

Official Journal of the European Union

L 91



English edition

Legislation

Volume 66

29 March 2023

Contents

II Non-legislative acts

REGULATIONS

- ★ **Commission Implementing Regulation (EU) 2023/689 of 20 March 2023 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances *Bacillus subtilis* (Cohn 1872) strain QST 713, *Bacillus thuringiensis* subsp. Aizawai strains ABTS-1857 and GC-91, *Bacillus thuringiensis* subsp. Israeliensis (serotype H-14) strain AM65-52, *Bacillus thuringiensis* subsp. Kurstaki strains ABTS 351, PB 54, SA 11, SA12 and EG 2348, *Beauveria bassiana* strains ATCC 74040 and GHA, clodinafop, *Cydia pomonella* Granulovirus (CpGV), cyprodinil, dichlorprop-P, fenpyroximate, fosetyl, malathion, mepanipyrim, metconazole, metrafenone, pirimicarb, pyridaben, pyrimethanil, rimsulfuron, spinosad, *Trichoderma asperellum* (formerly *T. harzianum*) strains ICC012, T25 and TV1, *Trichoderma atroviride* (formerly *T. harzianum*) strain T11, *Trichoderma gamsii* (formerly *T. viride*) strain ICC080, *Trichoderma harzianum* strains T-22 and ITEM 908, triclopyr, trinexapac, triticonazole and ziram ⁽¹⁾** 1
- ★ **Commission Implementing Regulation (EU) 2023/690 of 22 March 2023 entering a name in the register of protected designations of origin and protected geographical indications ‘Kangra tea’ (PGI)** 7
- ★ **Commission Implementing Regulation (EU) 2023/691 of 22 March 2023 entering a name in the register of protected designations of origin and protected geographical indications ‘Komiški rogač’ (PGI)** 8

DECISIONS

- ★ **Council Decision (CFSP) 2023/692 of 28 March 2023 amending Decision 2010/452/CFSP on the European Union Monitoring Mission in Georgia, EUMM Georgia** 9

⁽¹⁾ Text with EEA relevance.

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

★ Commission Decision (EU) 2023/693 of 27 March 2023 amending Decisions (EU) 2017/1214, (EU) 2017/1215, (EU) 2017/1216, (EU) 2017/1217, (EU) 2017/1218, (EU) 2017/1219 and (EU) 2018/680 as regards the period of validity of the EU Ecolabel criteria and of the related assessment and verification requirements (notified under document C(2023) 1886) ⁽¹⁾	11
★ Commission Implementing Decision (EU) 2023/694 of 22 March 2023 on the request for registration, pursuant to Regulation (EU) 2019/788 of the European Parliament and of the Council, of the European citizens' initiative entitled 'End The Horse Slaughter Age' (notified under document C(2023) 1839).....	15
★ Commission Implementing Decision (EU) 2023/695 of 27 March 2023 establishing the format of the report regarding the status and trends of wild bird species referred to in Article 12 of Directive 2009/147/EC of the European Parliament and the Council (Birds Directive) (notified under document C(2023) 1889)	17
★ Commission Implementing Decision (EU) 2023/696 of 27 March 2023 accepting a request submitted by the Italian Republic pursuant to Directive (EU) 2016/797 of the European Parliament and of the Council for non-application until 30 June 2024 of point 7.4.2.1 of the Annex to Commission Regulation (EU) 2016/919 for ten ETR675 vehicles (notified under document C(2023) 1916)	63

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

★ Decision No 2021/05 of the Regional Steering Committee of the Transport Community on the revision of Annex I to the Treaty establishing the Transport Community [2023/697]	66
★ Decision No 1/2023 of the Specialised Committee on Social Security Coordination established by Article 8(1)(p) of the Trade and Cooperation Agreement between the European Union and the European atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, of 10 March 2023 as regards the use of the Electronic Exchange of Social Security Information for the transmission of data between institutions or liaison bodies [2023/698]	89

⁽¹⁾ Text with EEA relevance.

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2023/689

of 20 March 2023

amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances *Bacillus subtilis* (Cohn 1872) strain QST 713, *Bacillus thuringiensis* subsp. Aizawai strains ABTS-1857 and GC-91, *Bacillus thuringiensis* subsp. Israeliensis (serotype H-14) strain AM65-52, *Bacillus thuringiensis* subsp. Kurstaki strains ABTS 351, PB 54, SA 11, SA12 and EG 2348, *Beauveria bassiana* strains ATCC 74040 and GHA, clodinafop, *Cydia pomonella* Granulovirus (CpGV), cyprodinil, dichlorprop-P, fenpyroximate, fosetyl, malathion, mepanipyrim, metconazole, metrafenone, pirimicarb, pyridaben, pyrimethanil, rimsulfuron, spinosad, *Trichoderma asperellum* (formerly *T. harzianum*) strains ICC012, T25 and TV1, *Trichoderma atroviride* (formerly *T. harzianum*) strain T11, *Trichoderma gamsii* (formerly *T. viride*) strain ICC080, *Trichoderma harzianum* strains T-22 and ITEM 908, triclopyr, trinexapac, triticonazole and ziram

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽¹⁾, and in particular Article 17, first paragraph, thereof,

Whereas:

- (1) Active substances included in Annex I to Directive 91/414/EEC ⁽²⁾ are deemed to have been approved under Regulation (EC) No 1107/2009 and are listed in Part A of the Annex Commission Implementing Regulation (EU) No 540/2011 ⁽³⁾.
- (2) Commission Implementing Regulation (EU) 2022/378 ⁽⁴⁾ extends the approval period of the active substances *Bacillus subtilis* (Cohn 1872) strain QST 713, *Bacillus thuringiensis* subsp. Aizawai strains ABTS-1857 and GC-91, *Bacillus thuringiensis* subsp. Israeliensis (serotype H-14) strain AM65-52, *Bacillus thuringiensis* subsp. Kurstaki strains ABTS 351, PB 54, SA 11, SA12 and EG 2348, *Beauveria bassiana* strains ATCC 74040 and GHA, clodinafop, *Cydia pomonella* Granulovirus (CpGV), cyprodinil, dichlorprop-P, fenpyroximate, fosetyl, malathion, mepanipyrim, metconazole, metrafenone, pirimicarb, *Pseudomonas chlororaphis* strain MA342, pyrimethanil, *Pythium oligandrum* M1, rimsulfuron, spinosad, *Trichoderma asperellum* (formerly *T. harzianum*) strains ICC012, T25 and TV1, *Trichoderma atroviride* (formerly *T. harzianum*) strain T11, *Trichoderma gamsii* (formerly *T. viride*) strain ICC080, *Trichoderma harzianum* strains T-22 and ITEM 908, triclopyr, trinexapac, triticonazole and ziram (OJ L 72, 7.3.2022, p. 2).

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market (OJ L 230, 19.8.1991, p. 1).

⁽³⁾ Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances (OJ L 153, 11.6.2011, p. 1).

