view to EU enlargement' (Hab. 01/11 brev. 1) adopted by the Habitats Committee on 24 April 2002 after written consultation, European Commission, DG ENV.  
**16. Boreal Baltic archipelago, coastal and landupheaval areas**  
1610 Baltic esker islands with sandy, rocky and shingle beach vegetation and sublittoral vegetation  
1620 Boreal Baltic islets and small islands  
1630 \* Boreal Baltic coastal meadows  
1640 Boreal Baltic sandy beaches with perennial vegetation  
1650 Boreal Baltic narrow inlets  
2. COASTAL SAND DUNES AND INLAND DUNES  
**21. Sea dunes of the Atlantic, North Sea and Baltic coasts**  
2110 Embryonic shifting dunes  
2120 Shifting dunes along the shoreline with *Ammophila arenaria* ('white dunes')  
2130 \* Fixed coastal dunes with herbaceous vegetation ('grey dunes')  
2140 \* Decalcified fixed dunes with *Empetrum nigrum*  
2150 \* Atlantic decalcified fixed dunes (*Calluno-Ulicetea*)  
2160 Dunes with *Hippophaë rhamnoides*  
2170 Dunes with *Salix repens* ssp. *argentea* (*Salicion arenariae*)  
2180 Wooded dunes of the Atlantic, Continental and Boreal region  
2190 Humid dune slacks  
21A0 Machairs (\* in Ireland)  
**22. Sea dunes of the Mediterranean coast**  
2210 *Crucianellion maritimae* fixed beach dunes  
2220 Dunes with *Euphorbia terracina*  
2230 *Malcolmietalia* dune grasslands  
2240 *Brachypodietalia* dune grasslands with annuals  
2250 \* Coastal dunes with *Juniperus* spp.  
2260 *Cisto-Lavenduletalia* dune sclerophyllous scrubs  
2270 \* Wooded dunes with *Pinus pinea* and/or *Pinus pinaster*  
**23. Inland dunes, old and decalcified**  
2310 Dry sand heaths with *Calluna* and *Genista*  
2320 Dry sand heaths with *Calluna* and *Empetrum nigrum*  
2320 Inland dunes with open *Corynephorus* and *Agrostis* grasslands  
2340 \* Pannonic inland dunes  
3. FRESHWATER HABITATS  
**31. Standing water**  
3110 Oligotrophic waters containing very few minerals of sandy plains (*Littorelletalia uniflorae*)  
3120 Oligotrophic waters containing very few minerals generally on sandy soils of the West Mediterranean, with *Isoetes* spp.  
3130 Oligotrophic to mesotrophic standing waters with vegetation of the

*Littorelletea uniflorae* and/or of the *Isoëto-Nanojuncetea*  
3140 Hard oligo-mesotrophic waters with benthic vegetation of *Chara* spp.  
3150 Natural eutrophic lakes with *Magnopotamion* or *Hydrocharition* – type vegetation  
3160 Natural dystrophic lakes and ponds  
3170 \* Mediterranean temporary ponds  
3180 \* Turloughs  
3190 Lakes of gypsum karst  
31A0 \* Transylvanian hot-spring lotus beds  
**32. Running water – sections of water courses with natural or seminatural dynamics (minor, average and major beds) where the water quality shows no significant deterioration**  
3210 Fennoscandian natural rivers  
3220 Alpine rivers and the herbaceous vegetation along their banks  
3230 Alpine rivers and their ligneous vegetation with *Myricaria germanica*  
3240 Alpine rivers and their ligneous vegetation with *Salix elaeagnos*  
3250 Constantly flowing Mediterranean rivers with *Glaucium flavum*  
3260 Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion* vegetation  
3270 Rivers with muddy banks with *Chenopodium rubri* p.p. and *Bidention* p.p. vegetation  
3280 Constantly flowing Mediterranean rivers with *Paspalo-Agrostidion* species and hanging curtains of *Salix* and *Populus alba*  
3290 Intermittently flowing Mediterranean rivers of the *Paspalo-Agrostidion*  
4. TEMPERATE HEATH AND SCRUB  
**4010 Northern Atlantic wet heaths with *Erica tetralix***  
4020 \* Temperate Atlantic wet heaths with *Erica ciliaris* and *Erica tetralix*  
4030 European dry heaths  
4040 \* Dry Atlantic coastal heaths with *Erica vagans*  
4050 \* Endemic macaronesian heaths  
4060 Alpine and Boreal heaths  
4070 \* Bushes with *Pinus mugo* and *Rhododendron hirsutum* (*Mugo-Rhododendretum hirsuti*)  
4080 Sub-Arctic *Salix* spp. Scrub  
4090 Endemic oro-Mediterranean heaths with gorse  
40A0 \* Subcontinental peri-Pannonic scrub  
5. SCLEROPHYLLOUS SCRUB (MATORRAL)  
**51. Sub-Mediterranean and temperate scrub**  
5110 Stable xerothermophilous formations with *Buxus sempervirens* on rock slopes (*Berberidion* p.p.)  
5120 Mountain *Cytisus purgans* formations  
5130 *Juniperus communis* formations on heaths or calcareous grasslands  
5140 \* *Cistus palhinhae* formations on maritime wet heaths  
**52. Mediterranean arborescent matorral**  
5210 Arborescent matorral with *Juniperus* spp.  
5220 \* Arborescent matorral with *Zyziphus*  
5230 \* Arborescent matorral with *Laurus nobilis*  
**53. Thermo-Mediterranean and pre-steppe brush**  
5310 *Laurus nobilis* thickets  
5320 Low formations of *Euphorbia* close to cliffs  
5330 Thermo-Mediterranean and pre-desert scrub  
**54. Phrygana**  
5410 West Mediterranean clifftop phryganas (*Astragalo-Plantagnetum subulatae*)  
5420 *Sarcopoterium spinosum* phryganas  
5430 Endemic phryganas of the *Euphorbio-Verbascion*  
6. NATURAL AND SEMI-NATURAL GRASSLAND FORMATIONS  
**61. Natural grasslands**  
6110 \* Rupicolous calcareous or basophilic grasslands of the *Alysso-Sedion albi*  
6120 \* Xeric sand calcareous grasslands  
6130 Calaminarian grasslands of the *Violetalia calaminariae*  
6140 Siliceous Pyrenean *Festuca eskia* grasslands  
6150 Siliceous alpine and boreal grasslands  
6160 Oro-Iberian *Festuca indigesta* grasslands  
6170 Alpine and subalpine calcareous grasslands  
6180 Macaronesian mesophile grasslands  
6190 Rupicolous pannonic grasslands (*Stipo-Festucetalia pallentis*)  
**62. Semi-natural dry grasslands and scrubland facies**  
6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (*Festuco-Brometalia*) (\* important orchid sites)

6220 \* Pseudo-steppe withgrasses and annuals of the *Thero-Brachypodietea*  
6230 \* Species-rich *Nardus* grasslands, on silicious substrates in mountain areas (and submountain areas in Continental Europe)  
6240 \* Sub-Pannonic steppic grasslands  
6250 \* Pannonic loess steppic grasslands  
6260 \* Pannonic sand steppes  
6270 \* Fennoscandian lowland species-richdry to mesic grasslands  
6280 \* Nordic alvar and precambrian calcareous flatrocks  
62A0 Eastern sub-Mediterranean dry grasslands (*Scorzoneratalia villosae*)  
62B0 \* Serpentinophilous grassland of Cyprus

**63. Sclerophillous grazed forests (dehesas)**  
6310 Dehesas with evergreen *Quercus* spp.

**64. Semi-natural tall-herb humid meadows**  
6410 *Molinia* meadows on calcareous, peaty or clayey-silt-laden soils (*Molinion caeruleae*)  
6420 Mediterranean tall humid grasslands of the *Molinio-Holoschoenion*  
6430 Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels  
6440 Alluvial meadows of river valleys of the *Cnidion dubii*  
6450 Northern boreal alluvial meadows  
6460 Peat grasslands of Troodos

**65. Mesophile grasslands**  
6510 Lowland hay meadows (*Alopecurus pratensis*, *Sanguisorba officinalis*)  
6520 Mountain hay meadows  
6530 \* Fennoscandian wooded meadows

**7. RAISED BOGS AND MIRES AND FENS**

**71. Sphagnum acid bogs**  
7110 \* Active raised bogs  
7120 Degraded raised bogs still capable of natural regeneration  
7130 Blanket bogs (\* if active bog)  
7140 Transition mires and quaking bogs  
7150 Depressions on peat substrates of the *Rhynchosporion*  
7160 Fennoscandian mineral-richsprings and springfens

**72. Calcareous fens**  
7210 \* Calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae*  
7220 \* Petrifying springs withtufa formation (*Cratoneurion*)  
7230 Alkaline fens  
7240 \* Alpine pioneer formations of the *Caricion bicoloris-atrofuscae*

**73. Boreal mires**  
7310 \* Aapa mires  
7320 \* Palsa mires

**8. ROCKY HABITATS AND CAVES**

**81. Scree**  
8110 Siliceous scree of the montane to snow levels (*Androsacetalia alpinae* and *Galeopsietalia ladani*)  
8120 Calcareous and calcshist screes of the montane to alpine levels (*Thlaspietea rotundifolii*)  
8130 Western Mediterranean and thermophilous scree  
8140 Eastern Mediterranean screes  
8150 Medio-European upland siliceous screes  
8160 \* Medio-European calcareous scree of hill and montane levels

**82. Rocky slopes with chasmophytic vegetation**  
8210 Calcareous rocky slopes with chasmophytic vegetation  
8220 Siliceous rocky slopes with chasmophytic vegetation  
8230 Siliceous rock withpioneer vegetation of the *Sedo-Scleranthion* or of the *Sedo albi-Veronicion dillenii*  
8240 \* Limestone pavements

**83. Other rocky habitats**  
8310 Caves not open to the public  
8320 Fields of lava and natural excavations  
8330 Submerged or partially submerged sea caves  
8340 Permanent glaciers

**9. FORESTS**  
(Sub)natural woodland vegetation comprising native species forming forests of tall trees, with typical undergrowth, and meeting the following criteria: rare or residual, and/or hosting species of Community interest

**90. Forests of Boreal Europe**  
9010 \* Western Taiga  
9020 \* Fennoscandian hemiboreal natural old broad-leaved deciduous forests (*Quercus*, *Tilia*, *Acer*, *Fraxinus* or *Ulmus*) richin epiphytes

- 9030 \* Natural forests of primary succession stages of landupheaval coast
- 9040 Nordic subalpine/subarctic forests with *Betula pubescens* ssp. *czerepanovii*
- 9050 Fennoscandian herb-rich forests with *Picea abies*
- 9060 Coniferous forests on, or connected to, glaciofluvial eskers
- 9070 Fennoscandian wooded pastures
- 9080 \* Fennoscandian deciduous swamp woods

#### **91. Forests of Temperate Europe**

- 9110 *Luzulo-Fagetum* beechforests
- 9120 Atlantic acidophilous beech forests with *Ilex* and sometimes also *Taxus* in the shrublayer (*Quercion robori-petraeae* or *Ilici-Fagenion*)
- 9130 *Asperulo-Fagetum* beechforests
- 9140 Medio-European subalpine beechwoods with *Acer* and *Rumex arifolius*
- 9150 Medio-European limestone beechforests of the *Cephalanthero-Fagion*
- 9160 Sub-Atlantic and medio-European oak or oak-hornbeam forests of the *Carpinion betuli*
- 9170 *Galio-Carpinetum* oak-hornbeam forests
- 9180 \* *Tilio-Acerion* forests of slopes, screes and ravines
- 9190 Old acidophilous oak woods with *Quercus robur* on sandy plains
- 91A0 Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles
- 91B0 Thermophilous *Fraxinus angustifolia* woods
- 91C0 \* Caledonian forest
- 91D0 \* Bog woodland
- 91E0 \* Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*)
- 91F0 Riparian mixed forests of *Quercus robur*, *Ulmus laevis* and *Ulmus minor*, *Fraxinus excelsior* or *Fraxinus angustifolia*, along the great rivers (*Ulmenion minoris*)
- 91G0 \* Pannonic woods with *Quercus petraea* and *Carpinus betulus*
- 91H0 \* Pannonian woods with *Quercus pubescens*
- 91I0 \* Euro-Siberian steppic woods with *Quercus* spp.
- 91J0 \* *Taxus baccata* woods of the British Isles
- 91K0 Illyrian *Fagus sylvatica* forests (*Aremonio-Fagion*)
- 91L0 Illyrian oak-hornbeam forests (*Erythronio-carpinion*)
- 91M0 Pannonian-Balkan turkey oak –sessile oak forests
- 91N0 \* Pannonic inland sand dune thicket (*Junipero-Populetum albae*)
- 91P0 Holy Cross fir forest (*Abietetum polonicum*)
- 91Q0 Western Carpathian calcicolous *Pinus sylvestris* forests
- 91R0 Dinaric dolomite Scots pine forests (*Genisto januensis-Pinetum*)
- 91T0 Central European lichen Scots pine forests
- 91U0 Sarmatic steppe pine forest
- 91V0 Dacian Beechforests (*Symphyto-Fagion*)

