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**

- Removal of the existing “incidental result” defence for offences against animals which are EPS and changes to those offences.
- 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.
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
Amended by:
► 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)
▼ B
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 (1), 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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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);

(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.

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 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 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 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
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 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 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 within 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.

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 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.

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.

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 breedings 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.
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 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.

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.

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 (Posidonion 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 steppe
1510 * Mediterranean salt steppe (*Limonietalia*)
1520 * Iberian gypsum vegetation (*Gypsophiletalia*)
1530 * Pannonic salt steppe and salt marshes

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 eribaceous 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 * Malcoinetalia* 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 Callitricho-Batrachion vegetation
3270 Rivers with muddy banks with Chenopodion 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 arborecent matorral
5210 Arborecent matorral with Juniperus spp.
5220 * Arborecent matorral with Ziziphus
5230 * Arborecent 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 cliff top phryganas (Astragalo-Plantaginetum 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 Violeltalia 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 with grasses 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 steppe
6270 * Fennoscandian lowland species-rich dry to mesic grasslands
6280 * Nordic alvar and pre cambrian 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-rich springs and springfens

72. Calcareous fens
7210 * Calcareous fens with Cladium mariscus and species of the Caricion davallianae
7220 * Petrifying springs with tufa 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 scree of the montane to alpine levels (Thlaspietea rotundifolii)
8130 Western Mediterranean and thermophilous scree
8140 Eastern Mediterranean scree
8150 Mid-European upland siliceous scree
8160 * Mid-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 with pioneer 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) rich in 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, scree and ravines
9190 Old acidophilous oak woods with Quercus robur on sandy plains
91A0 * Caledonian forest
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 (Ulmion minoris)
91G0 * Pannonian 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-Balkanic turkey oak – sessile oak forests
91N0 * Pannonic inland sand dune thicket (Junipero-Populetum albae)
91O0 Holy Cross fir forest (Abietetum polonicum)
91P0 Western Carpathian calcicolous Pinus sylvestris forests
91Q0 Dinaric dolomite Scots pine forests
91R0 Dinaric dolomite Scots pine forests
91S0 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 * Apeninne 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
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 bechsteinii
   Myotis blythii
   Myotis capaccinii
   Myotis dasycneme
   Myotis emarginatus
   Myotis myotis
   Pteropodidae
   Rousettus aegyptiacus
   RODENTIA
   Sciuridae
   * Marmota marmota latirostris
   * Pteromys volans (Sciuropterus russicus)
   Spermophilus citellus (Citellus citellus)
   * Spermophilus suslicus (Citellus suslicus)
   Castoridae

20
Castor fiber (except the Estonian, Latvian, Lithuanian, Finnish and Swedish populations)

Microtidae
* Microtus oceonomus arenicola
* Microtus oceonomus 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 bottnica (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 amnon musimon) (natural populations - Corsica and Sardinia)
Ovis orientalis ophion (Ovis gmelini ophion)
* Rupicapra pyrenaica ornata (Rupicapra rupicapra ornata)
Rupicapra rupicapra balcanica
* Rupicapra rupicapra tatrica

CETACEA
Phocoena phocoena
Tursiops truncatus

REPTILES
CHELONIA (TESTUDINES)
Testudinidae
Testudo graeca
Testudo hermanni
Testudo marginata
Chelonidae
* Careta 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 tilfordi
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
* Salamandra aurora (Salamandra atra aurora)
Salamandra terdigitata
Triturus cristatus (Triturus cristatus cristatus)
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 zanandreai (V)
Petromyzon marinus (o) (except the Swedish populations)

ACIPENSERIFORMES

Acipenseridae
* Acipenser naccarii
* Acipenser sturio

CLUPEIFORMES

Clupeidae
Alosa spp. (V)

SALMONIFORMES

Salmonidae
Hucho huch (natural populations) (V)
Salmo macrostigma (o)
Salmo marmoratus (o)
Salmo salar (only in freshwater) (V) (except the Finnish populations)
Coregonidae
* Coregonus oxyrynchus (anadromous populations in certain sectors of the North Sea)