⁽⁴⁾ Commission Implementing Regulation (EU) 2022/378 of 4 March 2022 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances abamectin, *Bacillus subtilis* (Cohn 1872) strain QST 713, *Bacillus thuringiensis* subsp. Aizawai strains ABTS-1857 and GC-91, *Bacillus thuringiensis* subsp. Israeliensis (serotype H-14) strain AM65-52, *Bacillus thuringiensis* subsp. Kurstaki strains ABTS 351, PB 54, SA 11, SA12 and EG 2348, *Beauveria bassiana* strains ATCC 74040 and GHA, clodinafop, *Cydia pomonella* Granulovirus (CpGV), cyprodinil, dichlorprop-P, fenpyroximate, fosetyl, malathion, mepanipyrim, metconazole, metrafenone, pirimicarb, *Pseudomonas chlororaphis* strain MA342, pyrimethanil, *Pythium oligandrum* M1, rimsulfuron, spinosad, *Trichoderma asperellum* (formerly *T. harzianum*) strains ICC012, T25 and TV1, *Trichoderma atroviride* (formerly *T. harzianum*) strain T11, *Trichoderma gamsii* (formerly *T. viride*) strain ICC080, *Trichoderma harzianum* strains T-22 and ITEM 908, triclopyr, trinexapac, triticonazole and ziram (OJ L 72, 7.3.2022, p. 2).

pomonella *Granulovirus* (CpGV), cyprodinil, dichlorprop-P, fenpyroximate, fosetyl, malathion, mepanipyrim, metconazole, metrafenone, pirimicarb, pyrimethanil, rimsulfuron, spinosad, *Trichoderma asperellum* (formerly *T. harzianum*) strains ICC012, T25 and TV1, *Trichoderma atroviride* (formerly *T. harzianum*) strain T11, *Trichoderma gamsii* (formerly *T. viride*) strain ICC080, *Trichoderma harzianum* strains T-22 and ITEM 908, triclopyr, trinexapac, triticonazole and ziram until 30 April 2023.

- (3) Commission Implementing Regulation (EU) 2018/1260 ⁽⁵⁾ extends the approval period of the active substance pyridaben until 30 April 2023.
- (4) Applications and supplementary dossiers for the renewal of the approval of those active substances were submitted in accordance with Commission Implementing Regulation (EU) No 844/2012 ⁽⁶⁾, which continues to apply to these active substances pursuant to Article 17 of Commission Implementing Regulation (EU) 2020/1740 ⁽⁷⁾, and were declared admissible by the respective rapporteur Member State.
- (5) For the active substances *Beauveria bassiana* strains ATCC 74040 and GHA, malathion and pyridaben the risk assessment pursuant to Article 11 of Implementing Regulation (EU) No 844/2012 by the respective rapporteur Member States has not yet been finalised.
- (6) For the active substances *Trichoderma asperellum* (formerly *T. harzianum*) strains ICC012, T25 and TV1, *Trichoderma atroviride* (formerly *T. harzianum*) strain T11, *Trichoderma gamsii* (formerly *T. viride*) strain ICC080, *Trichoderma harzianum* strains T-22 and ITEM 908, the European Food Safety Authority ('the Authority') requested additional information in accordance with Article 13(3) of Implementing Regulation (EU) No 844/2012. It was submitted by the given deadline of 14 July 2022 and additional time will be needed for its evaluation and for the related conclusion by risk assessors as well as the ensuing risk management decision in accordance with Articles 13 and 14 of Implementing Regulation (EU) No 844/2012.
- (7) For the active substance rimsulfuron, for the purposes of assessment of the approval criteria set out in point 3.6.5 and point 3.8.2 of Annex II to Regulation (EC) No 1107/2009 as amended by Commission Regulation (EU) 2018/605 ⁽⁸⁾, and in accordance with Article 14(1a) of Implementing Regulation (EU) No 844/2012, EFSA in consultation with the Member States has to determine if additional information is required. For the active substances clodinafop and fenpyroximate, the deadline for the submission of additional information for the purposes of assessment of the approval criteria set out in point 3.6.5 and point 3.8.2 of Annex II to Regulation (EC) No 1107/2009 as amended by Regulation (EU) 2018/605, and in accordance with Article 13(3a) Implementing Regulation (EU) No 844/2012 has been set on 17 November 2023 and 4 May 2024 respectively. For the active

⁽⁵⁾ Commission Implementing Regulation (EU) 2018/1260 of 20 September 2018 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances pyridaben, quinmerac and zinc phosphide (OJ L 238, 21.9.2018, p. 30).

⁽⁶⁾ Commission Implementing Regulation (EU) No 844/2012 of 18 September 2012 setting out the provisions necessary for the implementation of the renewal procedure for active substances, as provided for in Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market (OJ L 252, 19.9.2012, p. 26).

⁽⁷⁾ Commission Implementing Regulation (EU) 2020/1740 of 20 November 2020 setting out the provisions necessary for the implementation of the renewal procedure for active substances, as provided for in Regulation (EC) No 1107/2009 of the European Parliament and of the Council, and repealing Commission Implementing Regulation (EU) No 844/2012 (OJ L 392, 23.11.2020, p. 20).

⁽⁸⁾ Commission Regulation (EU) 2018/605 of 19 April 2018 amending Annex II to Regulation (EC) No 1107/2009 by setting out scientific criteria for the determination of endocrine disrupting properties (OJ L 101, 20.4.2018, p. 33).

substances cyprodinil, dichlorprop-P, fosetyl, mepanipyrim, metconazole, metrafenone, pirimicarb, pyrimethanil, spinosad, triclopyr, trinexapac, triticonazole and ziram, additional information for the purposes of assessment of the approval criteria set out in point 3.6.5 and point 3.8.2 of Annex II to Regulation (EC) No 1107/2009 as amended by Regulation (EU) 2018/605, was requested by the Authority pursuant Article 13(3a) of Implementing Regulation (EU) No 844/2012 and was submitted by the applicants within the deadline given. However, additional time is needed for its evaluation and for the related conclusion by risk assessors as well as the ensuing risk management decision in accordance with Articles 13 and 14 of Implementing Regulation (EU) No 844/2012.

- (8) For the active substances *Bacillus subtilis* (Cohn 1872) strain QST 713, *Bacillus thuringiensis* subsp. Aizawai strains ABTS-1857 and GC-91, *Bacillus thuringiensis* subsp. Israeliensis (serotype H-14) strain AM65-52, *Bacillus thuringiensis* subsp. Kurstaki strains ABTS 351, PB 54, SA 11, SA12 and EG 2348 and *Cydia pomonella* *Granulovirus* (CpGV), the Authority has submitted its conclusion in accordance with Article 13(1) of Implementing Regulation (EU) No 844/2012 and the Commission has presented the respective renewal reports as well as draft Regulations renewing the approval of these active substances to the Standing Committee on Plants, Animals, Food and Feed pursuant to Article 14 of Implementing Regulation (EU) No 844/2012. However, the Standing Committee on Plants, Animals, Food and Feed has not yet been able to deliver its opinion on any of the draft Regulations renewing the approvals of the above mentioned active substances.
- (9) It is therefore likely that no decision on the renewal of the approval of these active substances can be taken before the expiry of their respective approvals on 30 April 2023, and the reasons for the delay in the renewal procedures cannot be attributed to the respective applicants.
- (10) Given that the reasons for the delays in the renewal procedures are beyond the control of the respective applicants, the approval periods of the active substances should be extended in order to enable the completion of the assessments required and to finalise the regulatory decision-making procedures on the respective applications for renewal of approval. Implementing Regulation (EU) No 540/2011 should therefore be amended accordingly.
- (11) In case the Commission is to adopt a Regulation providing that the approval of an active substance referred to in the Annex to this Regulation is not renewed because the approval criteria are not satisfied, the Commission is to set the expiry date at the same date as before this Regulation or at the date of the entry into force of the Regulation providing that the approval of the active substance is not renewed, whichever date is later. As regards cases where the Commission is to adopt a Regulation providing for the renewal of the approval of an active substance referred to in the Annex to this Regulation, the Commission will endeavour to set, as appropriate under the circumstances, the earliest possible application date.
- (12) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Implementing Regulation (EU) No 540/2011 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 20 March 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Part A of the Annex to Implementing Regulation (EU) No 540/2011 is amended as follows:

- (1) in the sixth column, expiration of approval, of row 74, Ziram, the date is replaced by '15 March 2025';
- (2) in the sixth column, expiration of approval, of row 90, Mepanipyrim, the date is replaced by '15 March 2025';
- (3) in the sixth column, expiration of approval, of row 123, Clodinafop, the date is replaced '15 December 2025';
- (4) in the sixth column, expiration of approval, of row 124, Pirimicarb, the date is replaced by '15 March 2025';
- (5) in the sixth column, expiration of approval, of row 125, Rimsulfuron, the date is replaced by '15 August 2025';
- (6) in the sixth column, expiration of approval, of row 127, Triticonazole, the date is replaced by '15 March 2025';
- (7) in the sixth column, expiration of approval, of row 130, Cyprodinil, the date is replaced by '15 March 2025';
- (8) in the sixth column, expiration of approval, of row 131, Fosetyl, the date is replaced by '15 March 2025';
- (9) in the sixth column, expiration of approval, of row 132, Trinexapac, the date is replaced by '15 December 2024';
- (10) in the sixth column, expiration of approval, of row 133, Dichlorprop-P, the date is replaced by '15 March 2025';
- (11) in the sixth column, expiration of approval, of row 134, Metconazole, the date is replaced by '15 March 2025';
- (12) in the sixth column, expiration of approval, of row 135, Pyrimethanil, the date is replaced by '15 March 2025';
- (13) in the sixth column, expiration of approval, of row 136, Triclopyr, the date is replaced by '15 December 2024';
- (14) in the sixth column, expiration of approval, of row 137, Metrafenone, the date is replaced by '15 December 2024';
- (15) in the sixth column, expiration of approval, of row 138, *Bacillus subtilis* (Cohn 1872) strain QST 713, the date is replaced by '15 August 2024';
- (16) in the sixth column, expiration of approval, of row 139, Spinosad, the date is replaced by '15 March 2025';
- (17) in the sixth column, expiration of approval, of row 193, *Bacillus thuringiensis* subsp. *aizawai* strain ABTS-1857 and strain GC-91, the date is replaced by '15 August 2024';
- (18) in the sixth column, expiration of approval, of row 194, *Bacillus thuringiensis* subsp. *israeliensis* (serotype H-14) strain AM65-52, the date is replaced by '15 August 2024';
- (19) in the sixth column, expiration of approval, of row 195, *Bacillus thuringiensis* subsp. *kurstaki* strain ABTS 351, strain PB 54, strain SA 11, strain SA 12, strain EG 2348, the date is replaced by '15 August 2024';
- (20) in the sixth column, expiration of approval, of row 197, *Beauveria bassiana* strain ATCC 74040, strain GHA, the date is replaced by '30 September 2025';
- (21) in the sixth column, expiration of approval, of row 198, *Cydia pomonella* Granulovirus (CpGV), the date is replaced by '15 August 2024';
- (22) in the sixth column, expiration of approval, of row 204, *Trichoderma atroviride* (formerly *T. harzianum*) strain T11, the date is replaced by '15 April 2025';
- (23) in the sixth column, expiration of approval, of row 206, *Trichoderma harzianum* strain T-22, strain ITEM 908, the date is replaced by '15 April 2025';
- (24) in the sixth column, expiration of approval, of row 207, *Trichoderma asperellum* (formerly *T. harzianum*) strain ICC012, strain T25, strain TV1, the date is replaced by '15 April 2025';

- (25) in the sixth column, expiration of approval, of row 208, *Trichoderma gamsii* (formerly *T. viride*) strain ICC080, the date is replaced by '15 April 2025';
 - (26) in the sixth column, expiration of approval, of row 213, Fenpyroximate, the date is replaced by '15 June 2026';
 - (27) in the sixth column, expiration of approval, of row 300, Malathion, the date is replaced by '31 July 2026';
 - (28) in the sixth column, expiration of approval, of row 313, Pyridaben, the date is replaced by '31 July 2026'.
-

COMMISSION IMPLEMENTING REGULATION (EU) 2023/690**of 22 March 2023****entering a name in the register of protected designations of origin and protected geographical indications 'Kangra tea' (PGI)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, India's application to register the name 'Kangra tea' was published in the *Official Journal of the European Union* ⁽²⁾.
- (2) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the name 'Kangra tea' should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name 'Kangra tea' (PGI) is hereby entered in the register.

The name specified in the first paragraph denotes a product in Class 1.8. Other products listed in Annex I to the Treaty (spices, etc.), as listed in Annex XI to Commission Implementing Regulation (EU) No 668/2014 ⁽³⁾.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 22 March 2023.

For the Commission,
On behalf of the President,
Janusz WOJCIECHOWSKI
Member of the Commission

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ C 474, 14.12.2022, p. 55.

⁽³⁾ Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs (OJ L 179, 19.6.2014, p. 36).

COMMISSION IMPLEMENTING REGULATION (EU) 2023/691**of 22 March 2023****entering a name in the register of protected designations of origin and protected geographical indications ('Komiški rogač' (PGI))**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, Croatia's application to register the name 'Komiški rogač' was published in the *Official Journal of the European Union* ⁽²⁾.
- (2) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the name 'Komiški rogač' should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name 'Komiški rogač' (PGI) is hereby entered in the register.

The name specified in the first paragraph denotes a product in Class 1.6. – Fruit, vegetables and cereals, fresh or processed, as listed in Annex XI to Commission Implementing Regulation (EU) No 668/2014 ⁽³⁾.*Article 2*This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 22 March 2023.

For the Commission,
On behalf of the President,
Janusz WOJCIECHOWSKI
Member of the Commission

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ C 444, 23.11.2022, p. 20.

⁽³⁾ Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs (OJ L 179, 19.6.2014, p. 36).

DECISIONS

COUNCIL DECISION (CFSP) 2023/692

of 28 March 2023

amending Decision 2010/452/CFSP on the European Union Monitoring Mission in Georgia, EUMM Georgia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 42(4) and Article 43(2) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 12 August 2010, the Council adopted Decision 2010/452/CFSP ⁽¹⁾, which extended the European Union Monitoring Mission in Georgia (EUMM Georgia) established by Council Joint Action 2008/736/CFSP ⁽²⁾.
- (2) On 17 October 2022, the Council adopted Decision (CFSP) 2022/1970 ⁽³⁾ on the deployment in Armenia of EU observers from EUMM Georgia until 19 December 2022.
- (3) On 25 November 2022, the Council adopted Decision (CFSP) 2022/2318 ⁽⁴⁾, which extended EUMM Georgia until 14 December 2024.
- (4) On 19 December 2022, the Council adopted Decision (CFSP) 2022/2507 ⁽⁵⁾, which provided for the deployment of a team from EUMM Georgia in Armenia in order to enhance the Union's awareness of the security situation with a view to contributing to the planning and preparation of a possible civilian common security and defence policy mission in Armenia.
- (5) On 23 January 2023, by way of Decision (CFSP) 2023/162 ⁽⁶⁾, the Council established the European Union Mission in Armenia (EUMA), which was launched on 20 February 2023 by way of Decision (CFSP) 2023/386 ⁽⁷⁾.
- (6) As the deployment by EUMM Georgia of a team in Armenia is therefore no longer necessary, Decision 2010/452/CFSP should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Article 3a of Decision 2010/452/CFSP is deleted.