#### **92. Mediterranean deciduous forests**

- 9210 \* Apeninne beechforests with *Taxus* and *Ilex*
  - 9220 \* Apennine beechforests with *Abies alba* and beechforests with *Abies nebrodensis*
  - 9230 Galicio-Portuguese oak woods with *Quercus robur* and *Quercus pyrenaica*
  - 9240 *Quercus faginea* and *Quercus canariensis* Iberian woods
  - 9250 *Quercus trojana* woods
  - 9260 *Castanea sativa* woods
  - 9270 Hellenic beechforests with *Abies borisii-regis*
  - 9280 *Quercus frainetto* woods
  - 9290 *Cupressus* forests (*Acero-Cupression*)
  - 92A0 *Salix alba* and *Populus alba* galleries
  - 92B0 Riparian formations on intermittent Mediterranean water courses with *Rhododendron ponticum*, *Salix* and others
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- 92C0 *Platanus orientalis* and *Liquidambar orientalis* woods (*Platanion orientalis*)
- 92D0 Southern riparian galleries and thickets (*Nerio-Tamaricetea* and *Securinegion tinctoriae*)

#### **93. Mediterranean sclerophyllous forests**

- 9310 Aegean *Quercus brachyphylla* woods
- 9320 *Olea* and *Ceratonia* forests
- 9330 *Quercus suber* forests
- 9340 *Quercus ilex* and *Quercus rotundifolia* forests
- 9350 *Quercus macrolepis* forests
- 9360 \* Macaronesian laurel forests (*Laurus*, *Ocotea*)
- 9370 \* Palm groves of *Phoenix*
- 9380 Forests of *Ilex aquifolium*
- 9390 \* Scrub and low forest vegetation with *Quercus alnifolia*

93A0 Woodlands with *Quercus infectoria* (*Anagyro foetidae-Quercetum infectoriae*)

**94. Temperate mountainous coniferous forests**

9410 Acidophilous *Picea* forests of the montane to alpine levels (*Vaccinio-Piceetea*)

9420 Alpine *Larix decidua* and/or *Pinus cembra* forests

9430 Subalpine and montane *Pinus uncinata* forests (\* if on gypsum or limestone)

**95. Mediterranean and Macaronesian mountainous coniferous forests**

9510 \* Southern Apennine *Abies alba* forests

9520 *Abies pinsapo* forests

9530 \* (Sub-) Mediterranean pine forests with endemic black pines

9540 Mediterranean pine forests with endemic Mesogean pines

9550 Canarian endemic pine forests

9560 \* Endemic forests with *Juniperus* spp.

9570 \* *Tetraclinis articulata* forests

9580 \* Mediterranean *Taxus baccata* woods

9590 \* *Cedrus brevifolia* forests (*Cedrosetum brevifoliae*)

**ANNEX II**

**ANIMAL AND PLANT SPECIES OF COMMUNITY INTEREST WHOSE CONSERVATION REQUIRES THE DESIGNATION OF SPECIAL AREAS OF CONSERVATION**

**Interpretation**

(a) Annex II follows on from Annex I for the establishment of a consistent network of special areas of conservation.

(b) The species listed in this Annex are indicated:

— by the name of the species or subspecies, or

— by all the species belonging to a higher taxon or to a designated part of that taxon. The abbreviation 'spp.' after the name of a family or genus designates all the species belonging to that family or genus.

(c) Symbols

An asterisk (\*) before the name of a species indicates that it is a priority species.

Most species listed in this Annex are also listed in Annex IV. Where a species appears in this Annex but does not appear in either Annex IV or Annex V, the species name is followed by the symbol (o); where a species which appears in this Annex also appears in Annex V but does not appear in Annex IV, its name is followed by the symbol (V).

(a) **ANIMALS**

**VERTEBRATES**

**MAMMALS**

**INSECTIVORA**

Talpidae

*Galemys pyrenaicus*

**CHIROPTERA**

Rhinolophidae

*Rhinolophus blasii*

*Rhinolophus euryale*

*Rhinolophus ferrumequinum*

*Rhinolophus hipposideros*

*Rhinolophus mehelyi*

Vespertilionidae

*Barbastella barbastellus*

*Miniopterus schreibersi*

*Myotis bechsteini*

*Myotis blythii*

*Myotis capaccinii*

*Myotis dasycneme*

*Myotis emarginatus*

*Myotis myotis*

Pteropodidae

*Rousettus aegyptiacus*

**RODENTIA**

Sciuridae

\* *Marmota marmota latirostris*

\* *Pteromys volans* (*Sciuropterus ruscicus*)

*Spermophilus citellus* (*Citellus citellus*)

\* *Spermophilus suslicus* (*Citellus suslicus*)

Castoridae

*Castor fiber* (except the Estonian, Latvian, Lithuanian, Finnish and Swedish populations)

Microtidae

*Microtus cabrerai*

\* *Microtus oeconomus arenicola*

\* *Microtus oeconomus mehelyi*

*Microtus tatricus*

Zapodidae

*Sicista subtilis*

CARNIVORA

Canidae

\* *Alopex lagopus*

\* *Canis lupus* (except the Estonian population; Greek populations: only south of the 39th parallel; Spanish populations: only those south of the Duero; Latvian, Lithuanian and Finnish populations).

Ursidae

\* *Ursus arctos* (except the Estonian, Finnish, and Swedish populations)

Mustelidae

\* *Gulo gulo*

*Lutra lutra*

*Mustela eversmannii*

\* *Mustela lutreola*

Felidae

*Lynx lynx* (except the Estonian, Latvian and Finnish populations)

\* *Lynx pardinus*

Phocidae

*Halichoerus grypus* (V)

\* *Monachus monachus*

*Phoca hispida botnica* (V)

\* *Phoca hispida saimensis*

*Phoca vitulina* (V)

ARTIODACTYLA

Cervidae

\* *Cervus elaphus corsicanus*

*Rangifer tarandus fennicus* (o)

Bovidae

\* *Bison bonasus*

*Capra aegagrus* (natural populations)

\* *Capra pyrenaica pyrenaica*

*Ovis gmelini musimon* (*Ovis ammon musimon*) (natural populations - Corsica and Sardinia)

*Ovis orientalis ophion* (*Ovis gmelini ophion*)

\* *Rupicapra pyrenaica ornata* (*Rupicapra rupicapra ornata*)

*Rupicapra rupicapra balcanica*

\* *Rupicapra rupicapra tatica*

CETACEA

*Phocoena phocoena*

*Tursiops truncatus*

**REPTILES**

CHELONIA (TESTUDINES)

Testudinidae

*Testudo graeca*

*Testudo hermanni*

*Testudo marginata*

Cheloniidae

\* *Caretta caretta*

\* *Chelonia mydas*

Emydidae

*Emys orbicularis*

*Mauremys caspica*

*Mauremys leprosa*

SAURIA

Lacertidae

*Lacerta bonnali* (*Lacerta monticola*)

*Lacerta monticola*

*Lacerta schreiberi*

*Gallotia galloti insulanagae*

\* *Gallotia simonyi*

*Podarcis lilfordi*

*Podarcis pityusensis*

Scincidae

*Chalcides simonyi* (*Chalcides occidentalis*)

Gekkonidae

*Phyllodactylus europaeus*

OPHIDIA (SERPENTES)

Colubridae

\* *Coluber cypriensis*

*Elaphe quatuorlineata*

*Elaphe situla*

\* *Natrix natrix cypriaca*

Viperidae

\* *Macrovipera schweizeri* (*Vipera lebetina schweizeri*)

*Vipera ursinii* (except *Vipera ursinii rakosiensis*)

\* *Vipera ursinii rakosiensis*

## AMPHIBIANS

CAUDATA

Salamandridae

*Chioglossa lusitanica*

*Mertensiella luschani* (*Salamandra luschani*)

\* *Salamandra aurorae* (*Salamandra atra aurorae*)

*Salamandrina terdigitata*

*Triturus carnifex* (*Triturus cristatus carnifex*)

*Triturus cristatus* (*Triturus cristatus cristatus*)

*Triturus dobrogicus* (*Triturus cristatus dobrogicus*)

*Triturus karelinii* (*Triturus cristatus karelinii*)

*Triturus montandoni*

Proteidae

\* *Proteus anguinus*

Plethodontidae

*Hydromantes (Speleomantes) ambrosii*

*Hydromantes (Speleomantes) flavus*

*Hydromantes (Speleomantes) genei*

*Hydromantes (Speleomantes) imperialis*

*Hydromantes (Speleomantes) strinatii*

*Hydromantes (Speleomantes) supramontes*

ANURA

Discoglossidae

\* *Alytes muletensis*

*Bombina bombina*

*Bombina variegata*

*Discoglossus galganoi* (including *Discoglossus 'jeanneae'*)

*Discoglossus montalentii*

*Discoglossus sardus*

Ranidae

*Rana latastei*

Pelobatidae

\* *Pelobates fuscus insubricus*

## FISH

PETROMYZONIFORMES

Petromyzonidae

*Eudontomyzon* spp. (o)

*Lampetra fluviatilis* (V) (except the Finnish and Swedish populations)

*Lampetra planeri* (o) (except the Estonian, Finnish, and Swedish populations)

*Lethenteron zanandreaei* (V)

*Petromyzon marinus* (o) (except the Swedish populations)

ACIPENSERIFORMES

Acipenseridae

\* *Acipenser naccarii*

\* *Acipenser sturio*

CLUPEIFORMES

Clupeidae

*Alosa* spp. (V)

SALMONIFORMES

Salmonidae

*Hucho hucho* (natural populations) (V)

*Salmo macrostigma* (o)

*Salmo marmoratus* (o)

*Salmo salar* (only in freshwater) (V) (except the Finnish populations)

Coregonidae

\* *Coregonus oxyrhynchus* (anadromous populations in certain sectors of the

North Sea)

Umbridae

*Umbra krameri* (o)  
 CYPRINIFORMES  
 Cyprinidae  
*Alburnus albidus* (o) (*Alburnus vulturius*)  
*Anaecypris hispanica*  
*Aspius aspius* (V) (except the Finnish populations)  
*Barbus comiza* (V)  
*Barbus meridionalis* (V)  
*Barbus plebejus* (V)  
*Chalcalburnus chalcoides* (o)  
*Chondrostoma genei* (o)  
*Chondrostoma lusitanicum* (o)  
*Chondrostoma polylepis* (o) (including *C. willkommi*)  
*Chondrostoma soetta* (o)  
*Chondrostoma toxostoma* (o)  
*Gobio albipinnatus* (o)  
*Gobio kessleri* (o)  
*Gobio uranoscopus* (o)  
*Iberocypris palaciosi* (o)  
 \* *Ladigesocypris ghigii* (o)  
*Leuciscus lucumonis* (o)  
*Leuciscus souffia* (o)  
*Pelecus cultratus* (V)  
*Phoxinellus spp.* (o)  
 \* *Phoxinus percnurus*  
*Rhodeus sericeus amarus* (o)  
*Rutilus pigus* (V)  
*Rutilus rubilio* (o)  
*Rutilus arcasii* (o)  
*Rutilus macrolepidotus* (o)  
*Rutilus lemmingii* (o)  
*Rutilus frisii meidingeri* (V)  
*Rutilus alburnoides* (o)  
*Scardinius graecus* (o)  
 Cobitidae  
*Cobitis elongata* (o)  
*Cobitis taenia* (o) (except the Finnish populations)  
*Cobitis trichonica* (o)  
*Misgurnus fossilis* (o)  
*Sabanejewia aurata* (o)  
*Sabanejewia larvata* (o) (*Cobitis larvata* and *Cobitis conspersa*)  
 SILURIFORMES  
 Siluridae  
*Silurus aristotelis* (V)  
 ATHERINIFORMES  
 Cyprinodontidae  
*Aphanius iberus* (o)  
*Aphanius fasciatus* (o)  
 \* *Valencia hispanica*  
 \* *Valencia letourneuxi* (*Valencia hispanica*)  
 PERCIFORMES  
 Percidae  
*Gymnocephalus baloni*  
*Gymnocephalus schraetzer* (V)  
*Zingel spp.* ((o) except *Zingel asper* and *Zingel zingel* (V))  
 Gobiidae  
*Knipowitschia (Padogobius) panizzae* (o)  
*Padogobius nigricans* (o)  
*Pomatoschistus canestrini* (o)  
 SCORPAENIFORMES  
 Cottidae  
*Cottus gobio* (o) (except the Finnish populations)  
*Cottus petiti* (o)  
 INVERTEBRATES  
**ARTHROPODS**  
 CRUSTACEA  
 Decapoda  
*Austropotamobius pallipes* (V)  
 \* *Austropotamobius torrentium* (V)  
 Isopoda  
 \* *Armadillidium ghardalamensis*