Umbridae
Umbra krameri (o)
CYPRINIFORMES
Cyprinidae
Alburnus albidus (o) (Alburnus vultarius)
Anacypsis hispanica
Aspius aspius (V) (except the Finnish populations)
Barbus comiza (V)
Barbus meridionalis (V)
Barbus plebejus (V)
Chalcalburnus chalcoides (o)
Chondrostoma genei (o)
Chondrostoma lasitanicum (o)
Chondrostoma polyplepis (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 percunurus
Rhodeus sericeus amarus (o)
Rutilus pigus (V)
Rutilus rubilio (o)
Rutilus arscii (o)
Rutilus macrolepidotus (o)
Rutilus lemmingii (o)
Rutilus frisi 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)
Sabanjeewia aurata (o)
Sabanjeewia 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 petitii (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 zawadzki
Cerambyx cerdo
Corticaria planula (o)
Cucujus cinnaberinus
Dorcadin 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)
* Osmothera eremita
Oxyopus mannerheimii (o)
Pilema tigrina
* Phryganophilus rufocollis
Probaticus subrugosus
Propomacrus cypriacus
* Pseudogaurotina excellens
Pseudoseriscius cameroni
Pytho kolvensis
Rhydogesus sulphatus (o)
* Rosalia alpina
Stephanopachys linearis (o)
Stephanopachys substratius (o)
Xyletinus tremulicola (o)
Hemiptera
Aradus angularis (o)
Lepidoptera
Agriades glandon aquilo (o)
Atryrura musculus
* Callimorpha (Euplagia, Panaxia) quadrangularis (o)
Catoptris thrips
Chondrosoma fiduciarium
Clossiana improba (o)
Coenonympha oedippus
Colias myrmidonide
Cucullia mixta
Dioszeghyana schmidhii
Eranis ankeraria
Erebia calcaria
Erebia chrisi
Erebia medusa polaris (o)
Eriogaster catax
Euphydryas (Eurodryas, Hypodryas) aurinia (o)
Glyphipterix loricatella
Gortyna borelii lunata
Grueilla isabellae (V)
Hesperia comma catena (o)
Hypodryas maturna
Leptidea morsei
Lignyoptera fumidaria
Lycaena dispar
Lycaena helce
Maculinea nausithous
Maculinea teleius
Melanargia arge
* Nymphalis vanualbum
  Papilio hospiton
  Phyllometra culminaria
  Plebicula golgus
  Polymixis rufocincta isolata
  Polyommatus eroides
  Xestia borealis (o)
  Xestia brunneo picta (o)
  * Xylomoia strix
  Mantodea
  Apteromantis aptera
  Odonata
  Coenagrion hylas (o)
  Coenagrion mercuriale (o)
  Coenagrion ornatum (o)
  Cordulegaster heros
  Cordulegaster trinacriae
  Gomphus graslinii
  Leucorrhinia pectoralis
  Linderia tetrhylla
  Macromia splendens
  Ophiogomphus cecilia
  Oxygastra curtisii
  Orthoptera
  Baetica ustulata
  Brachytrupes megacephalus
  Isophya costata
  Isophya styli
  Myrmecophilus baronii
  Odontopteris 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) subhelicata
  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
Congeria kusceri
(b) PLANTS
PTERIDOPHYTA
Aspleniaceae
Asplenium jahandiezii (Litard.) Rouy
Rouy Asplenium adulterinum Milde
Blechnaceae
Woodwardia radicans (L.) Sm.
Dicksoniaceae
Calcula 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 nicaense Ard.
Narcissus asturiensis (Jordan) Pugsley
Narcissus calciola Mendonça
Narcissus cyclamineus DC.
Narcissus fernandesii G. Pedro
Narcissus humilis (Cav.) Traub
* Narcissus nevadensis Pugsley
Narcissus pseudonarcissus L. subsp. nobilis (Haw.) A. Fernandes
Narcissus scaberus Henryq.
Narcissus triandrus L. subsp. capax (Salisb.) D. A. Webb.
Narcissus viridiflorus Schousboe
Asclepiadaceae
Vincetoxicum pannonicum (Borhidi) Holub
Borraginaceae
* Anchusa crispa Viv.
Echium russicum J.F.Gemlin
* Lithodora nitida (H. Ern) R. Fernandes
Myosotis lusitanica Schuster
Myosotis rehsteineri Wartm.
Myosotis retusifolia R. Afonso
Omphalodes kazinskianae Willk.
* Omphalodes litoralis Lehm.
* Onosma tornensis Javorka
Solenanthus albanicus (Degen & al.) Degen & Baldacci
* Symphytum cycladense Pawl.
Campanulaceae
Adenophora lilfolia (L.) Ledeb.
Asyneuma giganteum (Boiss.) Bormm.
* Campanula bohemica Hruby
* Campanula gelida Kovanda
* Campanula subaria De Not.
* Campanula serrata (Kit.) Hendrych
Campanula zoysii 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 alpinifolium 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 lamitizeri Wiesb.
Dianthus marizi (Samp.) Samp.
* Dianthus moravicus Kowanda
* 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 sminckiai 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 (Ruapr.) Walters