⁽¹⁾ Council Decision 2010/452/CFSP of 12 August 2010 on the European Union Monitoring Mission in Georgia, EUMM Georgia (OJ L 213, 13.8.2010, p. 43).

⁽²⁾ Council Joint Action 2008/736/CFSP of 15 September 2008 on the European Union Monitoring Mission in Georgia, EUMM Georgia (OJ L 248, 17.9.2008, p. 26).

⁽³⁾ Council Decision (CFSP) 2022/1970 of 17 October 2022 amending Decision 2010/452/CFSP on the European Union Monitoring Mission in Georgia, EUMM Georgia (OJ L 270, 18.10.2022, p. 93).

⁽⁴⁾ Council Decision (CFSP) 2022/2318 of 25 November 2022 amending Decision 2010/452/CFSP on the European Union Monitoring Mission in Georgia, EUMM Georgia (OJ L 307, 28.11.2022, p. 133).

⁽⁵⁾ Council Decision (CFSP) 2022/2507 of 19 December 2022 amending Decision 2010/452/CFSP on the European Union Monitoring Mission in Georgia, EUMM Georgia (OJ L 325, 20.12.2022, p. 110).

⁽⁶⁾ Council Decision (CFSP) 2023/162 of 23 January 2023 on a European Union mission in Armenia (EUMA) (OJ L 22, 24.1.2023, p. 29).

⁽⁷⁾ Council Decision (CFSP) 2023/386 of 20 February 2023 launching the European Union Mission in Armenia (EUMA) and amending Decision (CFSP) 2023/162 (OJ L 53, 21.2.2023, p. 17).

Article 2

This Decision shall enter into force on the date of its publication in the *Official Journal of the European Union*.

It shall apply from 20 February 2023.

Done at Brussels, 28 March 2023.

For the Council
The President
E. BUSCH

COMMISSION DECISION (EU) 2023/693**of 27 March 2023****amending Decisions (EU) 2017/1214, (EU) 2017/1215, (EU) 2017/1216, (EU) 2017/1217, (EU) 2017/1218, (EU) 2017/1219 and (EU) 2018/680 as regards the period of validity of the EU Ecolabel criteria and of the related assessment and verification requirements***(notified under document C(2023) 1886)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel ⁽¹⁾, and in particular Article 8(2) thereof,

After consulting the European Union Ecolabelling Board,

Whereas:

- (1) Regulation (EC) No 66/2010 provides that the EU Ecolabel may be awarded to products with a reduced environmental impact during their entire life cycle. Specific EU Ecolabel criteria are to be established for each product group.
- (2) By Commission Decision (EU) 2017/1214 ⁽²⁾, EU Ecolabel criteria were established for the product group 'hand dishwashing detergents'. The validity of those criteria and of the related assessment and verification requirements is to expire on 26 June 2023.
- (3) By Commission Decision (EU) 2017/1215 ⁽³⁾, EU Ecolabel criteria were established for the product group 'industrial and institutional dishwasher detergents'. The validity of those criteria and of the related assessment and verification requirements is to expire on 26 June 2023.
- (4) By Commission Decision (EU) 2017/1216 ⁽⁴⁾, EU Ecolabel criteria were established for the product group 'dishwasher detergents'. The validity of those criteria and of the related assessment and verification requirements is to expire on 26 June 2023.
- (5) By Commission Decision (EU) 2017/1217 ⁽⁵⁾, EU Ecolabel criteria were established for the product group 'hard surface cleaning products'. The validity of those criteria and of the related assessment and verification requirements is to expire on 26 June 2023.
- (6) By Commission Decision (EU) 2017/1218 ⁽⁶⁾, EU Ecolabel criteria were established for the product group 'laundry detergents'. The validity of those criteria and of the related assessment and verification requirements is to expire on 26 June 2023.

⁽¹⁾ OJ L 27, 30.1.2010, p. 1.

⁽²⁾ Commission Decision (EU) 2017/1214 of 23 June 2017 establishing the EU Ecolabel criteria for hand dishwashing detergents (OJ L 180, 12.7.2017, p. 1).

⁽³⁾ Commission Decision (EU) 2017/1215 of 23 June 2017 establishing the EU Ecolabel criteria for industrial and institutional dishwasher detergents (OJ L 180, 12.7.2017, p. 16).

⁽⁴⁾ Commission Decision (EU) 2017/1216 of 23 June 2017 establishing the EU Ecolabel criteria for dishwasher detergents (OJ L 180, 12.7.2017, p. 31).

⁽⁵⁾ Commission Decision (EU) 2017/1217 of 23 June 2017 establishing the EU Ecolabel criteria for hard surface cleaning products (OJ L 180, 12.7.2017, p. 45).

⁽⁶⁾ Commission Decision (EU) 2017/1218 of 23 June 2017 establishing the EU Ecolabel criteria for laundry detergents (OJ L 180, 12.7.2017, p. 63).

- (7) By Commission Decision (EU) 2017/1219 ⁽⁷⁾, EU Ecolabel criteria were established for the product group 'industrial and institutional laundry detergents'. The validity of those criteria and of the related assessment and verification requirements is to expire on 26 June 2023.
- (8) By Commission Decision (EU) 2018/680 ⁽⁸⁾, EU Ecolabel criteria were established for the product group 'indoor cleaning services'. The validity of those criteria and of the related assessment and verification requirements is to expire on 3 May 2023.
- (9) In line with the conclusions of the EU Ecolabel Fitness check of 30 June 2017 ⁽⁹⁾, the Commission, with the advice and assistance of the EU Ecolabelling Board, assessed and confirmed the relevance of the EU Ecolabel criteria for the above-mentioned product groups, thereby implementing solutions to improve synergies across product groups and to increase the uptake of EU Ecolabel. This would include bundling of closely related product groups, where appropriate, and ensuring that, during the EU Ecolabel criteria revision process, the Commission pays appropriate attention to the coherence between relevant Union policies, legislation and scientific evidence.
- (10) The above-mentioned assessment revealed that, for the detergents product groups, a revision is needed in order to ensure coherence with other Union policies. That revision will take into account the outcome of the on-going revision of Regulation (EC) No 648/2004 of the European Parliament and of the Council ⁽¹⁰⁾. For indoor cleaning services, the criteria were considered still up to date and likely to be up to date in the next years. Therefore, a revision of related criteria could start at a later stage also allowing references to the revised criteria on detergents.
- (11) In order for the Commission to carry out the revision of the related criteria in synergy with forthcoming legislative initiatives and bundling them together, if possible, it is therefore appropriate to prolong the validity of the EU Ecolabel criteria set out in Decisions (EU) 2017/1214, (EU) 2017/1215, (EU) 2017/1216, (EU) 2017/1217, (EU) 2017/1218, (EU) 2017/1219 and (EU) 2018/680.
- (12) To allow sufficient time to finalise the revision processes and to ensure market continuity to licence holders between current and revised versions of the criteria, the period of validity of the current criteria and of the related assessment and verification requirements should be prolonged until 31 December 2026 for hand dishwashing detergents, industrial and institutional dishwasher detergents, dishwasher detergents, hard surface cleaning products, laundry detergents, industrial and institutional laundry detergents. For indoor cleaning services, the period of validity of the current criteria and of the related assessment and verification requirements should be prolonged until 31 December 2027.
- (13) Decisions (EU) 2017/1214, (EU) 2017/1215, (EU) 2017/1216, (EU) 2017/1217, (EU) 2017/1218, (EU) 2017/1219 and (EU) 2018/680 should therefore be amended accordingly.
- (14) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 16 of Regulation (EC) No 66/2010,