INSECTA

Coleoptera

*Agathidium pulchellum* (o)  
*Bolbelasmus unicornis*  
*Boros schneideri* (o)  
*Buprestis splendens*  
*Carabus hampei*  
*Carabus hungaricus*  
 \* *Carabus menetriesi pacholei*  
 \* *Carabus olympiae*  
*Carabus variolosus*  
*Carabus zawadzskii*  
*Cerambyx cerdo*  
*Corticaria planula* (o)  
*Cucujus cinnaberinus*  
*Dorcadion fulvum cervae*  
*Duvalius gebhardti*  
*Duvalius hungaricus*  
*Dytiscus latissimus*  
*Graphoderus bilineatus*  
*Leptodirus hochenwarti*  
*Limoniscus violaceus* (o)  
*Lucanus cervus* (o)  
*Macroplea pubipennis* (o)  
*Mesosa myops* (o)  
*Morimus funereus* (o)  
 \* *Osmoderma eremita*  
*Oxyporus mannerheimii* (o)  
*Pilemia tigrina*  
 \* *Phryganophilus ruficollis*  
*Probiticus subrugosus*  
*Propomacrus cypriacus*  
 \* *Pseudogaurotina excellens*  
*Pseudoseriscius cameroni*  
*Pytho kolwensis*  
*Rhysodes sulcatus* (o)  
 \* *Rosalia alpina*  
*Stephanopachys linearis* (o)  
*Stephanopachys substriatus* (o)  
*Xyletinus tremulicola* (o)

Hemiptera

*Aradus angularis* (o)

Lepidoptera

*Agriades glandon aquilo* (o)  
*Arytrura musculus*  
 \* *Callimorpha (Euplagia, Panaxia) quadripunctaria* (o)  
*Catopta thrips*  
*Chondrosoma fiduciarium*  
*Clossiana improba* (o)  
*Coenonympha oedippus*  
*Colias myrmidone*  
*Cucullia mixta*  
*Dioszeghyana schmidtii*  
*Erannis ankeraria*  
*Erebia calcaria*  
*Erebia christi*  
*Erebia medusa polaris* (o)  
*Eriogaster catax*  
*Euphydryas (Eurodryas, Hypodryas) aurinia* (o)  
*Glyphipterix loricatella*  
*Gortyna borelii lunata*  
*Graellsia isabellae* (V)  
*Hesperia comma catena* (o)  
*Hypodryas maturna*  
*Leptidea morsei*  
*Lignyoptera fumidaria*  
*Lycaena dispar*  
*Lycaena helle*  
*Maculinea nausithous*  
*Maculinea teleius*  
*Melanargia arge*

\* *Nymphalis vaualbum*  
*Papilio hospiton*  
*Phyllometra culminaria*  
*Plebicula golgus*  
*Polymixis rufocincta isolata*  
*Polyommatus eroides*  
*Xestia borealis* (o)  
*Xestia brunneopicta* (o)  
 \* *Xylomoia strix*  
 Mantodea  
*Apteromantis aptera*  
 Odonata  
*Coenagrion hylas* (o)  
*Coenagrion mercuriale* (o)  
*Coenagrion ornatum* (o)  
*Cordulegaster heros*  
*Cordulegaster trinacriae*  
*Gomphus graslinii*  
*Leucorrhinia pectoralis*  
*Lindenia tetraphylla*  
*Macromia splendens*  
*Ophiogomphus cecilia*  
*Oxygastra curtisii*  
 Orthoptera  
*Baetica ustulata*  
*Brachytrupes megacephalus*  
*Isophya costata*  
*Isophya stysi*  
*Myrmecophilus baronii*  
*Odontopodisma rubripes*  
*Paracaloptenus caloptenoides*  
*Pholidoptera transsylvanica*  
*Stenobothrus (Stenobothrodes) eurasius*  
 ARACHNIDA  
 Pseudoscorpiones  
*Anthrenochernes stellae* (o)  
**MOLLUSCS**  
 GASTROPODA  
*Anisus vorticulus*  
*Caseolus calculus*  
*Caseolus commixta*  
*Caseolus sphaerula*  
*Chilostoma banaticum*  
*Discula leacockiana*  
*Discula tabellata*  
*Discus guerinianus*  
*Elona quimperiana*  
*Geomalacus maculosus*  
*Geomitra moniziana*  
*Gibbula nivosa*  
 \* *Helicopsis striata austriaca* (o)  
*Hygromia kovacsi*  
*Idiomela (Helix) subplicata*  
*Lampedusa imitatrix*  
 \* *Lampedusa melitensis*  
*Leiostyla abbreviata*  
*Leiostyla cassida*  
*Leiostyla corneocostata*  
*Leiostyla gibba*  
*Leiostyla lamellosa*  
 \* *Paladilhia hungarica*  
*Sadleriana pannonica*  
*Theodoxus transversalis*  
*Vertigo angustior* (o)  
*Vertigo genesii* (o)  
*Vertigo geyeri* (o)  
*Vertigo moulinsiana* (o)  
 BIVALVIA  
 Unionoida  
*Margaritifera durrovensis (Margaritifera margaritifera)* (V)  
*Margaritifera margaritifera* (V)

*Unio crassus*

Dreissenidae

*Congerius kusceri*

(b) **PLANTS**

**PTERIDOPHYTA**

Aspleniaceae

*Asplenium jahandiezii* (Litard.) Rouy

Rouy *Asplenium adulterinum* Milde

Blechnaceae

*Woodwardia radicans* (L.) Sm.

Dicksoniaceae

*Culcita macrocarpa* C. Presl

Dryopteridaceae

*Diplazium sibiricum* (Turcz. ex Kunze) Kurata

\* *Dryopteris corleyi* Fraser-Jenk.

*Dryopteris fragans* (L.) Schott

Hymenophyllaceae

*Trichomanes speciosum* Willd.

Isoetaceae

*Isoetes boryana* Durieu

*Isoetes malinverniana* Ces. & De Not.

Marsileaceae

*Marsilea batardae* Launert

*Marsilea quadrifolia* L.

*Marsilea strigosa* Willd.

Ophioglossaceae

*Botrychium simplex* Hitchc.

*Ophioglossum polyphyllum* A. Braun

**GYMNOSPERMAE**

Pinaceae

\* *Abies nebrodensis* (Lojac.) Mattei

**ANGIOSPERMAE**

Alismataceae

\* *Alisma wahlenbergii* (Holmberg) Juz.

*Caldesia parnassifolia* (L.) Parl.

*Luronium natans* (L.) Raf.

Amaryllidaceae

*Leucojum nicaeense* Ard.

*Narcissus asturiensis* (Jordan) Pugsley

*Narcissus calcicola* Mendonça

*Narcissus cyclamineus* DC.

*Narcissus fernandesii* G. Pedro

*Narcissus humilis* (Cav.) Traub

\* *Narcissus nevadensis* Pugsley

*Narcissus pseudonarcissus* L. subsp. *nobilis* (Haw.) A. Fernandes

*Narcissus scaberulus* Henriq.

*Narcissus triandrus* L. subsp. *capax* (Salisb.) D. A. Webb.

*Narcissus viridiflorus* Schousboe

Asclepiadaceae

*Vincetoxicum pannonicum* (Borhidi) Holub

Boraginaceae

\* *Anchusa crispa* Viv.

*Echium russicum* J.F. Gmelin

\* *Lithodora nitida* (H. Ern) R. Fernandes

*Myosotis lusitanica* Schuster

*Myosotis rehsteineri* Wartm.

*Myosotis retusifolia* R. Afonso

*Omphalodes kuzinskyanae* Willk.

\* *Omphalodes littoralis* Lehm.

\* *Onosma tornensis* Javorka

*Solenanthes albanicus* (Degen & al.) Degen & Baldacci

\* *Symphytum cycladense* Pawl.

Campanulaceae

*Adenophora lilifolia* (L.) Ledeb.

*Asyneuma giganteum* (Boiss.) Bornm.

\* *Campanula bohemica* Hruby

\* *Campanula gelida* Kovanda

\* *Campanula sabatia* De Not.

\* *Campanula serrata* (Kit.) Hendrych

*Campanula zoyisii* Wulfen

*Jasione crispa* (Pourret) Samp. subsp. *serpentinica* Pinto da Silva

*Jasione lusitanica* A. DC.  
 Caryophyllaceae  
*Arenaria ciliata* L. subsp. *pseudofrigida* Ostenf. & O.C. Dahl  
*Arenaria humifusa* Wahlenberg  
 \* *Arenaria nevadensis* Boiss. & Reuter  
*Arenaria provincialis* Chater & Halliday  
 \* *Cerastium alsinifolium* Tausch  
*Cerastium dinaricum* G.Beck & Szysz.  
*Dianthus arenarius* L. subsp. *arenarius*  
 \* *Dianthus arenarius* subsp. *bohemicus* (Novak) O.Schwarz  
*Dianthus cintranus* Boiss. & Reuter subsp. *cintranus* Boiss. & Reuter  
 \* *Dianthus diutinus* Kit.  
 \* *Dianthus lummitzeri* Wiesb.  
*Dianthus marizii* (Samp.) Samp.  
 \* *Dianthus moravicus* Kovanda  
 \* *Dianthus nitidus* Waldst. et Kit.  
*Dianthus plumarius* subsp. *regis-stephani* (Rapcs.) Baksay  
*Dianthus rupicola* Biv.  
 \* *Gypsophila papillosa* P. Porta  
*Herniaria algarvica* Chaudhri  
 \* *Herniaria latifolia* Lapeyr. subsp. *litardierei* Gamis  
*Herniaria lusitanica* (Chaudhri) subsp. *berlengiana* Chaudhri  
*Herniaria maritima* Link  
 \* *Minuartia smejkalii* Dvorakova  
*Moehringia lateriflora* (L.) Fenzl.  
*Moehringia tommasinii* Marches.  
*Moehringia villosa* (Wulfen) Fenzl  
*Petrocoptis grandiflora* Rothm.  
*Petrocoptis montsiciana* O. Bolos & Rivas Mart.  
*Petrocoptis pseudoviscosa* Fernandez Casas  
*Silene furcata* Rafin. subsp. *angustiflora* (Rupr.) Walters  
 \* *Silene hicesiae* Brullo & Signorello  
*Silene hifacensis* Rouy ex Willk.  
 \* *Silene holzmanii* Heldr. ex Boiss.  
*Silene longicilia* (Brot.) Otth.  
*Silene mariana* Pau  
 \* *Silene orphanidis* Boiss  
 \* *Silene rothmaleri* Pinto da Silva  
 \* *Silene velutina* Pourret ex Loisel.  
 Chenopodiaceae  
 \* *Bassia (Kochia) saxicola* (Guss.) A. J. Scott  
 \* *Cremnophyton lanfrancoi* Brullo et Pavone  
 \* *Salicornia veneta* Pignatti & Lausi  
 Cistaceae  
*Cistus palhinhae* Ingram  
*Halimium verticillatum* (Brot.) Sennen  
*Helianthemum alypoides* Losa & Rivas Goday  
*Helianthemum caput-felis* Boiss.  
 \* *Tuberaria major* (Willk.) Pinto da Silva & Rozeira  
 Compositae  
 \* *Anthemis glaberrima* (Rech. f.) Greuter  
*Artemisia campestris* L. subsp. *botnica* A.N. Lundström ex Kindb.  
 \* *Artemisia granatensis* Boiss.  
 \* *Artemisia laciniata* Willd.  
*Artemisia oelandica* (Besser) Komaror  
 \* *Artemisia pancicii* (Janka) Ronn.  
 \* *Aster pyrenaicus* Desf. ex DC  
 \* *Aster sorrentinii* (Tod) Lojac.  
*Carlina onopordifolia* Besser  
 \* *Carduus myriacanthus* Salzm. ex DC.  
 \* *Centaurea alba* L. subsp. *heldreichii* (Halacsy) Dostal  
 \* *Centaurea alba* L. subsp. *princeps* (Boiss. & Heldr.) Gugler  
 \* *Centaurea akamantis* T. Georgiadis & G. Chatzikyriakou  
 \* *Centaurea attica* Nyman subsp. *megarensis* (Halacsy & Hayek) Dostal  
 \* *Centaurea balearica* J. D. Rodriguez  
 \* *Centaurea borjae* Valdes-Berm. & Rivas Goday  
 \* *Centaurea citricolor* Font Quer  
*Centaurea corymbosa* Pourret  
*Centaurea gadorensis* G. Blanca  
 \* *Centaurea horrida* Badaro  
 \* *Centaurea kalambakensis* Freyn & Sint.