* Silene hicesiae Brullo & Signorello
Silene hifacensis Rouy ex Willk.
* Silene holzmannii Heldr. ex Boiss.
Silene longicilia (Brot.) Orth.
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 pathiniae Ingram
Halimium verticillatum (Brot.) Sennen
Helianthemum alypoides Losa & Rivas Goday
Helianthemum caput-felis Boiss.

* Taberaria major (Willk.) Pinto da Silva & Rozeira

Compositae

* Anthemis glaberrima (Rech. f.) Greuter
Artemisia campestris L. subsp. bottincia A.N. Lundström ex Kindb.

* Artemisia granatensis Boiss.
* Artemisia laciniata Willd.
Artemisia oelandica (Besser) Komaror

* Artemisia paniculata (Janka) Ronn.
* Aster pyreneeus Desf. ex DC
* Aster sorrentinii (Tod) Lojac.

Carlina onopordifolia Besser

* Carduus myriacanthus Salzm. ex DC.
* Centaurea alba L. subsp. heldreichii (Halacy) Dostal
* Centaurea alba L. subsp. princeps (Boiss. & Heldr.) Gugler
* Centaurea akamantis T. Georgiadis & G. Chatzikyriakou
* Centaurea attica Nyman subsp. megarensis (Halacy & Hayek) Dostal

* Centaurea balearica J. D. Rodriguez
* Centaurea boejar Valdes-Berm. & Rivas Goday
* Centaurea corymbosa Pourret
Centaurea gadoensis G. Blanca

* Centaurea horrida Badaro

* Centaurea kalambakensis Freyn & Sint.
Centaurea kartschiana Scop.
* Centaurea lactiflora Halacy
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 brachyccephalum Juratka
* Crepis crocifolia Boiss. & Heldr.
Crepis granatensis (Willk.) B. Blanca & M. Cueto
Crepis pinnata (Sommerl.) 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
Lenzea longifolia Hoffmanns. & Link
Ligularia sibirica (L.) Cass.
* Palaeocynus cassifolius (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 longifolia (Vill.) A. Kern
Tephroseris longifolia (Jacq.) Griseb et Schenk subsp. moravica
Convolvolaceae
* Convolvulus argyrohamnus Greuter
* Convolvulus fernandesii Pinto da Silva & Teles