⁽⁷⁾ Commission Decision (EU) 2017/1219 of 23 June 2017 establishing the EU Ecolabel criteria for industrial and institutional laundry detergents (OJ L 180, 12.7.2017, p. 79).

⁽⁸⁾ Commission Decision (EU) 2018/680 of 2 May 2018 establishing EU Ecolabel criteria for indoor cleaning services (OJ L 114, 4.5.2018, p. 22).

⁽⁹⁾ Report from the Commission to the European Parliament and the Council on the review of implementation of Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS) and the Regulation (EC) No 66/2010 of the parliament and of the Council of 25 November 2009 on the EU Ecolabel (COM(2017) 355 final).

⁽¹⁰⁾ Regulation (EC) No 648/2004 of the European Parliament and of the Council of 31 March 2004 on detergents (OJ L 104, 8.4.2004, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

Amendment to Decision (EU) 2017/1214

Article 4 of Decision (EU) 2017/1214 is replaced by the following:

“Article 4

The EU Ecolabel criteria for the product group ‘hand dishwashing detergents’ and the related assessment and verification requirements shall be valid until 31 December 2026.”.

Article 2

Amendment to Decision (EU) 2017/1215

Article 4 of Decision (EU) 2017/1215 is replaced by the following:

“Article 4

The EU Ecolabel criteria for the product group ‘industrial and institutional dishwasher detergents’ and the related assessment and verification requirements shall be valid until 31 December 2026.”.

Article 3

Amendment to Decision (EU) 2017/1216

Article 4 of Decision (EU) 2017/1216 is replaced by the following:

“Article 4

The EU Ecolabel criteria for the product group ‘dishwasher detergents’ and the related assessment and verification requirements shall be valid until 31 December 2026.”.

Article 4

Amendment to Decision (EU) 2017/1217

Article 4 of Decision (EU) 2017/1217 is replaced by the following:

“Article 4

The EU Ecolabel criteria for the product group ‘hard surface cleaning products’ and the related assessment and verification requirements shall be valid until 31 December 2026.”.

Article 5

Amendment to Decision (EU) 2017/1218

Article 4 of Decision (EU) 2017/1218 is replaced by the following:

“Article 4

The EU Ecolabel criteria for the product group ‘laundry detergents’ and the related assessment and verification requirements shall be valid until 31 December 2026.”.

*Article 6***Amendment to Decision (EU) 2017/1219**

Article 4 of Decision (EU) 2017/1219 is replaced by the following:

“Article 4

The EU Ecolabel criteria for the product group ‘industrial and institutional laundry detergents’ and the related assessment and verification requirements shall be valid until 31 December 2026.”.

*Article 7***Amendment to Decision (EU) 2018/680**

Article 4 of Decision (EU) 2018/680 is replaced by the following:

“Article 4

The EU Ecolabel criteria for the product group ‘indoor cleaning services’ and the related assessment and verification requirements shall be valid until 31 December 2027.”.

*Article 8***Addressees**

This Decision is addressed to the Member States.

Done at Brussels, 27 March 2023.

For the Commission
Virginijus SINKEVIČIUS
Member of the Commission

COMMISSION IMPLEMENTING DECISION (EU) 2023/694**of 22 March 2023****on the request for registration, pursuant to Regulation (EU) 2019/788 of the European Parliament and of the Council, of the European citizens' initiative entitled 'End The Horse Slaughter Age'***(notified under document C(2023) 1839)***(Only the English text is authentic)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2019/788 of the European Parliament and of the Council of 17 April 2019 on the European citizens' initiative ⁽¹⁾, and in particular Article 6(2) and (3) thereof,

Whereas:

- (1) A request for registration of a European citizens' initiative entitled 'End The Horse Slaughter Age' was submitted to the Commission on 31 January 2023.
- (2) The objectives of the initiative are expressed by the organisers as follows: 'The European Citizens' Initiative End The Horse Slaughter Age asks for a law to ban the slaughter of horses, including in the ban also their breeding and their export for the production of fur, leather, meat or for the manufacture of medicines or other substances. The European Citizens' Initiative End The Horse Slaughter Age asks also for a law to stop long-distance transportation of horses across Europe for slaughter and a regulation to protect horse from being compelled to do excess work or hard training.'
- (3) An annex to the initiative provides further details on the subject matter, objectives and background. The organisers claim that the slaughter of horses for human consumption is a cruel practice, driven by demand for horse meat, which is unsafe for human consumption. With the ban on the slaughter of horses they would like to bring the legislation on horses in line with legislation for dogs and cats.
- (4) An additional document with some further details on the objectives of the proposed citizens' initiative and a draft legal act expressing the main aims of the initiative have also been submitted by the group of organisers as part of their registration request.
- (5) The Commission considers that none of the parts of the initiative manifestly fall outside the framework of the Commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties. Article 43(2) of the Treaty provides the Commission, inter alia, with the power to propose legislation that lays down minimum standards for the protection of animals kept for farming purposes. Articles 114 and 207 of the Treaty provide the Commission with the power to propose legislation that bans the placing on the market and the export of horses for the production of fur, leather, meat or for the manufacture of medicines or other substances.
- (6) That conclusion is without prejudice to the assessment of whether the concrete substantive conditions required for the Commission to act, including compliance with the principles of proportionality and subsidiarity and compatibility with fundamental rights, would be met in this case.
- (7) The group of organisers has provided appropriate evidence that it fulfils the requirements laid down in Article 5(1) and (2) of Regulation (EU) 2019/788 and has designated the contact persons in accordance with Article 5(3), first subparagraph, of that Regulation.

⁽¹⁾ OJ L 130, 17.5.2019, p. 55.

- (8) The initiative is not manifestly abusive, frivolous or vexatious, nor is it manifestly contrary to the values of the Union as set out in Article 2 of the Treaty on European Union or to the rights enshrined in the Charter of Fundamental Rights of the European Union.
- (9) The initiative entitled 'End The Horse Slaughter Age' should therefore be registered.
- (10) The conclusion that the conditions for registration under Article 6(3) of Regulation (EU) 2019/788 are fulfilled does not imply that the Commission in any way confirms the factual correctness of the content of the initiative, which is the sole responsibility of the group of organisers of the initiative. The content of the initiative only expresses the views of the group of organisers, and can in no way be taken to reflect the views of the Commission,

HAS ADOPTED THIS DECISION:

Article 1

The European citizens' initiative entitled 'End The Horse Slaughter Age' shall be registered.