*Centaurea kartschiana* Scop.  
 \* *Centaurea lactiflora* Halacsy  
*Centaurea micrantha* Hoffmanns. & Link subsp. *herminii* (Rouy) Dostál  
 \* *Centaurea niederi* Heldr.  
 \* *Centaurea peucedanifolia* Boiss. & Orph.  
 \* *Centaurea pinnata* Pau  
*Centaurea pulvinata* (G. Blanca) G. Blanca  
*Centaurea rothmalerana* (Arènes) Dostál  
*Centaurea vicentina* Mariz  
*Cirsium brachycephalum* Juratzka  
 \* *Crepis crocifolia* Boiss. & Heldr.  
*Crepis granatensis* (Willk.) B. Blanca & M. Cueto  
*Crepis pusilla* (Sommier) Merxmüller  
*Crepis tectorum* L. subsp. *nigrescens*  
*Erigeron frigidus* Boiss. ex DC.  
 \* *Helichrysum melitense* (Pignatti) Brullo et al  
*Hymenostemma pseudanthemis* (Kunze) Willd.  
*Hyoseris frutescens* Brullo et Pavone  
 \* *Jurinea cyanoides* (L.) Reichenb.  
 \* *Jurinea fontqueri* Cuatrec.  
 \* *Lamyropsis microcephala* (Moris) Dittrich & Greuter  
*Leontodon microcephalus* (Boiss. ex DC.) Boiss.  
*Leontodon boryi* Boiss.  
 \* *Leontodon siculus* (Guss.) Finch & Sell  
*Leuzea longifolia* Hoffmanns. & Link  
*Ligularia sibirica* (L.) Cass.  
 \* *Palaeocyanus crassifolius* (Bertoloni) Dostal  
*Santolina impressa* Hoffmanns. & Link  
*Santolina semidentata* Hoffmanns. & Link  
*Saussurea alpina* subsp. *esthonica* (Baer ex Rupr) Kupffer  
 \* *Senecio elodes* Boiss. ex DC.  
*Senecio jacobea* L. subsp. *gotlandicus* (Neuman) Sterner  
*Senecio nevadensis* Boiss. & Reuter  
 \* *Serratula lycopifolia* (Vill.) A. Kern  
*Tephrosieris longifolia* (Jacq.) Griseb et Schenk subsp. *moravica*  
 Convolvulaceae  
 \* *Convolvulus argyrothamnus* Greuter  
 \* *Convolvulus fernandesii* Pinto da Silva & Teles  
 Cruciferae  
*Alyssum pyrenaicum* Lapeyr.  
 \* *Arabis kennedyae* Meikle  
*Arabis sadina* (Samp.) P. Cout.  
*Arabis scopoliana* Boiss  
 \* *Biscutella neustriaca* Bonnet  
*Biscutella vincentina* (Samp.) Rothm.  
*Boleum asperum* (Pers.) Desvaux  
*Brassica glabrescens* Poldini  
*Brassica hilarionis* Post  
*Brassica insularis* Moris  
 \* *Brassica macrocarpa* Guss.  
*Braya linearis* Rouy  
 \* *Cochlearia polonica* E. Fröhlich  
 \* *Cochlearia tatrae* Borbas  
 \* *Coincya rupestris* Rouy  
 \* *Coronopus navasii* Pau  
*Crambe tataria* Sebeok  
*Diplotaxis ibicensis* (Pau) Gomez-Campo  
 \* *Diplotaxis siettiana* Maire  
*Diplotaxis vicentina* (P. Cout.) Rothm.  
*Draba cacuminum* Elis Ekman  
*Draba cinerea* Adams  
*Erucastrum palustre* (Pirona) Vis.  
 \* *Erysimum pieninicum* (Zapal.) Pawl.  
 \* *Iberis arbuscula* Runemark  
*Iberis procumbens* Lange subsp. *microcarpa* Franco & Pinto da Silva  
 \* *Jonopsidium acaule* (Desf.) Reichenb.  
*Jonopsidium savianum* (Caruel) Ball ex Arcang.  
*Rhynchosinapis erucastrum* (L.) Dandy ex Clapham subsp. *cintrana*  
 (Coutinho) Franco & P. Silva (*Coincya cintrana* (P. Cout.) Pinto da Silva)  
*Sisymbrium cavanillesianum* Valdes & Castroviejo  
*Sisymbrium supinum* L.

*Thlaspi jankae* A. Kern.  
 Cyperaceae  
*Carex holostoma* Drejer  
 \* *Carex panormitana* Guss.  
*Eleocharis carniolica* Koch  
 Dioscoreaceae  
 \* *Borderea chouardii* (Gaussen) Heslot  
 Droseraceae  
*Aldrovanda vesiculosa* L.  
 Elatinaceae  
*Elatine gussonei* (Sommier) Brullo et al  
 Ericaceae  
*Rhododendron luteum* Sweet  
 Euphorbiaceae  
 \* *Euphorbia marginaliana* Kuhbier & Lewejohann  
*Euphorbia transtagana* Boiss.  
 Gentianaceae  
 \* *Centaurium rigualii* Esteve  
 \* *Centaurium somedanum* Lainz  
*Gentiana ligustica* R. de Vilm. & Chopinet  
*Gentianella anglica* (Pugsley) E. F. Warburg  
 \* *Gentianella bohémica* Skalicky  
 Geraniaceae  
 \* *Erodium astragaloides* Boiss. & Reuter  
*Erodium paularense* Fernandez-Gonzalez & Izco  
 \* *Erodium rupicola* Boiss.  
 Globulariaceae  
 \* *Globularia stygia* Orph. ex Boiss.  
 Gramineae  
*Arctagrostis latifolia* (R. Br.) Griseb.  
*Arctophila fulva* (Trin.) N. J. Anderson  
*Avenula hackelii* (Henriq.) Holub  
*Bromus grossus* Desf. ex DC.  
*Calamagrostis chalybaea* (Laest.) Fries  
*Cinna latifolia* (Trev.) Griseb.  
*Coleanthus subtilis* (Tratt.) Seidl  
*Festuca brigantina* (Markgr.-Dannenb.) Markgr.-Dannenb.  
*Festuca duriotagana* Franco & R. Afonso  
*Festuca elegans* Boiss.  
*Festuca henriquesii* Hack.  
*Festuca summilusitana* Franco & R. Afonso  
*Gaudinia hispanica* Stace & Tutin  
*Holcus setiglumis* Boiss. & Reuter subsp. *duriensis* Pinto da Silva  
*Micropyropsis tuberosa* Romero - Zarco & Cabezudo  
 \* *Poa riphaea* (Ascher et Graebner) Fritsch  
*Pseudarrhenatherum pallens* (Link) J. Holub  
*Puccinellia phryganodes* (Trin.) Scribner + Merr.  
*Puccinellia pungens* (Pau) Paunero  
 \* *Stipa austroitalica* Martinovsky  
 \* *Stipa bavarica* Martinovsky & H. Scholz  
 \* *Stipa styriaca* Martinovsky  
 \* *Stipa veneta* Moraldo  
 \* *Stipa zaleskii* Wilensky  
*Trisetum subalpestre* (Hartman) Neuman  
 Grossulariaceae  
 \* *Ribes sardoum* Martelli  
 Hippuridaceae  
*Hippuris tetraphylla* L. Fil.  
 Hypericaceae  
 \* *Hypericum aciferum* (Greuter) N.K.B. Robson  
 Iridaceae  
*Crocus cyprius* Boiss. et Kotschy  
*Crocus hartmannianus* Holmboe  
*Gladiolus palustris* Gaud.  
*Iris aphylla* L. subsp. *hungarica* Hegi  
*Iris humilis* Georgi subsp. *arenaria* (Waldst. et Kit.) A. et D. Löve  
 Juncaceae  
*Juncus valvatus* Link  
*Luzula arctica* Blytt  
 Labiatae  
*Dracocephalum austriacum* L.

\* *Micromeria taygetea* P. H. Davis  
*Nepeta dirphyia* (Boiss.) Heldr. ex Halacsy  
 \* *Nepeta sphaciatica* P. H. Davis  
*Origanum dictamnus* L.  
*Phlomis brevibracteata* Turrit  
*Phlomis cypria* Post  
*Salvia veneris* Hedge  
*Sideritis cypria* Post  
*Sideritis incana* subsp. *glauca* (Cav.) Malagarriga  
*Sideritis javalambrensis* Pau  
*Sideritis serrata* Cav. ex Lag.  
*Teucrium lepicephalum* Pau  
*Teucrium turredanum* Losa & Rivas Goday  
 \* *Thymus camphoratus* Hoffmanns. & Link  
*Thymus carnosus* Boiss.  
 \* *Thymus lotocephalus* G. López & R. Morales (*Thymus cephalotos* L.)  
 Leguminosae  
*Anthyllis hystrix* Cardona, Contandr. & E. Sierra  
 \* *Astragalus algarbiensis* Coss. ex Bunge  
 \* *Astragalus aquilanus* Anzalone  
*Astragalus centralpinus* Braun-Blanquet  
 \* *Astragalus macrocarpus* DC. subsp. *lefkarensis*  
 \* *Astragalus maritimus* Moris  
*Astragalus tremolsianus* Pau  
 \* *Astragalus verrucosus* Moris  
 \* *Cytisus aeolicus* Guss. ex Lindl.  
*Genista dorycnifolia* Font Quer  
*Genista holopetala* (Fleischm. ex Koch) Baldacci  
*Melilotus segetalis* (Brot.) Ser. subsp. *fallax* Franco  
 \* *Ononis hackelii* Lange  
*Trifolium saxatile* All.  
 \* *Vicia bifoliolata* J.D. Rodriguez  
 Lentibulariaceae  
 \* *Pinguicula crystallina* Sm.  
*Pinguicula nevadensis* (Lindb.) Casper  
 Liliaceae  
*Allium grosii* Font Quer  
 \* *Androcymbium rechingeri* Greuter  
 \* *Asphodelus bento-rainhae* P. Silva  
 \* *Chionodoxa lochia* Meikle in Kew Bull.  
*Colchicum arenarium* Waldst. et Kit.  
*Hyacinthoides vicentina* (Hoffmanns. & Link) Rothm.  
 \* *Muscari gussonei* (Parl.) Tod.  
*Scilla litardierei* Breist.  
 \* *Scilla morrisii* Meikle  
*Tulipa cypria* Stapf  
 Linaceae  
 \* *Linum dolomiticum* Borbas  
 \* *Linum muelleri* Moris (*Linum maritimum muelleri*)  
 Lythraceae  
 \* *Lythrum flexuosum* Lag.  
 Malvaceae  
*Kosteletzkya pentacarpos* (L.) Ledeb.  
 Najadaceae  
*Najas flexilis* (Willd.) Rostk. & W.L. Schmidt  
*Najas tenuissima* (A. Braun) Magnus  
 Orchidaceae  
*Anacamptis urvilleana* Sommier et Caruana Gatto  
*Calypso bulbosa* L.  
 \* *Cephalanthera cucullata* Boiss. & Heldr.  
*Cypripedium calceolus* L.  
*Gymnigritella runei* Teppner & Klein  
*Himantoglossum adriaticum* Baumann  
*Himantoglossum caprinum* (Bieb.) V. Koch  
*Liparis loeselii* (L.) Rich.  
 \* *Ophrys kotschyi* H. Fleischm. et Soo  
 \* *Ophrys lunulata* Parl.  
*Ophrys melitensis* (Salkowski) J et P Devillers-Terschuren  
*Platanthera obtusata* (Pursh) subsp. *oligantha* (Turez.) Hulten  
 Orobanchaceae  
*Orobanche densiflora* Salzmann ex Reuter in DC.