Cruciferae
Alyssum pyrenaicum Lapeyr.
* Arabis kennedyae Mekle
Arabis sadina (Samp.) P. Cout.
Arabis scopulana Boiss
* Biscutella neustria 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 stieltiana Maire
Diplotaxis vicentina (P. Cout.) Rothm.
Draba cacuminum Elís Ekman
Draba cinerea Adams
Erucastrum palustre (Pirona) Vis.
* Erysimum piencinicum (Zapal.) Pawl.
* Iberis arbuscula Runemark
Iberis procumbens Lange subsp. microcarpa Franco & Pinto da Silva
* Jonopsisidium acaule (Desf.) Reichenb.
Jonopsisidium savianum (Coutel) Ball ex Arcang.
Rhynchosinapis ericastrum (L.) Dandy ex Clapham subsp. cintrana
(Coutinho) Franco & P. Silva (Coincya cintrana (P. Cout.) Pinto da Silva)
Sisymbrium cavanillesianum Valdés & Castroviejo
Sisymbrium supinum L.
Thlaspi jankae A. Kern.
Cyperaceae
* Carex holostoma Drejer
  * Carex panormitana Guss.
Eleocharis carnioleca Koch
Dioscoreaceae
  * Borderea chouardii (Gaussen) Heslot
Droseraceae
Aldrovanda vesiculosa L.
Elatinaceae
Elatine gussonei (Sommier) Brullo et al
Ericaceae
Rhododendron luteum Sweet
Euphorbiaceae
  * Euphorbia margalidiana Kuhbier & Lewejohann
Eaurphoria transagana Boiss.
Gentianaceae
  * Gentaurium rigualii Esteve
  * Gentaurium somedanum Lainz
Gentiana ligustica R. de Vilm. & Chopinet
Gentianella anglica (Pugsley) E. F. Warburg
  * Gentianella bohemia Skalicky
Geraniaceae
  * Erodium astragaloides Boiss. & Reuter
  * Erodium paularense Fernandez-Gonzalez & Izcio
  * Erodium rupicola Boiss.
Globulariaceae
  * Globularia stygia Orph. ex Boiss.
Gramineae
Arctagrostis latifolia (R. Br.) Griseb.
Arctophila fulva (Trin.) N. J. Anderson
Avenula hackeli (Henriq.) Holub
Bromus grossus Desf. ex DC.
Calamagrostis chalybaea (Laest.) Fries
Cinna latifolia (Trev.) Griseb.
Coleaentbus subtilis (Tratt.) Seidl
Festuca brigantina (Markgr.-Dannenb.) Markgr.-Dannenb.
Festuca duriotagana Franco & R. Afonso
Festuca elegans Boiss.
Festuca henriquesii Hack.
Festuca sumilastiana Franco & R. Afonso
Gaudinia hispanica Stace & Tutin
Holcus setiglumis Boiss. & Reuter subsp. duriensis Pinto da Silva
Micropropis tuberosa Romero - Zareo & Caberzudo
  * Poa riphaea (Ascher et Graebner) Fritsch
Pseudarrhenatherum pallens (Link) J. Holub
Puccinellia phryganodes (Trin.) Seribner + Merr.
Puccinellia pungens (Pau) Paunero
  * Stipa austroitalica Martinovsky
  * Stipa bavaria Martinovsky & H. Scholz
  * Stipa styriaca Martinovsky
  * Stipa veneta Moraldu
  * 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
Gladolba 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 dirphya (Boiss.) Heldr. ex Halacsy
* Nepeta sphaciota P. H. Davis
Origanum dictamnus L.
Phlomis brevifracteata Turril
Phlomis cypria Post
Salvia veneris Hedge
Sideritis cypria Post
Sideritis incana subsp. glauca (Cav.) Malagarriga
Sideritis serrata Cav. ex Lag.
Teucrium lepicephalum Pau
Teucrium turreatum Lona & Rivas Goday
* Thymus camporum Hoffmanns. & Link
Thymus carnosus Boiss.
* Thymus lotocephalus G. López & R. Morales (Thymus cephalotos L.)
Leguminosae
Anthyllis hystric 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 aequalius 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
Lilaceae
* Allium grosii Font Quer
* Androcymbium rechingeri Greuter
* Asphodelus bento-rainhae P. Silva
* Chionodoxa lochiae Meikle in Kew Bull.
Colchicum arenarium Waldst. et Kit.
Hyacinthoides vicentina (Hoffmans. & 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
Kosteletzya pentacarpos (L.) Ledebe.
Najadaceae
Najas flexilis (Willd.) Rostk. & W.L. Schmidt
Najas tenerissima (A. Braun) Magnus
Orchidaceae
Anacamptis urvilleana Sommier et Caruana Gatto
Calypso bulbosa L.
* Cephalanthera cuculata Boiss. & Heldr.
Cyprispedum calceolus L.
Gymnoglossum raeue 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 (Turetz.) Hulten
Orobanchaceae
Orobanche densiflora Salzmann ex Reuter in DC.
Paeoniaceae
*Paeonia cambessedesii* (Willk.) Willk.
*Paeonia clusii* F.C. Stem subsp. *rhodia* (Steam) Tzanoudakis
*Paeonia officinalis* L. subsp. *banatica* (Rachel) Soo
*Paeonia pannascica* Tzanoudakis