Article 2

This Decision is addressed to the group of organisers of the citizens' initiative entitled 'End The Horse Slaughter Age', represented by Ms Paola SGARBAZZINI and Ms Nora PAGLIONICO acting as contact persons.

Done at Brussels, 22 March 2023.

For the Commission
Věra JOUROVÁ
Vice-President

COMMISSION IMPLEMENTING DECISION (EU) 2023/695**of 27 March 2023****establishing the format of the report regarding the status and trends of wild bird species referred to in Article 12 of Directive 2009/147/EC of the European Parliament and the Council (Birds Directive)***(notified under document C(2023) 1889)*

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2009/147/EC of the European Parliament and the Council of 30 November 2009 on the conservation of wild birds ⁽¹⁾, and in particular Article 12(1), second subparagraph, thereof,

Whereas:

- (1) Article 12(1) of Directive 2009/147/EC requires Member States to forward to the Commission every 6 years a report on the implementation of the measures taken under that Directive and the main impacts of those measures.
- (2) That report is to include in particular information concerning the status and trends of wild bird species protected by Directive 2009/147/EC, the threats and pressures on them, the conservation measures taken for them and the contribution of the network of Special Protection Areas to the objectives laid out in Article 2 of that Directive.
- (3) The format of that report is to be aligned with the format of the report referred to in Article 17(1) of Council Directive 92/43/EEC ⁽²⁾.
- (4) Supporting documentation to facilitate a consistent use of the reporting format across the Union, including code-lists, technical guidance and data-file formats for transmitting the information, is available to Member States in an online reference portal for Article 12 maintained by the European Environment Agency.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Committee for Adaptation to Technical and Scientific Progress set up pursuant to Article 16(1) of Directive 2009/147/EC,

HAS ADOPTED THIS DECISION:

Article 1

The reporting format referred to in Article 12(1) of Directive 2009/147/EC is set out in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 27 March 2023.

For the Commission
Virginijus SINKEVIČIUS
Member of the Commission

⁽¹⁾ OJ L 20, 26.1.2010, p. 7.

⁽²⁾ 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).

ANNEX

REPORTING FORMAT AS REFERRED TO IN ARTICLE 12 OF DIRECTIVE 2009/147/EC (BIRDS DIRECTIVE)

The Article 12 reporting format has two main parts:

- Part A – General reporting format, giving an overview of information on the implementation and general measures taken under Directive 2009/147/EC.
- Part B – Bird species' status and trends reporting format, including information on pressures, conservation measures and Special Protection Areas coverage.

The report format shall be filled in according to the instructions given in the explanatory notes. Further guidance can be found in the online 'Article 12 reference portal'.

Main sections of the Article 12 reporting format

Part A - General report format		This section needs to be filled once covering the Member State as a whole
1.	Main achievements under Directive 2009/147/EC	
2.	General information sources on the implementation of Directive 2009/147/EC	
3.	Research and work required as a basis for the protection, management and sustainable use of bird populations (Art. 10 of Directive 2009/147/EC)	
4.	Non-native bird species (Art. 11 of Directive 2009/147/EC)	
Part B - Bird species' status and trends report format		This section needs to be filled for all relevant bird species of a Member State in accordance with the guidance given in the explanatory notes and relevant check-lists in the online 'Article 12 reference portal'.
1.	Species information	
2.	Season	
3.	Population size	
4.	Population trend	
5.	Breeding distribution map and size	
6.	Breeding distribution trend	
7.	Main pressures and threats	
8.	Conservation measures	
9.	Natura 2000 (Special Protection Areas (SPAs)) coverage	
10.	Progress in work related to international Species Action Plans (SAPs), Management Plans (MPs) and Brief Management Statements (BMSs)	
11.	Information related to species referred to in Annex II of Directive 2009/147/EC	

PART A - GENERAL REPORT FORMAT

MEMBER STATE	<i>Use the code according to the list in the Reference portal</i>
---------------------	---

1 Main achievements under Directive 2009/147/EC

Free text

— Main achievement

Briefly describe the main achievements under the Directive 2009/147/EC during the reporting period, with a special emphasis on the SPA network.

— Success story example

If available, describe briefly at least one success story. It can concern any wild bird species that shows a genuine improvement during the reporting period, i.e. an increasing short-term population trend (breeding or wintering) irrespective of its long-term trend or a stable/fluctuating short-term population trend in the face of long-term declining trends.

The improvements described should be conservation measure driven, should concern the current reporting period but may well include measures that started at an earlier point in time.

If a Member State wishes to add further documentation to what is requested in this format, mention such documentation as Annexes together with their filenames at the end of this free text section and upload the relevant files to the EEA's reporting mechanism together with the rest of the report. If possible, provide a translation into English.

1.1 Text in national language	<i>Maximum 2-3 pages</i>
1.2 Translation into English	<i>Optional</i>
1.3 Name, code and season of species / subspecies in success stories	a) <i>Bird species code & name</i> b) <i>Season</i>

2 General information sources on the implementation of Directive 2009/147/EC

Provide a link to Internet address(es) for national information sources where the requested information can be found or explain how to access this information.

2.1 General information on Directive 2009/147/EC	<i>URL/text</i>
2.2 Information on the Natura 2000 (Special Protection Area (SPA)) network	<i>URL/text</i>
2.3 Monitoring schemes (Art. 4(1) and Art. 10 of Directive 2009/147/EC)	<i>URL/text</i>
2.4 Protection of species (Art. 5–8 of Directive 2009/147/EC)	<i>URL/text</i>
2.5 Transposition of the Directive (legal texts)	<i>URL/text</i>

3 Research and work required as a basis for the protection, management and sustainable use of bird populations (Art. 10 of directive 2009/147/EC)

List the most recent activities below. Additional free text information of relevance with reference to the implementation of Art. 10 can be given in Section 1 (main achievements).

3.1 National bird atlas	
3.1.1 Title	
3.1.2 Year of publication	
3.1.3 Web-link and/or bibliographic reference	URL/text
3.2 National bird monitoring overview	
Repeat fields 3.2.1 to 3.2.3 if more than one overview has been published	
3.2.1 Title or similar plus short description	Species covered, main results, etc.
3.2.2 Year of publication	
3.2.3 Web-link and/or bibliographic reference	URL/text
3.3 National bird red list	
3.3.1 Title	
3.3.2 Year of publication	
3.3.3 Web-link and/or bibliographic reference	URL/text
3.4 Other publications of EU-wide interest (e.g. national overview of action for threatened species)	
Repeat fields 3.4.1 to 3.4.3 if more than one; maximum 10 publications	
3.4.1 Title or similar plus short description	Species covered, main results etc.
3.4.2 Year of publication	
3.4.3 Web-link and/or bibliographic reference	URL/text

4 Non-native bird species (Art. 11 of directive 2009/147/EC)

Report on bird species that do not naturally occur in the wild in the European territory of the Member States and for which introduction has taken place during the reporting period. Repeat fields 4.1 to 4.5 for each species reported as needed.