Paeoniaceae  
*Paeonia cambessedesii* (Willk.) Willk.  
*Paeonia clusii* F.C. Stern subsp. *rhodia* (Stearn) Tzanoudakis  
*Paeonia officinalis* L. subsp. *banatica* (Rachel) Soo  
*Paeonia parnassica* Tzanoudakis  
 Palmae  
*Phoenix theophrasti* Greuter  
 Papaveraceae  
*Corydalis gotlandica* Lidén  
*Papaver laestadianum* (Nordh.) Nordh.  
*Papaver radicum* Rottb. subsp. *hyperboreum* Nordh.  
 Plantaginaceae  
*Plantago algarbiensis* Sampaio (*Plantago bracteosa* (Willk.) G. Sampaio)  
*Plantago almogavensis* Franco  
 Plumbaginaceae  
*Armeria berlengensis* Daveau  
 \* *Armeria helodes* Martini & Pold  
*Armeria neglecta* Girard  
*Armeria pseudarmeria* (Murray) Mansfeld  
 \* *Armeria rouyana* Daveau  
*Armeria soleirolii* (Duby) Godron  
*Armeria velutina* Welw. ex Boiss. & Reuter  
*Limonium dodartii* (Girard) O. Kuntze subsp. *lusitanicum* (Daveau)  
 Franco  
 \* *Limonium insulare* (Beg. & Landi) Arrig. & Diana  
*Limonium lanceolatum* (Hoffmans. & Link) Franco  
*Limonium multiflorum* Erben  
 \* *Limonium pseudolaetum* Arrig. & Diana  
 \* *Limonium strictissimum* (Salzmann) Arrig.  
 Polygonaceae  
*Persicaria foliosa* (H. Lindb.) Kitag.  
*Polygonum praelongum* Coode & Cullen  
*Rumex rupestris* Le Gall  
 Primulaceae  
*Androsace mathildae* Levier  
*Androsace pyrenaica* Lam.  
 \* *Cyclamen fatrense* Halda et Sojak  
 \* *Primula apennina* Widmer  
*Primula carniolica* Jacq.  
*Primula nutans* Georgi  
*Primula palinuri* Petagna  
*Primula scandinavica* Bruun  
*Soldanella villosa* Darracq.  
 Ranunculaceae  
 \* *Aconitum corsicum* Gayer (*Aconitum napellus* subsp. *corsicum*)  
*Aconitum firmum* (Reichenb.) Neilr subsp. *moravicum* Skalicky  
*Adonis distorta* Ten.  
*Aquilegia bertolonii* Schott  
*Aquilegia kitaibelii* Schott  
 \* *Aquilegia pyrenaica* D.C. subsp. *cazorlensis* (Heywood) Galiano  
 \* *Consolida samia* P.H. Davis  
 \* *Delphinium caseyi* B.L. Burt  
*Pulsatilla grandis* Wenderoth  
*Pulsatilla patens* (L.) Miller  
 \* *Pulsatilla pratensis* (L.) Miller subsp. *hungarica* Soo  
 \* *Pulsatilla slavica* G. Reuss.  
 \* *Pulsatilla subslavica* Futak ex Goliasova  
*Pulsatilla vulgaris* Hill. subsp. *gotlandica* (Johanss.) Zaemelis & Paegle  
*Ranunculus kykkoensis* Meikle  
*Ranunculus lapponicus* L.  
 \* *Ranunculus weyleri* Mares  
 Resedaceae  
 \* *Reseda decursiva* Forssk.  
 Rosaceae  
*Agrimonia pilosa* Ledebour  
*Potentilla delphinensis* Gren. & Godron  
 \* *Pyrus magyarica* Terpo  
*Sorbus teodorii* Liljefors  
 Rubiaceae  
*Galium cracoviense* Ehrend.  
 \* *Galium litorale* Guss.

\* *Galium sudeticum* Tausch  
 \* *Galium viridiflorum* Boiss. & Reuter  
 Salicaceae  
*Salix salvifolia* Brot. subsp. *australis* Franco  
 Santalaceae  
*Thesium ebracteatum* Hayne  
 Saxifragaceae  
*Saxifraga berica* (Beguinot) D.A. Webb  
*Saxifraga florulenta* Moretti  
*Saxifraga hirculus* L.  
*Saxifraga osloënsis* Knaben  
*Saxifraga tombeanensis* Boiss. ex Engl.  
 Scrophulariaceae  
*Antirrhinum charidemi* Lange  
*Chaenorhynchum serpyllifolium* (Lange) Lange subsp. *lusitanicum* R. Fernandes  
 \* *Euphrasia genargentea* (Feoli) Diana  
*Euphrasia marchesettii* Wettst. ex Marches.  
*Linaria algarviana* Chav.  
*Linaria coutinhoi* Valdés  
*Linaria loeselii* Schweigger  
 \* *Linaria ficalhoana* Rouy  
*Linaria flava* (Poiret) Desf.  
 \* *Linaria hellenica* Turrill  
*Linaria pseudolaxiflora* Lojacono  
 \* *Linaria ricardoii* Cout.  
*Linaria tonzigii* Lona  
 \* *Linaria tursica* B. Valdes & Cabezudo  
*Odontites granatensis* Boiss.  
 \* *Pedicularis sudetica* Willd.  
*Rhinanthus oesilensis* (Ronninger & Saarsoo) Vassilcz  
*Tozzia carpathica* Wol.  
*Verbascum litigiosum* Samp.  
*Veronica micrantha* Hoffmanns. & Link  
 \* *Veronica oetaea* L.-A. Gustavsson  
 Solanaceae  
 \* *Atropa baetica* Willk.  
 Thymelaeaceae  
 \* *Daphne arbuscula* Celak  
*Daphne petraea* Leybold  
 \* *Daphne rodriguezii* Texidor  
 Ulmaceae  
*Zelkova abelicea* (Lam.) Boiss.  
 Umbelliferae  
 \* *Angelica heterocarpa* Lloyd  
*Angelica palustris* (Besser) Hoffm.  
 \* *Apium bermejoi* Llorens  
*Apium repens* (Jacq.) Lag.  
*Athamanta cortiana* Ferrarini  
 \* *Bupleurum capillare* Boiss. & Heldr.  
 \* *Bupleurum kakiskalae* Greuter  
*Eryngium alpinum* L.  
 \* *Eryngium viviparum* Gay  
 \* *Ferula sadleriana* Lebed.  
*Hladnikia pastinacifolia* Reichenb.  
 \* *Laserpitium longiradium* Boiss.  
 \* *Naufraga balearica* Constans & Cannon  
 \* *Oenanthe coniooides* Lange  
*Petagnia saniculifolia* Guss.  
*Rouya polygama* (Desf.) Coincy  
 \* *Seseli intricatum* Boiss.  
*Seseli leucospermum* Waldst. et Kit  
*Thorella verticillatundata* (Thore) Briq.  
 Valerianaceae  
*Centranthus trinervis* (Viv.) Beguinot  
 Violaceae  
 \* *Viola hispida* Lam.  
*Viola jaubertiana* Mares & Vigineix  
*Viola rupestris* F.W. Schmidt subsp. *relicta* J alas  
**LOWER PLANTS**  
 Bryophyta

*Bruchia vogesiaca* Schwaegr. (o)  
*Bryhnia novae-angliae* (Sull & Lesq.) Grout (o)  
 \* *Bryoerythrophyllum campylocarpum* (C. Müll.) Crum. (*Bryoerythrophyllum machadoanum* (Sergio) M. O. Hill) (o)  
*Buxbaumia viridis* (Moug.) Moug. & Nestl. (o)  
*Cephalozia macounii* (Aust.) Aust. (o)  
*Cynodontium suecicum* (H. Arn. & C. Jens.) I. Hag. (o)  
*Dichelyma capillaceum* (Dicks) Myr. (o)  
*Dicranum viride* (Sull. & Lesq.) Lindb. (o)  
*Distichophyllum carinatum* Dix. & Nich. (o)  
*Drepanocladus (Hamatocaulis) vernicosus* (Mitt.) Warnst. (o)  
*Encalypta mutica* (I. Hagen) (o)  
*Hamatocaulis lapponicus* (Norrl.) Hedenäs (o)  
*Herzogiella turfacea* (Lindb.) I. Wats. (o)  
*Hygrohypnum montanum* (Lindb.) Broth. (o)  
*Jungermannia handelii* (Schiffn.) Amak. (o)  
*Mannia triandra* (Scop.) Grolle (o)  
 \* *Marsupella profunda* Lindb. (o)  
*Meesia longiseta* Hedw. (o)  
*Nothothylas orbicularis* (Schwein.) Sull. (o)  
*Ochyraea tatrensis* Vana (o)  
*Orthothecium lapponicum* (Schimp.) C. Hartm. (o)  
*Orthotrichum rogeri* Brid. (o)  
*Petalophyllum ralfsii* (Wils.) Nees & Gott. (o)  
*Plagiomnium drummondii* (Bruch & Schimp.) T. Kop. (o)  
*Riccia breidleri* Jur. (o)  
*Riella helicophylla* (Bory & Mont.) Mont. (o)  
*Scapania massolongi* (K. Müll.) K. Müll. (o)  
*Sphagnum pylaisii* Brid. (o)  
*Tayloria rudolphiana* (Garov) B. & S. (o)  
*Tortella rigens* (N. Alberts) (o)

#### **SPECIES FOR MACARONESIA**

##### **PTERIDOPHYTA**

###### Hymenophyllaceae

*Hymenophyllum maderensis* Gibby & Lovis

###### Dryopteridaceae

\* *Polystichum drepanum* (Sw.) C. Presl.

###### Isoetaceae

*Isoetes azorica* Durieu & Paiva ex Milde

###### Marsileaceae

\* *Marsilea azorica* Launert & Paiva

##### **ANGIOSPERMAE**

###### Asclepiadaceae

*Caralluma burchardii* N. E. Brown

\* *Cerpegia chrysantha* Svent.

###### Boraginaceae

*Echium candicans* L. fil.

\* *Echium gentianoides* Webb & Coincy

*Myosotis azorica* H. C. Watson

*Myosotis maritima* Hochst. in Seub.

###### Campanulaceae

\* *Azorina vidalii* (H. C. Watson) Feer

*Musschia aurea* (L. f.) DC.

\* *Musschia wollastonii* Lowe

###### Caprifoliaceae

\* *Sambucus palmensis* Link

###### Caryophyllaceae

*Spergularia azorica* (Kindb.) Lebel

###### Celastraceae

*Maytenus umbellata* (R. Br.) Mabb.

###### Chenopodiaceae

*Beta patula* Ait.

###### Cistaceae

*Cistus chinamadensis* Banares & Romero

\* *Helianthemum bystropogophyllum* Svent.

###### Compositae

*Andryala crithmifolia* Ait.

\* *Argyranthemum lidii* Humphries

*Argyranthemum thalassophyllum* (Svent.) Hump.

*Argyranthemum winterii* (Svent.) Humphries

\* *Atractylis arbuscula* Svent. & Michaelis

*Atractylis preauxiana* Schultz.  
*Calendula maderensis* DC.  
*Cheirolophus duranii* (Burchard) Holub  
*Cheirolophus ghomerytus* (Svent.) Holub  
*Cheirolophus junonianus* (Svent.) Holub  
*Cheirolophus massonianus* (Lowe) Hansen & Sund.  
*Cirsium latifolium* Lowe  
*Helichrysum gossypinum* Webb  
*Helichrysum monogynum* Burt & Sund.  
*Hypochoeris oligocephala* (Svent. & Bramw.) Lack  
\* *Lactuca watsoniana* Trel.  
\* *Onopordum nogalesii* Svent.  
\* *Onopordum carduelinum* Bolle  
\* *Pericallis hadrosoma* (Svent.) B. Nord.  
*Phagnalon benettii* Lowe  
*Stemmacantha cynaroides* (Chr. Son. in Buch) Ditt  
*Sventenia bupleuroides* Font Quer  
\* *Tanacetum ptarmiciflorum* Webb & Berth  
Convolvulaceae  
\* *Convolvulus caput-medusae* Lowe  
\* *Convolvulus lopez-socasii* Svent.  
\* *Convolvulus massonii* A. Dietr.  
Crassulaceae  
*Aeonium gomeraense* Praeger  
*Aeonium saundersii* Bolle  
*Aichryson dumosum* (Lowe) Praeg.  
*Monanthes wildpretii* Banares & Scholz  
*Sedum brissemoretii* Raymond-Hamet  
Cruciferae  
\* *Crambe arborea* Webb ex Christ  
*Crambe laevigata* DC. ex Christ  
\* *Crambe sventenii* R. Petters ex Bramwell & Sund.  
\* *Parolinia schizogynoides* Svent.  
*Sinapidendron rupestre* (Ait.) Lowe  
Cyperaceae  
*Carex malato-belizii* Raymond  
Dipsacaceae  
*Scabiosa nitens* Roemer & J. A. Schultes  
Ericaceae  
*Erica scoparia* L. subsp. *azorica* (Hochst.) D. A. Webb  
Euphorbiaceae  
\* *Euphorbia handiensis* Burchard  
*Euphorbia lambii* Svent.  
*Euphorbia stygiana* H. C. Watson  
Geraniaceae  
\* *Geranium maderense* P. F. Yeo  
Gramineae  
*Deschampsia maderensis* (Haeck. & Born.) Buschm.  
*Phalaris maderensis* (Menezes) Menezes  
Globulariaceae  
\* *Globularia ascanii* D. Bramwell & Kunkel  
\* *Globularia sarcophylla* Svent.  
Labiatae  
\* *Sideritis cystosiphon* Svent.  
\* *Sideritis discolor* (Webb ex de Noe) Bolle  
*Sideritis infernalis* Bolle  
*Sideritis marmorea* Bolle  
*Teucrium abutiloides* L'Hér.  
*Teucrium betonicum* L'Hér.  
Leguminosae  
\* *Anagyris latifolia* Brouss. ex. Willd.  
*Anthyllis lemmaniana* Lowe  
\* *Dorycnium spectabile* Webb & Berthel  
\* *Lotus azoricus* P. W. Ball  
*Lotus callis-viridis* D. Bramwell & D. H. Davis  
\* *Lotus kunkelii* (E. Chueca) D. Bramwell & al.  
\* *Teline rosmarinifolia* Webb & Berthel.  
\* *Teline salsoloides* Arco & Acebes.  
*Vicia dennesiana* H. C. Watson  
Liliaceae  
\* *Androcymbium psammophilum* Svent.