Palmae
Phoenix theophrasti Greuter

Papaveraceae
*Corydalis gotlandica* Lidén
*Papaver laestadianum* (Nordh.) Nordh.
*Papaver radicatum* Rottb. subsp. *hyperboreum* Nordh.

Plantaginaceae
*Plantago algarbiensis* Sampaio (*Plantago bracteosa* (Willk.) G. Sampaio)
*Plantago almogravensis* Franco

Plumbaginaceae
*Armeria berlengensis* Daveau
*Armeria helodes* Martini & Pold
*Armeria neglecta* Girard
*Armeria pseudarmeria* (Murray) Mansfeld
*Armeria royana* Daveau
*Armeria soleirolii* (Duby) Godron
*Armeria velutina* Welw. ex Boiss. & Reuter

Limonium dodartii* (Girard) O. Kuntze subsp. *lusiaticum* (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

Primulaceae
*Androsace mathildae* Leiver

*Androsace pyrenatica* Lam.
*Cyclamen fatrense* Halda et Sojak

*Primula apennina* Widmer
*Primula carnioica* Jacq.
*Primula nutans* Georgi
*Primula palinuri* Petagna
*Primula scandinavica* Bruun
*Soldanella villosa* Darracq.

Ranunculaceae
*Aconitum corsicum* Gayer (*Aconitum napellus* subsp. *corsicum*)
*Aconitum firmum* (Reichenbh.) Neils 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. Burtt

Pulsatilla grandis Wenderoth
*Pulsatilla patens* (L.) Miller

*Pulsatilla pratensis* (L.) Miller subsp. *hungarica* Soo

*Pulsatilla slavica* G. Reuss.
*Pulsatilla subslavica* Futak ex Goliavsova
*Pulsatilla vulgaris* Hill. subsp. *gotlandica* (Johanns.) Zaemelis & Paegle

Ranunculus kykkosensis 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

Rubieaeae

Galium cracoviense Ehrend.