4.1 Species scientific name	
4.2 Subspecific unit	Where relevant
4.3 Main contents of legal decision for introduction	Free text; to include justification, number of individuals and duration of any authorisation
4.4 Consultation with the Commission	Date
4.5 Additional information	Other relevant information, complementary to the data requested under fields 4.1–4.4
Optional	Free text

PART B - BIRD SPECIES' STATUS AND TRENDS REPORT FORMAT

1 Species information										
1.1	Member State	Use code according to the list in the Reference portal								
1.2	Species code	Select code from bird species checklist in the Reference portal								
1.3	EURING code	Select code from bird species checklist in the Reference portal								
1.4	Species scientific name	Select species from bird species checklist in the Reference portal								
1.5	Subspecific population	Where relevant, select the distinct population (according to bird species checklist in the Reference portal)								
1.6	Alternative species scientific name Optional	Scientific name used at the national level, if different to 1.4								
1.7	Common name Optional	In national language								
2 Season										
2.1	Season	Select season in which the data you are reporting were collected: Breeding / Winter / Passage (as identified in the bird species checklist)								
2.2	First time reporting	Please indicate if this is the first reporting round for this species (excluding situations involving a change to species name or code between reporting periods) ☐ YES ☐ NO								
2.3	Additional information	Please indicate the nature of the first-time reporting. Any other additional information is optional.								
3 Population size										
3.1	Year or period	Year or period when population size was last determined								
3.2	Population size	<table border="1"> <tr> <td>a) Unit</td> <td>Breeding pairs / individuals / other (according to bird species checklist in the Reference portal)</td> </tr> <tr> <td>b) Minimum</td> <td>Number (raw, i.e. not rounded). Provide either interval (b, c) and/or best single value (d)</td> </tr> <tr> <td>c) Maximum</td> <td>Number (raw, i.e. not rounded). Provide either interval (b, c) and/or best single value (d)</td> </tr> <tr> <td>d) Best single value</td> <td>Number (raw, i.e. not rounded). Provide either interval (b, c) and/or best single value (d)</td> </tr> </table>	a) Unit	Breeding pairs / individuals / other (according to bird species checklist in the Reference portal)	b) Minimum	Number (raw, i.e. not rounded). Provide either interval (b, c) and/or best single value (d)	c) Maximum	Number (raw, i.e. not rounded). Provide either interval (b, c) and/or best single value (d)	d) Best single value	Number (raw, i.e. not rounded). Provide either interval (b, c) and/or best single value (d)
a) Unit	Breeding pairs / individuals / other (according to bird species checklist in the Reference portal)									
b) Minimum	Number (raw, i.e. not rounded). Provide either interval (b, c) and/or best single value (d)									
c) Maximum	Number (raw, i.e. not rounded). Provide either interval (b, c) and/or best single value (d)									
d) Best single value	Number (raw, i.e. not rounded). Provide either interval (b, c) and/or best single value (d)									
3.3	Type of estimate	Best estimate / multi-year mean / 95% confidence interval / minimum								
3.4	Population size Method used	Select one of the following methods: a) Complete survey or a statistically robust estimate b) Based mainly on extrapolation from a limited amount of data c) Based mainly on expert opinion with very limited data d) Insufficient or no data available								
3.5	Sources	Give bibliographic references, link to Internet sites, expert contact details, etc. Free text								

3.6 Change and reason for change (since previous report)	Is there a change between reporting periods? If yes, more than 1 option b) to f) can be chosen a) no, there is no change b) yes, due to genuine change c) yes, due to improved knowledge/more accurate data d) yes, due to the use of different method e) yes, but nature of change is unknown f) yes, due to other reasons The change is mainly due to (select one of the reasons below): a) genuine change b) improved knowledge or more accurate data c) the use of a different method d) unknown e) other reasons
3.7 Additional information Optional	Other relevant information, complementary to the data requested under fields 3.1–3.6 Free text

4 Population trend

4.1 Short-term trend (last 12 years)

4.1.1 Short-term trend Period	Rolling 12-year time window or period as close as possible to that, e.g. for the reporting period 2019–2024 this is 2013–2024	
4.1.2 Short-term trend Direction	Select one of the following: a) stable b) fluctuating c) increasing d) decreasing e) uncertain f) unknown	
4.1.3 Short-term trend Magnitude	a) Minimum	Percentage change over period indicated in the field 4.1.1. Provide either interval (a, b) and/or best single value (c)
	b) Maximum	Percentage change over period indicated in the field 4.1.1. Provide either interval (a, b) and/or best single value (c)
	c) Best single value	Percentage change over period indicated in the field 4.1.1. Provide either interval (a, b) and/or best single value (c)
4.1.4 Short-term trend Method used	Select one of the following methods: a) Complete survey or a statistically robust estimate b) Based mainly on extrapolation from a limited amount of data c) Based mainly on expert opinion with very limited data d) Insufficient or no data available	
4.1.5 Sources	Give bibliographic references, link to Internet sites, expert contact details, etc. Free text.	

4.2 Long-term trend (since ca. 1980)

4.2.1 Long-term trend Period	Period from around 1980 to the end of the reporting period	
4.2.2 Long-term trend Direction	Select one of the following: a) stable b) fluctuating c) increasing d) decreasing e) uncertain f) unknown	

4.2.3 Long-term trend Magnitude	a) Minimum	Percentage change over period indicated in the field 4.2.1. Provide either interval (a, b) and/or best single value (c)
	b) Maximum	Percentage change over period indicated in the field 4.2.1. Provide either interval (a, b) and/or best single value (c)
	c) Best single value	Percentage change over period indicated in the field 4.2.1. Provide either interval (a, b) and/or best single value (c)
4.2.4 Long-term trend Method used	Select one of the following methods: a) Complete survey or a statistically robust estimate b) Based mainly on extrapolation from a limited amount of data c) Based mainly on expert opinion with very limited data d) Insufficient or no data available	
4.2.5 Sources	Give bibliographic references, link to Internet sites, expert contact details, etc. Free text	
4.3 Additional information Optional	Other relevant information, complementary to the data requested under sections 4.1 and 4.2 Free text	

5 Breeding distribution map and size

5.1 Sensitive species	The spatial information provided relates to a species (or subspecific population) to be treated as 'sensitive' ☐ YES ☐ NO	
5.2 Year or period	Year or period when breeding distribution was last determined	
5.3 Breeding distribution map	Submit a map together with relevant metadata following the technical specifications in the Explanatory Notes. The standard for species distribution is 10×10km ETRS 89 grid cells, LAEA (EPSG:3035) projection.	
5.4 Breeding distribution size	Total surface area of the breeding distribution in km ²	
5.5 Breeding distribution Method used	Select one of the following methods: a) Complete survey or a statistically robust estimate b) Based mainly on extrapolation from a limited amount of data c) Based mainly on expert opinion with very limited data d) Insufficient or no data available	
5.6 Additional maps Optional	MS can submit an additional map, deviating from the standard submission under field 5.3. and/or a range map	
5.7 Sources	Give bibliographic references, link to Internet sites, expert contact details, etc.	
5.8 Additional information Optional	Other relevant information, complementary to the data requested under fields 5.1–5.7 Free text	