*Scilla maderensis* Menezes  
*Semele maderensis* Costa  
 Loranthaceae  
*Arceuthobium azoricum* Wiens & Hawksw.  
 Myricaceae  
 \* *Myrica rivis-martinezii* Santos.  
 Oleaceae  
*Jasminum azoricum* L.  
*Picconia azorica* (Tutin) Knobl.  
 Orchidaceae  
*Goodyera macrophylla* Lowe  
 Pittosporaceae  
 \* *Pittosporum coriaceum* Dryand. ex. Ait.  
 Plantaginaceae  
*Plantago malato-belizii* Lawalree  
 Plumbaginaceae  
 \* *Limonium arborescens* (Brouss.) Kuntze  
*Limonium dendroides* Svent.  
 \* *Limonium spectabile* (Svent.) Kunkel & Sunding  
 \* *Limonium sventenii* Santos & Fernandez Galvan  
 Polygonaceae  
*Rumex azoricus* Rech. fil.  
 Rhamnaceae  
*Frangula azorica* Tutin  
 Rosaceae  
 \* *Bencomia brachystachya* Svent.  
*Bencomia sphaerocarpa* Svent.  
 \* *Chamaemeles coriacea* Lindl.  
*Dendriopoterium pulidoi* Svent.  
*Marcetella maderensis* (Born.) Svent.  
*Prunus lusitanica* L. subsp. *azorica* (Mouillef.) Franco  
*Sorbus maderensis* (Lowe) Dode  
 Santalaceae  
*Kunkeliella subsucculenta* Kammer  
 Scrophulariaceae  
 \* *Euphrasia azorica* H.C. Watson  
*Euphrasia grandiflora* Hochst. in Seub.  
 \* *Isoplexis chalcantha* Svent. & O'Shanahan  
*Isoplexis isabelliana* (Webb & Berthel.) Masferrer  
*Odontites holliana* (Lowe) Benth.  
*Sibthorpia peregrina* L.  
 Solanaceae  
 \* *Solanum lidii* Sunding  
 Umbelliferae  
*Ammi trifoliatum* (H. C. Watson) Trelease  
*Bupleurum handiense* (Bolle) Kunkel  
*Chaerophyllum azoricum* Trelease  
*Ferula latipinna* Santos  
*Melanoselinum decipiens* (Schrader & Wendl.) Hoffm.  
*Monizia edulis* Lowe  
*Oenanthe divaricata* (R. Br.) Mabb.  
*Sanicula azorica* Guthnick ex Seub.  
 Violaceae  
*Viola paradoxa* Lowe  
**LOWER PLANTS**  
 Bryophyta  
 \* *Echinodium spinosum* (Mitt.) Jur. (o)  
 \* *Thamnobryum fernandesii* Sergio (o)

### ANNEX III

#### **CRITERIA FOR SELECTING SITES ELIGIBLE FOR IDENTIFICATION AS SITES OF COMMUNITY IMPORTANCE AND DESIGNATION AS SPECIAL AREAS OF CONSERVATION STAGE 1: Assessment at national level of the relative importance of sites for each natural habitat type in Annex I and each species in Annex II (including priority natural habitat types and priority species)**

A. Site assessment criteria for a given natural habitat type in Annex I

(a) Degree of representativity of the natural habitat ► C1 type on the site. ◀

(b) Area of the site covered by the natural habitat type in relation to the

total area covered by that natural habitat type within national territory.  
(c) Degree of conservation of the structure and functions of the natural habitat type concerned and restoration possibilities.  
(d) Global assessment of the value of the site for conservation of the natural habitat type concerned.

**B. Site assessment criteria for a given species in Annex II**

(a) Size and density of the population of the species present on the site in relation to the populations present within national territory.  
(b) Degree of conservation of the features of the habitat which are important for the species concerned and restoration possibilities.  
(c) Degree of isolation of the population present on the site in relation to the natural range of the species.  
(d) Global assessment of the value of the site for conservation of the species concerned.

C. On the basis of these criteria, Member States will classify the sites which they propose on the national list as sites eligible for identification as sites of Community importance according to their relative value for the conservation of each natural habitat type in Annex I or each species in Annex II.

D. That list will show the sites containing the priority natural habitat types and priority species selected by the Member States on the basis of the criteria in A and B above.

**STAGE 2: Assessment of the Community importance of the sites included on the national lists**

1. All the sites identified by the Member States in Stage 1 which contain priority natural habitat types and/or species will be considered as sites of Community importance.

2. The assessment of the Community importance of other sites on Member States' lists, i.e. their contribution to maintaining or re-establishing, at a favourable conservation status, a natural habitat in Annex I or a species in Annex II and/or to the coherence of Natura 2000 will take account of the following criteria:

(a) relative value of the site at national level;  
(b) geographical situation of the site in relation to migration routes of species in Annex II and whether it belongs to a continuous ecosystem situated on both sides of one or more internal Community frontiers;  
(c) total area of the site;  
(d) number of natural habitat types in Annex I and species in Annex II present on the site;  
(e) global ecological value of the site for the biogeographical regions concerned and/or for the whole of the territory referred to in Article 2, as regards both the characteristic or unique aspect of its features and the way they are combined.

*ANNEX IV*

**ANIMAL AND PLANT SPECIES OF COMMUNITY INTEREST IN NEED OF STRICT PROTECTION**

The species listed in this Annex are indicated:

— by the name of species or subspecies, or  
— by the body of species belonging to a higher taxon or to a designated part of that taxon.

The abbreviation 'spp.' after the name of a family or genus designates all the species belonging to that family or genus.

(a) **ANIMALS**

**VERTEBRATES**

**MAMMALS**

**INSECTIVORA**

Erinaceidae

*Erinaceus algirus*

Soricidae

*Crocidura canariensis*

*Crocidura sicula*

Talpidae

*Galemys pyrenaicus*

**MICROCHIROPTERA**

All species

**MEGACHIROPTERA**

Pteropodidae

*Rousettus aegyptiacus*

**RODENTIA**

Gliridae

All species except *Glis glis* and *Eliomys quercinus*

Sciuridae  
*Marmota marmota latirostris*  
*Pteromys volans* (*Sciuropterus ruscicus*)  
*Spermophilus citellus* (*Citellus citellus*)  
*Spermophilus suslicus* (*Citellus suslicus*)  
*Sciurus anomalus*

Castoridae  
*Castor fiber* (except the Estonian, Latvian, Lithuanian, Polish, Finnish and Swedish, populations)

Cricetidae  
*Cricetus cricetus* (except the Hungarian populations)

Microtidae  
*Microtus cabrerai*  
*Microtus oeconomus arenicola*  
*Microtus oeconomus mehelyi*  
*Microtus tatricus*

Zapodidae  
*Sicista betulina*  
*Sicista subtilis*

Hystricidae  
*Hystrix cristata*

CARNIVORA

Canidae  
*Alopex lagopus*  
*Canis lupus* (except the Greek populations north of the 39th parallel; Estonian populations, Spanish populations north of the Duero; Latvian, Lithuanian, Polish, Slovak populations and Finnish populations within the reindeer management area as defined in paragraph 2 of the Finnish Act No 848/90 of 14 September 1990 on reindeer management)

Ursidae  
*Ursus arctos*

Mustelidae  
*Lutra lutra*  
*Mustela eversmannii*  
*Mustela lutreola*

Felidae  
*Felis silvestris*  
*Lynx lynx* (except the Estonian population)  
*Lynx pardinus*

Phocidae  
*Monachus monachus*  
*Phoca hispida saimensis*

ARTIODACTYLA

Cervidae  
*Cervus elaphus corsicanus*

Bovidae  
*Bison bonasus*  
*Capra aegagrus* (natural populations)  
*Capra pyrenaica pyrenaica*  
*Ovis gmelini musimon* (*Ovis ammon musimon*) (natural populations — Corsica and Sardinia)  
*Ovis orientalis ophion* (*Ovis gmelini ophion*)  
*Rupicapra pyrenaica ornata* (*Rupicapra rupicapra ornata*)  
*Rupicapra rupicapra balcanica*  
*Rupicapra rupicapra tatica*

CETACEA

All species

**REPTILES**

TESTUDINATA

Testudinidae  
*Testudo graeca*  
*Testudo hermanni*  
*Testudo marginata*

Cheloniidae  
*Caretta caretta*  
*Chelonia mydas*  
*Lepidochelys kempii*  
*Eretmochelys imbricata*

Dermodochelyidae  
*Dermodochelys coriacea*

Emydidae  
*Emys orbicularis*  
*Mauremys caspica*  
*Mauremys leprosa*  
 SAURIA  
 Lacertidae  
*Algyroides fitzingeri*  
*Algyroides marchi*  
*Algyroides moreoticus*  
*Algyroides nigropunctatus*  
*Gallotia atlantica*  
*Gallotia galloti*  
*Gallotia galloti insulanagae*  
*Gallotia simonyi*  
*Gallotia stehlini*  
*Lacerta agilis*  
*Lacerta bedriagae*  
*Lacerta bomali (Lacerta monticola)*  
*Lacerta mnticola*  
*Lacerta danfordi*  
*Lacerta dugesi*  
*Lacerta graeca*  
*Lacerta horvathi*  
*Lacerta schreiberi*  
*Lacerta trilineata*  
*Lacerta viridis*  
*Lacerta vivipara pannonica*  
*Ophisops elegans*  
*Podarcis erhardii*  
*Podarcis filfolensis*  
*Podarcis hispanica atrata*  
*Podarcis lilfordi*  
*Podarcis melisellensis*  
*Podarcis milensis*  
*Podarcis muralis*  
*Podarcis peloponnesiaca*  
*Podarcis pityusensis*  
*Podarcis sicula*  
*Podarcis taurica*  
*Podarcis tiliguerta*  
*Podarcis wagleriana*  
 Scincidae  
*Ablepharus kitaibelli*  
*Chalcides bedriagai*  
*Chalcides ocellatus*  
*Chalcides sexlineatus*  
*Chalcides simonyi (Chalcides occidentalis)*  
*Chalcides viridianus*  
*Ophiomorus punctatissimus*  
 Gekkonidae  
*Cyrtopodion kotschyi*  
*Phyllodactylus europaeus*  
*Tarentola angustimentalis*  
*Tarentola boettgeri*  
*Tarentola delalandii*  
*Tarentola gomerensis*  
 Agamidae  
*Stellio stellio*  
 Chamaeleontidae  
*Chamaeleo chamaeleon*  
 Anguidae  
*Ophisaurus apodus*  
 OPHIDIA  
 Colubridae  
*Coluber caspius*  
*Coluber cypriensis*  
*Coluber hippocrepis*  
*Coluber jugularis*  
*Coluber laurenti*  
*Coluber najadum*  
*Coluber nummifer*

*Coluber viridiflavus*  
*Coronella austriaca*  
*Eirenis modesta*  
*Elaphe longissima*  
*Elaphe quatuorlineata*  
*Elaphe situla*  
*Natrix natrix cetti*  
*Natrix natrix corsa*  
*Natrix natrix cypriaca*  
*Natrix tessellata*  
*Telescopus falax*  
Viperidae  
*Vipera ammodytes*  
*Macrovipera schweizeri* (*Vipera lebetina schweizeri*)  
*Vipera seoanni* (except Spanish population)  
*Vipera ursinii*  
*Vipera xanthina*  
Boidae  
*Eryx jaculus*  
**AMPHIBIANS**  
CAUDATA  
Salamandridae  
*Chioglossa lusitanica*  
*Euproctus asper*  
*Euproctus montanus*  
*Euproctus platycephalus*  
*Mertensiella luschani* (*Salamandra luschani*)  
*Salamandra atra*  
*Salamandra aurorae*  
*Salamandra lanzai*  
*Salamandrina terdigitata*  
*Triturus carnifex* (*Triturus cristatus carnifex*)  
*Triturus cristatus* (*Triturus cristatus cristatus*)  
*Triturus italicus*  
*Triturus karelinii* (*Triturus cristatus karelinii*)  
*Triturus marmoratus*  
*Triturus montandoni*  
Proteidae  
*Proteus anguinus*  
Plethodontidae  
*Hydromantes (Speleomantes) ambrosii*  
*Hydromantes (Speleomantes) flavus*  
*Hydromantes (Speleomantes) genei*  
*Hydromantes (Speleomantes) imperialis*  
*Hydromantes (Speleomantes) strinatii* (*Hydromantes (Speleomantes) italicus*)  
*Hydromantes (Speleomantes) supramontes*  
ANURA  
Discoglossidae  
*Alytes cisternasii*  
*Alytes muletensis*  
*Alytes obstetricans*  
*Bombina bombina*  
*Bombina variegata*  
*Discoglossus galganoi* (including *Discoglossus 'jeanneae'*)  
*Discoglossus montalentii*  
*Discoglossus pictus*  
*Discoglossus sardus*  
Ranidae  
*Rana arvalis*  
*Rana dalmatina*  
*Rana graeca*  
*Rana iberica*  
*Rana italica*  
*Rana latastei*  
*Rana lessonae*  
Pelobatidae  
*Pelobates cultripes*  
*Pelobates fuscus*  
*Pelobates syriacus*  
Bufonidae