*Galium litorale* Guiss.
* Galium sudeticum Tausch
* Galium viridiflorum Boiss. & Reuter
Salicaceae
Salix salicifolia Brot. subsp. australis Franco
Santalaceae
Thesium ebracteatum Hayne
Saxifragaceae
Saxifraga berica (Beguinot) D.A. Webb
Saxifraga florulenta Moretti
Saxifraga hirculus L.
Saxifraga oslœnsis Knaben
Saxifraga tombeanensis Boiss. ex Engl.
Scrophulariaceae
Antirrhinum charidemi Lange
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 oslœnsis Knaben
Saxifraga tombeanensis Boiss. ex Engl.
Scrophulariaceae
Antirrhinum charidemi Lange
Chaenorrhinum serpyllifolium (Lange) Lange subsp. lusitanicum R. Fernandes
* Euphrasia genargentea (Feoli) Diana
Euphrasia marchesettii Wettst. ex Marches.
Linaria algarviana Chav.
Linaria coutinhoi Valdés
Linaria loeselli Schweigger
* Linaria ficalhoana Rouy
Linaria flavo (Poir et) Desf.
* Linaria helenica Turrill
Linaria pseudolaxiflora Lojacono
* Linaria ricardoi Cout.
Linaria tonzigi Lona
* Linaria tursica B. Valdés & Cabezudo
Odontites granatensis Boiss.
* Pedicularis sudetica Wild.
Rhinanthus oesilensis (Ronninger & Saarsoo) Vassilcz
Tozzia carpathica Wol.
Verbascum littigiosum Samp.
Veronica micrantha Hoffmanns. & Link
* Veronica oetaea L.-A. Gustavsson
Solanaceae
* Atropa baetica Willk.
Thymelaeaceae
* Daphne arbucula Celak
Daphne petreae Leybold
* Daphne rodriquezii Texidor
Ulmaceae
Zelkova abelicea (Lam.) Boiss.
Umbelliferae
* Angelica heterocarpa Lloyd
Angelica palustris (Besser) Hoffm.
* Apium bermejoi Llorens
Apium repens (Jacq.) Lag.
Athenanta cortiana Ferrarini
* Bupleurum capillare Boiss. & Heldr.
* Bupleurum kakiskalae Greuter
Eryngium alpinum L.
* Eryngium viviparum Gay
* Ferula saderiana Lebed.
Hladnikia pastinacifolia Reichenb.
* Laserpittium longiadium Boiss.
* Nauphra balearica Constans & Cannon
* Oenanthe conioides Lange
Petagna saniculifolia Guss.
Rouya polygama (Desf.) Coipay
* Seseli intricatum Boiss.
Seseli leucoperpum Waldst. et Kit
Thorella verticillatinundata (Thore) Briq.
Valerianaceae
Centranthus trinervis (Viv.) Beguinot
Violaceae
* Viola hispida Lam.
Viola jaubertiana Mares & Vigneix
Viola rupestris F.W. Schmidt subsp. relicta Jalas
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 (Mougg.) 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)
Drepanocladius (Hamatocaulis) vernicosus (Mitt.) Warnst. (o)
Encalypta mutica (I. Hagen) (o)
Hamatocaulis lapponicus (Norrl.) Hedenäs (o)
Herzogiella turfaea (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)
Plagiommium drummondi (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
* Ceropegia chrysanthha Svent.
Boraginaceae
Echium candicans L. fil.
* Echium gentianoides Webb & Coiney
Myosotis azorica H. C. Watson
Myosotis maritima Hochst. in Seub.
Campanulaceae
* Azorina vidali (H. C. Watson) Feer
Musschia aurea (L. f.) DC.
* Masschia wollastonii Lowe
Caprifoliaceae
* Sambucus palmensis Link
Caryophyllaceae
Spargularia azorica (Kindb.) Lebel
Celastraceae
Maytenus umbellata (R. Br.) Mabb.
Chenopodiaceae
Beta patula Ait.
Cistaceae
Cistus chinamadensis Banares & Romero
* Helianthemum hystropogophyllum Svent.
Compositae
Andryala crithmifolia Ait.
* Argryanthemum lidi Humphries
Argyanthemum thalassophyllum (Svent.) Humphries
Argyanthemum 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 Burtt & Sund.
Hypochoeris oligocephala (Svent. & Bramw.) Lack
* Lactuca watsoniana Trel.
* Onopordum nogalesii Svent.
* Onopordum carduelinum Bolle
* Pericallis hadrospoma (Svent.) B. Nord.
Phagnalon benetii Lowe
Stemmacantha cynaroides (Chr. Son. in Buch) Ditt
Sventenia bupleuroides Font Quer
* Tanacetum ptarmiciflorum Webb & Berth
Convolvulaceae
* Convolvulus caput-medusae Lowe
* Convolvulus lopez-socassii Svent.
* Convolvulus massoni 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 (Alt.) 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 lemanniana Lowe
* Dorycnium spectabile Webb & Berthel
* Lotus azoricus P. W. Ball
Lotus callis-voridis 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.
**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 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
NEEDED 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 russicus)

*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 cabrerae*

*Microtus oeconomus arenicola*

*Microtus oeconomus mehelyi*

*Microtus tattericus*

Zapodidae

*Sicista betulina*

*Sicista subtilis*

Hystricidae

*Hystrichristata*

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 eversmanii*

*Mustela lutreola*

Felidae

*Felis silvestris*

*Lynx lynx* (except the Estonian population)

*Lynx pardinus*

Phocidae

*Monachus monachus*

*Phoca hispida sainensis*

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 tatrica*

CETACEA

All species

REPTILES

TESTUDINATA

Testudinidae

*Testudo graeca*

*Testudo hermanni*

*Testudo marginata*

Chelonidae

*Caretta caretta*

*Chelonia mydas*

*Lepidochelys kempii*

*Eretmochelys imbricata*

*Dermochelyidae*

*Dermochelys coriacea*
Emydidae
Emys orbicularis
Mauremys caspica
Mauremys leprosa
SAURIA
Lacertidae
Algyroides fitzingeri
Algyroides marchi
Algyroides moreoticus
Algyroides nigropunctatus
Gallotta atlantica
Gallotta galloti
Gallotta galloti insulanagae
Gallotta simonyi
Gallotta stehlini
Lacerta agilis
Lacerta bedriagae
Lacerta bounhi (Lacerta monticola)
Lacerta miticola
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 cyriensis
Coluber hippocrepis
Coluber jugularis
Coluber laurenti
Coluber najaud
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
Macroviperinae (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 aurora
Salamandra lanzai
Salamandrinae 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 cisternasi
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 italicca
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
Anacypsis hispanica
Phoxinus percnurus

**ATHERINIFORMES**
Cyprinodontidae
Valencia hispanica

**PERCIFORMES**
Percidae
Zingel asper
Gymnocephalus baloni

**INVERTEBRATES**

**ARTHROPODS**

**CRUSTACEA**

Isopoda
Armadillidium ghardalamensis

**INSECTA**

Coleoptera
Bolbelaenus unicornis
Buprestis splendens
Carabus hampei
Carabus hungaricus
Carabus olympiae
Carabus variolosus
Carabus zawadzkii
Cerambyx cerdo
Cucujus cinnaberinus
Dorcus fulvum cervae
Duvalius gebhardti
Duvalius hungaricus
Dytiscus latissimus
Graphoderus bilineatus
Leptodirus hochenwarti
Pilemata tigrina
Omoderma eremita
Phryganophilus ruficollis
Probaticus subrugosus
Propomacrus cyanipus
Pseudogaurotina excellens
Pseudosericlus cameroni
Pytho kolvensis
Rosalia alpina
Lepidoptera
Apatura metis
Aryttrura musculus
Catopta thrips
Chondrosoma fiduciarium
Coenonympha hera
Coenonympha oedippus
Colias myrmidone
Cucullia mixta
Dioszeghyana schmidtii
Erannis ankeraria
Erebia calcaria
Erebia christi
Erebia sudecka
Eriogaster catax
Fabriciana elisa
Glyphipterix loricatella
Gortyna borelii lunata
Hypodyas maturna
Hyles hippophaes
Leptidea morsei
Lignyoptera fumidaria
Lopinga achine
Lycåêa dispar
Lycåêa helle
Maculinea arion
Maculinea nausithous
Maculinea teleius
Melanagria arge
Nymphalis vaaulbum
Papilio alexanor
Papilio hospiton
Parnassius apollo
Parnassius mnemosyne
Phyllometra culminaria
Plebicula golgus
Polyomnatus erooides
Proserpinus proserpina
XyloÂ®ma strix
Zerynthia polyxena
Mantodea
Apteromantis aptera
Odonata
Aeshna viridis
Cordulegaster heros
Cordulegaster trinacriae
Gomphus grasslinii
Leucorrhina allifrons
Leucorrhina caudalis
Leucorrhina pectoralis
Lindenia tetrphylla
Macromia splendens
Ophiogomphus cecilia
Oxygastra curtisii
Stylurus flavipes
Sympecma braueri
Orthoptera
Baetica ustulata
Brachytrupes megacephalus
Isophya costata
Isophya stygi
Myrmecophilus baronti
Odontopodisma rubripes
Paracaloptenus caloptenoides
Pholidoptera transylvanica
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 kovaci**
**Idiomela (Helix) subplicata**
**Lampedusa imitatrix**
**Lampedusa melitensis**
**Leiostyla abbreviata**
**Leiostyla cassida**
**Leiostyla corneocostata**
**Leiostyla gibba**
**Leiostyla lamellosa**
**Paludilithia hungarica**
**Patella feruginea**
**Sadleriana pannonica**
**Theodoxus prevostianus**
**Theodoxus transversalis**