*Bufo calamita*

*Bufo viridis*

Hylidae

*Hyla arborea*

*Hyla meridionalis*

*Hyla sarda*

**FISH**

ACIPENSERIFORMES

Acipenseridae

*Acipenser naccarii*

*Acipenser sturio*

SALMONIFORMES

Coregonidae

*Coregonus oxyrhynchus* (anadromous populations in certain sectors of the North Sea, except the Finnish populations)

CYPRINIFORMES

Cyprinidae

*Anaocypris hispanica*

*Phoxinus phoxinus*

ATHERINIFORMES

Cyprinodontidae

*Valencia hispanica*

PERCIFORMES

Percidae

*Zingel asper*

*Gymnocephalus baloni*

INVERTEBRATES

**ARTHROPODS**

CRUSTACEA

Isopoda

*Armadillidium ghardalensis*

INSECTA

Coleoptera

*Bolbelasmus unicolor*

*Buprestis splendens*

*Carabus hampei*

*Carabus hungaricus*

*Carabus olympiae*

*Carabus variolosus*

*Carabus zawadzskii*

*Cerambyx cerdo*

*Cucujus cinnaberinus*

*Dorcadion fulvum cervae*

*Duvalius gebhardti*

*Duvalius hungaricus*

*Dytiscus latissimus*

*Graphoderus bilineatus*

*Leptodirus hochenwarti*

*Pilemia tigrina*

*Osmoderma eremita*

*Phryganophilus ruficollis*

*Probatiscus subrugosus*

*Propomacrus cypriacus*

*Pseudogaurotina excellens*

*Pseudoseriscius cameroni*

*Pytho kolwensis*

*Rosalia alpina*

Lepidoptera

*Apatura metis*

*Arytrura musculus*

*Catopta thrips*

*Chondrosoma fiduciarium*

*Coenonympha hero*

*Coenonympha oedippus*

*Colias myrmidone*

*Cucullia mixta*

*Dioszeghyana schmidti*

*Erannis ankeraria*

*Erebia calcaria*

*Erebia christi*

*Erebia sudetica*

*Eriogaster catax*  
*Fabriciana elisa*  
*Glyphipterix loricatella*  
*Gortyna borelii lunata*  
*Hypodryas maturna*  
*Hyles hippophaes*  
*Leptidea morsei*  
*Lignyoptera fumidaria*  
*Lopinga achine*  
*Lycaena dispar*  
*Lycaena helle*  
*Maculinea arion*  
*Maculinea nausithous*  
*Maculinea teleius*  
*Melanagria arge*  
*Nymphalis vaualbum*  
*Papilio alexanor*  
*Papilio hospiton*  
*Parnassius apollo*  
*Parnassius mnemosyne*  
*Phyllometra culminaria*  
*Plebicula golgus*  
*Polymixis rufocincta isolata*  
*Polyommatus eroides*  
*Proserpinus proserpina*  
*Xylomoia strix*  
*Zerynthia polyxena*  
Mantodea  
*Apteromantis aptera*  
Odonata  
*Aeshna viridis*  
*Cordulegaster heros*  
*Cordulegaster trinacriae*  
*Gomphus graslinii*  
*Leucorrhina albifrons*  
*Leucorrhina caudalis*  
*Leucorrhina pectoralis*  
*Lindenia tetraphylla*  
*Macromia splendens*  
*Ophiogomphus cecilia*  
*Oxygastra curtisii*  
*Stylurus flavipes*  
*Sympecma braueri*  
Orthoptera  
*Baetica ustulata*  
*Brachytrupes megacephalus*  
*Isophya costata*  
*Isophya stysi*  
*Myrmecophilus baronii*  
*Odontopodisma rubripes*  
*Paracaloptenus caloptenoides*  
*Pholidoptera transsylvanica*  
*Saga pedo*  
*Stenobothrus (Stenobothrodes) eurasius*  
ARACHNIDA  
Araneae  
*Macrothele calpeiana*  
**MOLLUSCS**  
GASTROPODA  
*Anisus vorticulus*  
*Caseolus calculus*  
*Caseolus commixta*  
*Caseolus sphaerula*  
*Chilostoma banaticum*  
*Discula leacockiana*  
*Discula tabellata*  
*Discula testudinalis*  
*Discula turricula*  
*Discus defloratus*  
*Discus guerinianus*  
*Elona quimperiana*

*Geomalacus maculosus*  
*Geomitra moniziana*  
*Gibbula nivosa*  
*Hygromia kovacsi*  
*Idiomela (Helix) subplicata*  
*Lampedusa imitatrix*  
*Lampedusa melitensis*  
*Leiostyla abbreviata*  
*Leiostyla cassida*  
*Leiostyla corneocostata*  
*Leiostyla gibba*  
*Leiostyla lamellosa*  
*Paladilhia hungarica*  
*Patella feruginea*  
*Sadleriana pannonica*  
*Theodoxus prevostianus*  
*Theodoxus transversalis*

#### BIVALVIA

*Anisomyaria*  
*Lithophaga lithophaga*  
*Pinna nobilis*  
Unionoidea  
*Margaritifera auricularia*  
*Unto crassus*  
Dreissenidae  
*Congeria kusceri*

#### ECHINODERMATA

Echinoidea  
*Centrostephanus longispinus*

#### (b) PLANTS

Annex IV (b) contains all the plant species listed in Annex II (b) (i) plus those

mentioned below:

#### PTERIDOPHYTA

Aspleniaceae  
*Asplenium hemionitis* L.

#### ANGIOSPERMAE

Agavaceae  
*Dracaena draco* (L.) L.  
(i) Except bryophytes in Annex II (b).  
Amaryllidaceae  
*Narcissus longispathus* Pugsley  
*Narcissus triandrus* L.  
Berberidaceae  
*Berberis maderensis* Lowe  
Campanulaceae  
*Campanula morettiana* Reichenb.  
*Physoplexis comosa* (L.) Schur.  
Caryophyllaceae  
*Moehringia fontqueri* Pau  
Compositae  
*Argyranthemum pinnatifidum* (L.f.) Lowe \* subsp. *succulentum* (Lowe) C. J. Humphries  
*Helichrysum sibthorpii* Rouy  
*Picris willkommii* (Schultz Bip.) Nyman  
*Santolina elegans* Boiss. ex DC.  
*Senecio caespitosus* Brot.  
*Senecio lagascanus* DC. subsp. *lusitanicus* (P. Cout.) Pinto da Silva  
*Wagenitzia lancifolia* (Sieber ex Sprengel) Dostal  
Cruciferae  
*Murbeckiella sousae* Rothm.  
Euphorbiaceae  
*Euphorbia nevadensis* Boiss. & Reuter  
Gesneriaceae  
*Jankaea heldreichii* (Boiss.) Boiss.  
*Ramonda serbica* Pancic  
Iridaceae  
*Crocus etruscus* Parl.  
*Iris boissieri* Henriq.  
*Iris marisca* Ricci & Colasante  
Labiatae  
*Rosmarinus tomentosus* Huber-Morath & Maire

*Teucrium charidemi* Sandwith  
*Thymus capitellatus* Hoffmanns. & Link  
*Thymus villosus* L. subsp. *villosus* L.  
 Liliaceae  
*Androcymbium europeum* (Lange) K. Richter  
*Bellevalia hackelli* Freyn  
*Colchicum corsicum* Baker  
*Colchicum cousturieri* Greuter  
*Fritillaria conica* Rix  
*Fritillaria drenovskii* Degen & Stoy.  
*Fritillaria gussichiae* (Degen & Doerfler) Rix  
*Fritillaria obliqua* Ker-Gawl.  
*Fritillaria rhodocanakis* Orph. ex Baker  
*Ornithogalum reverchonii* Degen & Herv. -Bass.  
*Scilla beirana* Samp.  
*Scilla odorata* Link  
 Orchidaceae  
*Ophrys argolica* Fleischm.  
*Orchis scopulorum* Simsm. erh.  
*Spiranthes aestivalis* (Poir.) L. C. M. Richard  
 Primulaceae  
*Androsace cylindrica* DC.  
*Primula glaucescens* Moretti  
*Primula spectabilis* Tratt.  
 Ranunculaceae  
*Aquilegia alpina* L.  
 Sapotaceae  
*Sideroxylon marmulano* Banks ex Lowe  
 Saxifragaceae  
*Saxifraga cintrana* Kuzinsky ex Willk.  
*Saxifraga portosanctana* Boiss.  
*Saxifraga presolanensis* Engl.  
*Saxifraga valdensis* DC.  
*Saxifraga vayredana* Luizet  
 Scrophulariaceae  
*Antirrhinum lopesianum* Rothm.  
*Lindernia procumbens* (Krocker) Philcox  
 Solanaceae  
*Mandragora officinarum* L.  
 Thymelaeaceae  
*Thymelaea broterana* P. Cout.  
 Umbelliferae  
*Bunium brevifolium* Lowe  
 Violaceae  
*Viola athis* W. Becker  
*Viola cazorlensis* Gandoger  
*Viola delphinantha* Boiss.

#### ANNEX V

#### ANIMAL AND PLANT SPECIES OF COMMUNITY INTEREST WHOSE TAKING IN THE WILD AND EXPLOITATION MAY BE SUBJECT TO MANAGEMENT MEASURES

The species listed in this Annex are indicated:

- by the name of the species or subspecies, or
- by the body of species belonging to a higher taxon or to a designated part of that taxon.

The abbreviation 'spp.' after the name of a family or genus designates all the species belonging to that family or genus.

#### (a) ANIMALS

##### VERTEBRATES

##### MAMMALS

##### RODENTIA

##### Castoridae

*Castor fiber* (Finnish, Swedish, Latvian, Lithuanian, Estonian and Polish populations)

##### Cricetidae

*Cricetus cricetus* (Hungarian populations)

##### CARNIVORA

##### Canidae

*Canis aureus*

*Canis lupus* (Spanish populations north of the Duero, Greek populations)

north of the 39th parallel, Finnish populations within the reindeer management area as defined in paragraph 2 of the Finnish Act No 848/90 of 14 September 1990 on reindeer management, Latvian, Lithuanian, Estonian, Polish and Slovak populations)

Mustelidae

*Martes martes*

*Mustela putorius*

Felidae

*Lynx lynx* (Estonian population)

Phocidae

All species not mentioned in Annex IV

Viverridae

*Genetta genetta*

*Herpestes ichneumon*

DUPLICIDENTATA

Leporidae

*Lepus timidus*

ARTIODACTYLA

Bovidae

*Capra ibex*

*Capra pyrenaica* (except *Capra pyrenaica pyrenaica*) *Rupicapra rupicapra* (except *Rupicapra rupicapra balcanica*, *Rupicapra rupicapra ornata* and *Rupicapra rupicapra tatrica*)

**AMPHIBIANS**

ANURA

Ranidae

*Rana esculenta*

*Rana perezi*

*Rana ridibunda*

*Rana temporaria*

**FISH**

PETROMYZONIFORMES

Petromyzonidae

*Lampetra fluviatilis*

*Lethenteron zanandrai*

ACIPENSERIFORMES

Acipenseridae

All species not mentioned in Annex IV

CLUPEIFORMES

Clupeidae

*Alosa* spp.

SALMONIFORMES

Salmonidae

*Thymallus thymallus*

*Coregonus* spp. (except *Coregonus oxyrhynchus* - anadromous populations in certain sectors of the North Sea)

*Hucho hucho*

*Salmo salar* (only in freshwater)

CYPRINIFORMES

Cyprinidae

*Aspius aspius*

*Barbus* spp.