**BIVALVIA**
**Anisomyaria**
**Lithophaga lithophaga**
**Pinna nobilis**
**Unionoida**

**Plants**

**PTERIDOPHYTA**

Aspleniaceae

**ANGIOSPERMAE**

Agavaceae

**Draecena draco** (L.) L.

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

**Euphorbia nevadensis** Boiss. & Reuter

**Gesneriaceae**

**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 europaeum (Lange) K. Richter
Bellevallia huckelli Freyn
Colchicum corsicum Baker
Colchicum coasturieri 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 beltrana Samp.
Scilla odorata Link
Orchidaceae
Ophrys argolica Fleischm.
Orchis scopulorum Simsmerh.
Spiranthes aestivalis (Poiret) 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
Sorophulariaceae
Antirrhinum lopesianum Rothm.
Lindernia procumbens (Krocker) Philcox
Solanaceae
Mandragora officinarum L.
Thymelaeaceae
Thymela broterana P. Cout.
Umbelliferae
Bunium brevifolium Lowe
Violaceae
Viola athois 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
DUPICIDENTATA
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
ACIPENSIERIFORMES
Aciaperideridae
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 friesi meidingeri
Rutilus pigus
SILURIFORMES
Siluridae
Silurus aristotelis
PERCIFORMES
Percidae
Gymnocephalus schraetzer
Zingel zingel
INVERTEBRATES
COELENTERATA
Cnidaria
Corallium rubrum
MOLLUSCA
GASTROPODA - STYLOMMATOPHORA
Helix pomatia
BIVALVIA - UNIONOIDEA
Margaritiferidae
Margaritifera margaritifera
Unionidae

Microconchilus compressa

Unio elongatulus

ANNELIDA

HIRUDINOIDEA - ARHYNCHOBDELLAE

Hirudinidae

Hirudo medicinalis

ARTHROPODA

CRUSTACEA - DECAPODA

Astacidae

Astacus astacus

Astropotamobius pallipes

Astropotamobius torrentium

Scyllaridae

Scyllarides latus

INSECTA - LEPIDOPTERA

Saturniidae

Graellsia isabellae

(b) PLANTS

ALGAE

RHODOPHYTA

Corallinaceae

Lithothamnium coralloides Crouan frat.

Phymatolithon calcareum (Poll.) Adey & McKibbin

LICHENES

Cladoniaceae

Cladonia L. subgenus Cladina (Nyl.) Vain.

BRYOPHYTA

MUSCI

Leucobryaceae

Leucobryum glaucum (Hedw.) A.Angstr.

Sphagnaceae

Sphagnum L. spp. (expt Sphagnum pylaisii Brid.)

PTERIDOPHYTA

Lycopodium spp.

ANGIOSPERMAE

Amaryllidaceae

Galanthus nivalis L.

Narcissus bulbocodium L.

Narcissus juncifolius Lagasca

Compositae

Artemisia eriantha Ten

Artemisia genipi Weber

Alyssum pintadasilvae Dudley

Malcolmia lacera (L.) DC. subsp. graccilima (Samp.) Franco

Murbeckiella pinnaatifida (Lam.) Rothm. subsp. herminii (Rivas-Martinez)

Greuter & Burdet

Gentianaceae

Gentiana lutea L.

Iridaceae

Iris lusitanica Ker-Gawler

Labiatae

Teucrium salviastrium Schreber subsp. salviastrium Schreber

Leguminosae

Anthyllis lusitanica Cullen & Pinto da Silva

Dorycnium pentaphyllosum 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
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


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:


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

<table>
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<th>Set Up</th>
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<tr>
<td>£9000</td>
<td>£225 - £450</td>
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</tbody>
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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**

<table>
<thead>
<tr>
<th>Set Up</th>
<th>Annual</th>
</tr>
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<tbody>
<tr>
<td>£0.00</td>
<td>£9500</td>
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</tbody>
</table>

*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.