*Pelecus cultratus*

*Rutilus friesii meidingeri*

*Rutilus pigus*

SILURIFORMES

Siluridae

*Silurus aristotelis*

PERCIFORMES

Percidae

*Gymnocephalus schraetzer*

*Zingel zingel*

INVERTEBRATES

**COELENTERATA**

Cnidaria

*Corallium rubrum*

**MOLLUSCA**

GASTROPODA - STYLOMMATOPHORA

*Helix pomatia*

BIVALVIA - UNIONOIDA

Margaritiferidae

*Margaritifera margaritifera*  
 Unionidae  
*Microcondylaea compressa*  
*Unio elongatulus*  
**ANNELIDA**  
 HIRUDINOIDEA - ARHYNCHOBDELLAE  
 Hirudinidae  
*Hirudo medicinalis*  
**ARTHROPODA**  
 CRUSTACEA - DECAPODA  
 Astacidae  
*Astacus astacus*  
*Austropotamobius pallipes*  
*Austropotamobius torrentium*  
 Scyllaridae  
*Scyllarides latus*  
 INSECTA - LEPIDOPTERA  
 Saturniidae  
*Graellsia isabellae*  
 (b) **PLANTS**  
**ALGAE**  
 RHODOPHYTA  
 Corallinaceae  
*Lithothamnium coralloides* Crouan frat.  
*Phymatholithon calcareum* (Poll.) Adey & McKibbin  
**LICHENES**  
 Cladoniaceae  
*Cladonia* L. subgenus *Cladina* (Nyl.) Vain.  
**BRYOPHYTA**  
 MUSCI  
 Leucobryaceae  
*Leucobryum glaucum* (Hedw.) AAngstr.  
 Sphagnaceae  
*Sphagnum* L. spp. (except *Sphagnum pylaisii* Brid.)  
**PTERIDOPHYTA**  
*Lycopodium* spp.  
**ANGIOSPERMAE**  
 Amaryllidaceae  
*Galanthus nivalis* L.  
*Narcissus bulbocodium* L.  
*Narcissus juncifolius* Lagasca  
 Compositae  
*Arnica montana* L.  
*Artemisia eriantha* Ten  
*Artemisia genipi* Weber  
*Doronicum plantagineum* L. subsp. *tournefortii* (Rouy) P. Cout.  
*Leuzea rhaponticoides* Graells  
 Cruciferae  
*Alyssum pintadasilvae* Dudley.  
*Malcolmia lacera* (L.) DC. subsp. *gracilima* (Samp.) Franco  
*Murbeckiella pinnatifida* (Lam.) Rothm. subsp. *herminii* (Rivas-Martinez)  
 Greuter & Burdet  
 Gentianaceae  
*Gentiana lutea* L.  
 Iridaceae  
*Iris lusitanica* Ker-Gawler  
 Labiatae  
*Teucrium salviastrum* Schreber subsp. *salviastrum* Schreber  
 Leguminosae  
*Anthyllis lusitanica* Cullen & Pinto da Silva  
*Dorycnium pentaphyllum* Scop. subsp. *transmontana* Franco  
*Ulex densus* Welw. ex Webb.  
 Liliaceae  
*Lilium rubrum* Lmk  
*Ruscus aculeatus* L.  
 Plumbaginaceae  
*Armeria sampaio* (Bernis) Nieto Feliner  
 Rosaceae  
*Rubus genevieri* Boreau subsp. *herminii* (Samp.) P. Cout.  
 Scrophulariaceae  
*Anarrhinum longipedicelatum* R. Fernandes

*Euphrasia mendonçae* Samp.  
*Scrophularia grandiflora* DC. subsp. *grandiflora* DC.  
*Scrophularia berminii* Hoffmanns & Link  
*Scrophularia sublyrata* Brot.

**ANNEX VI**

**PROHIBITED METHODS AND MEANS OF CAPTURE AND KILLING  
AND MODES OF TRANSPORT**

**(a) Non-selective means**

**MAMMALS**

- Blind or mutilated animals used as live decoys
- Tape recorders
- Electrical and electronic devices capable of killing or stunning
- Artificial light sources
- Mirrors and other dazzling devices
- Devices for illuminating targets
- Sighting devices for night shooting comprising an electronic image magnifier or image converter
- Explosives
- Nets which are non-selective according to their principle or their conditions of use
- Traps which are non-selective according to their principle or their conditions of use
- Crossbows
- Poisons and poisoned or anaesthetic bait
- Gassing or smoking out
- Semi-automatic or automatic weapons with a magazine capable of holding more than two rounds of ammunition

**FISH**

- Poison
- Explosives

**(b) Modes of transport**

- Aircraft
- Moving motor vehicles

### Regulatory Impact Assessment

#### Introduction

1. The Conservation (Natural Habitats, &c.) (Amendment) (Scotland) Regulations 2007 (“the 2007 Amending Regulations”) will amend the Conservation (Natural Habitats, & c.) Regulations 1994 (“the 1994 Regulations”), the Wildlife and Countryside Act 1981 and the Conservation of Seals Act 1970. The amendments will provide further clarity in the way in which Council Directive 92/43/EEC (“the Habitats Directive”) is transposed in Scotland in a number of respects.

#### Background

2. The Habitats Directive was adopted in 1992 with the purpose of establishing common levels of conservation throughout the European Community for habitats and species perceived to be under threat. Central to the Directive's objectives is the establishment of an ecologically coherent network of sites known as Natura 2000. The principal instrument for transposing the Habitats Directive in Great Britain and adjacent territorial waters is the 1994 Regulations.

3. In October 2005 the European Court of Justice (ECJ) ruled that the United Kingdom had failed to transpose the Habitats Directive correctly in a number of respects (Case C-6/04, Commission v United Kingdom). The ruling for Case C-6/04 can be viewed at:

<http://europa.eu.int/eurlex/lex/LexUriServ/LexUriServ.do?uri=CELEX:62004J0006:EN:HTML>

4. In a later case (Case C-131/05 , Commission v United Kingdom, November 2005) the ECJ ruled that Articles 12(2) and 13(1)(b) of the Habitats Directive were not correctly transposed since the 1994 Regulations only prohibited the keeping, transport and sale or exchange, and offering for sale or exchange, of Annex IV species native to Great Britain, as opposed to all Annex IV species.

The ruling for Case C-131/05 can be viewed at:

<http://curia.europa.eu/jurisp/cgi-bin/form.pl?lang=en&Submit=Rechercher&alldocs=alldocs&docj=docj&docop=docop&docor=docor&docjo=docjo&numaff=C131/05&datefs=&datefe=&nomusuel=&domaine=&mots=&resmax=100>

5. These amending regulations make changes to the Conservation (Natural Habitats, & c.) Regulations 1994, the Wildlife and Countryside Act 1981 and the Conservation of Seals Act 1970 in response to these ECJ judgments.

6. In summary the Conservation (Natural Habitats, &c.) Amendments (Scotland) Regulations 2007 will:

- Protect non-native species of animals (i.e. those which are on Annex IV(a) to the Habitats Directive) and plants (i.e. those which are on Annex IV(b) to the Directive) from trade and make it unlawful to possess and trade in (subject to certain exceptions) specimens of Annex IV species taken or killed on or after 10th June 1994.
- Remove all but two of the defences in regulation 40.

- Extend the current prohibitions on the use of indiscriminate means of capture and killing of species listed in Schedule 3 of the 1994 Regulations, (regulation 41 of the 1994 Regulations) to include all methods of indiscriminate capture and killing, not just those methods specifically listed.
- Impose a specific statutory duty to make arrangements for surveillance and monitoring.
- Clarify the requirement to carry out appropriate assessment of new water abstraction consents (and review of such consents) when such consents are likely to have a significant effect on a European site or sites.
- Clarify the requirement to carry out appropriate assessment of land use plans when such plans are likely to have a significant effect on a European site or sites. Land use plans comprise structure plans and local plans as provided for in Part II of the Town and Country Planning (Scotland) Act 1997.
- Make technical amendments to the Conservation of Seals Act 1970 to remove a perceived element of legal uncertainty.

### **Rationale for government intervention**

7. Scottish Ministers are required by Section 57(2) of the Scotland Act to comply with community law. The European Court of Justice has made clear that there are a number of deficiencies in the current UK transposition of the Habitats Directive. These weaknesses now require to be rectified. In these circumstances a “do nothing” option is not available.

### **Costs and Benefits**

#### **i) Costs, Sectors and groups affected**

##### ***a. Powers to prevent, discourage and rectify damage to protected species***

8. Some business sectors (principally taxidermists, other animal traders, zoos and other animal collections) may be affected by the proposed stricter possession and sale controls concerning species listed in Annex IV to the Habitats Directive.

Estimated costs to government for EPS licensing of taxidermy specimens and similar

Set Up	Annual
£9000	£225 - £450

9. It is estimated that the average cost for taxidermy licensing will be £45 per licence, and that 200 owners of specimens may apply for a licence. It is intended that these licences will be for a lengthy period, and that they will not need to be renewed in the foreseeable future. Thereafter a small number of licences may be issued per annum for miscellaneous purposes. There are currently no charges for licence applications.

10. Other business sectors (principally forestry and agriculture), may also be affected by the removal of the “incidental result” defence as currently provided for in regulations 40(3)(c) and 43(4) of the 1994 Regulations. However, the extent to which extra costs will be incurred by these business sectors is unclear. This is because the requirement to survey sites for the presence of EPS has existed since the 1994 Regulations came into force (and this requirement

was further clarified by the Nature Conservation (Scotland) Act 2004). Forestry Commission Scotland has estimated annual costs, to the forestry industry, of implementing best practice across Scotland, to be about £700K per annum.

11. Similarly, householders may be affected by the removal of the so-called “dwelling house” defence relating to bats that is set out in regulation 40(2) and (4). Any prohibited action would now require a licence under regulation 44. This is instead of the less onerous responsibility of notifying the appropriate nature conservation body of the proposed action and giving them an opportunity to advise, where the bat in question is located outside the living areas in a dwelling house. There will be no charges to the public for applying for such a licence.

EPS licensing for disturbance of bats in dwelling houses, costs to government

Set Up	Annual
£0.00	£9500

*Based on 100 licences issued per annum. Licensing unit already in place therefore no set up costs foreseen.*

12. Some business sectors are concerned that the loss of the incidental results defence may lead to an increase in the administrative costs associated with any increased requirements for licensing. In considering this, it should be kept in mind that Section 43(4) of the 1994 Regulations already makes it an offence to disturb a European Protected Species where it was foreseen that this disturbance would occur. The 2007 Amending Regulations better clarify the existing obligations.

13. The proposed technical amendments to the Conservation of Seals Act 1970 is expected to have no impact on current practice.

***b. Appropriate Assessment of Development Plans***

14. The ECJ ruling has led to a clarification of the duty of planning authorities to undertake appropriate assessments of development plans to determine the implications for European sites where these are likely to have a significant effect on such sites. An SE/SNH workshop was provided for local authorities in order to discuss the ECJ ruling and clarify the implications. Local authorities did not raise any significant concerns following the consultation. There may be some initial costs associated with the adoption of appropriate assessment of development plans although these are expected to be relatively minor.

***c. Transposition of Article 6(3) and (4) of the Habitats Directive with regard to water abstraction plans and projects***

15. This clarifies the responsibility of SEPA as a competent authority when considering new applications (and reviewing existing consents) under the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (“CAR”). Some water users voiced concerns on this matter in the consultation but the proposed amendments merely make the responsibility of SEPA in this regard explicit in part IV of the regulations (rather than relying on the “general duty” imposed by regulation 3(4)).

***d. Surveillance and Monitoring***

16. Transposition of this aspect of the ECJ ruling is not expected to have a significant financial impact on any sector. Whilst a formal obligation does not at present exist,

significant monitoring is already undertaken by SNH in conjunction with the Forestry Commission Scotland, SEPA and others.

## **(ii) Benefits**

17. Although the 1994 Regulations are already protecting habitats and species in the UK, a more transparent transposition of the Habitats Directive in Scotland would ensure clarity and better understanding of the legislation.

18. The 2007 Amending Regulations will clearly inform responsible planning authorities of their duty to undertake an appropriate assessment for land use plans. This will ensure that the land use planning system takes full account of the existence of protected sites.

19. The Regulations will make improvements to the species protection regime, by protecting certain species which are not native to Great Britain through a prohibition on keeping, transporting and selling them.

## **Direct Costs to the Scottish Executive and its Agencies**

20. The proposed changes should not result in any significant additional cost to Government or its Agencies over and above those costs already quoted. The proposals formalise current arrangements concerning surveillance and monitoring.

21. It is acknowledged that removing the species protection regime's defences may potentially lead to an increased demand for EPS licences. It is estimated that a licence costs the Scottish Executive £95.00 to administer. In 2005, 57 EPS licences were issued which cost an estimated £5,415. Each of these licence applications is also sent to SNH for their ecological advice, and it is estimated that they spend a similar amount on assessment and processing. The majority of licences are obtained for development purposes affecting great crested newts and bats.

## **Small Firms Impact Test**

22. The only costs that may impact on small businesses could be those associated with an increased requirement to apply for licences, where a firm is involved in a trade in taxidermy specimens or derivatives of protected species, or in instances where the firm is involved in conducting activities impacting on EPS and a formal derogation from the requirements of the Directive by means of a licence is required.

## **Competition Assessment**

23. No economic sector will be affected by the proposals more than at present.

## **Enforcement, sanctions and monitoring**

24. The 1994 Regulations require two types of enforcement;

- i) for plans and projects,
- ii) for the offences relating to habitats and species.

25. For the former, as is the situation at present, the enforcement and monitoring activity will take place through the consenting regimes currently operated by competent authorities.

26. Habitats and species offences will continue to be primarily enforced by the police. Scottish Natural Heritage will continue to monitor activities, including those licensed, to ensure compliance with the amended regulations. They will continue to work in partnership with the UK's enforcement agencies to take forward prosecutions.

### **Monitoring of Annex V Species**

27. SNH already devotes considerable resources on monitoring sites, as well as wider monitoring of habitats and species. It is expected that the increased requirements for monitoring will not greatly add to SNH's work in this area.