6 Breeding distribution trend

6.1 Short-term trend (last 12 years)

6.1.1 Short-term trend Period	Rolling 12-year time window or period as close as possible to that, e.g. for the reporting period 2019-2024 this is 2013-2024	
6.1.2 Short-term trend Direction	Select one of the following: a) stable b) fluctuating c) increasing d) decreasing e) uncertain f) unknown	
6.1.3 Short-term trend Magnitude	a) Minimum	Percentage change over period indicated in the field 6.1.1. Provide either interval (a, b) and/or best single value (c)
	b) Maximum	Percentage change over period indicated in the field 6.1.1. Provide either interval (a, b) and/or best single value (c)
	c) Best single value	Percentage change over period indicated in the field 6.1.1. Provide either interval (a, b) and/or best single value (c)
6.1.4 Short-term trend Method used	Select one of the following methods: a) Complete survey or a statistically robust estimate b) Based mainly on extrapolation from a limited amount of data c) Based mainly on expert opinion with very limited data d) Insufficient or no data available	
6.1.5 Sources	Give bibliographic references, link to Internet sites, expert contact details, etc. Free text	

6.2 Long-term trend (since ca. 1980)

6.2.1 Long-term trend Period	Period from around 1980 to the end of the reporting period	
6.2.2 Long-term trend Direction	Select one of the following: a) stable b) fluctuating c) increasing d) decreasing e) uncertain f) unknown	
6.2.3 Long-term trend Magnitude	a) Minimum	Percentage change over period indicated in the field 6.2.1. Provide either interval (a, b) and/or best single value (c)
	b) Maximum	Percentage change over period indicated in the field 6.2.1. Provide either interval (a, b) and/or best single value (c)
	c) Best single value	Percentage change over period indicated in the field 6.2.1. Provide either interval (a, b) and/or best single value(c)
6.2.4 Long-term trend Method used	Select one of the following methods: a) Complete survey or a statistically robust estimate b) Based mainly on extrapolation from a limited amount of data c) Based mainly on expert opinion with very limited data d) Insufficient or no data available	

6.2.5	Sources	Give bibliographic references, link to Internet sites, expert contact details, etc. Free text
6.3	Additional information Optional	Other relevant information, complementary to the data requested under sections 6.1 and 6.2. Free text
7 Main pressures and threats		
7.1 Characterisation of pressures		
a)	Pressure	List a maximum of 20 pressures using the code-list provided in the Reference portal and fill b) to g) for each pressure.
b)	Timing	☐ in the past but now suspended due to measures ☐ ongoing ☐ ongoing and likely to be in the future ☐ only in future
c)	Scope (proportion of population affected)	Fill in for 'ongoing' and 'ongoing and likely to be in the future': ☐ whole >90% ☐ majority 50 – 90% ☐ minority <50%
d)	Influence (on population or habitat of the species)	Fill in for 'ongoing' and 'ongoing and likely to be in the future'. ☐ High influence ☐ Medium influence ☐ Low influence
e)	Location (where the pressure is primarily operating)	☐ Inside the Member State ☐ Elsewhere in the EU ☐ Outside EU ☐ Both inside and outside EU ☐ Unknown
f)	Invasive alien species of Union concern	Fill where pressure on 'IAS of Union concern' is selected. Please select from relevant species-list (see Article 12 reference portal)
g)	Other invasive alien species Optional	Fill where pressure 'other invasive alien species - other than species of Union concern' is selected. Please select from EASIN database (see Article 12 reference portal)
7.2	Methods used Optional	Select one of the following methods: a) Complete survey or a statistically robust estimate b) Based mainly on extrapolation from a limited amount of data c) Based mainly on expert opinion with very limited data d) Insufficient or no data available
7.3	Sources of information Optional	If available, provide sources of information (URL, metadata) supporting evidence of pressures
7.4	Additional information Optional	Other relevant information, complementary to the data requested under field 7.1 Free text

8 Conservation measures

8.1 Status of measures	Are measures needed? ☐ YES ☐ NO If YES, indicate the status of measures (select only one option): a) Measures identified, but none yet taken b) Measures needed but cannot be identified c) Part of measures identified have been taken d) Most/all of measures identified have been taken
8.2 Scope of measures taken	Fill if “c) Part of measures identified have been taken” or “d) Most/all of measures identified have been taken” (8.1) was selected: Do these impact (select only one option) a) <50% b) 50 – 90% or c) >90% of the population
8.3 Main purpose of the measures taken	A. Indicate the main purpose(s) of measures taken: a) Maintain the current distribution, population and/or habitat for the species b) Expand the current distribution of the species c) Increase the population size and/or improve population dynamics (improve reproduction success, reduce mortality, improve age/sex structure) d) Restore the habitat of the species B. Where more than one option is selected above, indicate here the main (primary) purpose (i.e. select only one option): Maintain current state / expand range / increase, improve population / restore habitat
8.4 Location of the measures	Indicate the location of measures taken (indicate only one option): a) Only inside Natura 2000 b) Both inside and outside Natura 2000 c) Only outside Natura 2000
8.5 Response to the measures (when the measures start to neutralize the pressure(s) and produce positive effects)	Indicate the time frame of the response to measures (with regard to the main purpose indicated in field 8.3) - (indicate only one option): a) Short-term response (within the current reporting period, e.g. 2019–2024) b) Medium-term response (within the next two reporting periods, e.g. 2025–2036) c) Long-term response (after e.g. 2036)
8.6 List of main conservation measures	List a maximum of 20 measures using the code list provided in the Article 12 reference portal
8.7 Additional information Optional	Other relevant information, complementary to the data requested under fields 8.1 – 8.6 Free text

9 Natura 2000 (Special Protection Areas (SPAs)) coverage

To be reported for all Annex I species and non-Annex I species of Directive 2009/147/EC triggering Special Protection Area (SPA) classification (the bird species checklist in the Reference portal should be used)

9.1 Population size inside the Natura 2000 (Special Protection Area (SPA)) network (on national level including all sites where the species is present)	a) Unit	Use same unit as in field 3.2.a)
	b) Minimum	Number (raw, i.e. not rounded). Provide either interval (b, c) and/or best single value (d)
	c) Maximum	Number (raw, i.e. not rounded). Provide either interval (b, c) and/or best single value (d)
	d) Best single value	Number (raw, i.e. not rounded). Provide either interval (b, c) and/or best single value (d)
9.2 Type of estimate	Best estimate / multi-year mean / 95% confidence interval / minimum	
9.3 Population size inside the network Method used	Select one of the following methods: a) Complete survey or a statistically robust estimate b) Based mainly on extrapolation from a limited amount of data c) Based mainly on expert opinion with very limited data d) Insufficient or no data available	
9.4 Short-term trend of population size within the network Direction	Short-term trend of population size within the network over the period indicated in field 4.1.1. Select one of the following: a) stable b) fluctuating c) increasing d) decreasing e) uncertain f) unknown	
9.5 Short-term trend of population size within the network Method used	Select one of the following methods: a) Complete survey or a statistically robust estimate b) Based mainly on extrapolation from a limited amount of data c) Based mainly on expert opinion with very limited data d) Insufficient or no data available	
9.6 Additional information Optional	Other relevant information, complementary to the data requested under fields 9.1–9.5 Free text	

10 Progress in work related to international Species Action Plans (SAPs), Management Plans (MPs) and Brief Management Statements (BMSs)

To be filled at species / subspecies level

10.1 Type of international plan	SAP/MP/BMS (the list of species having a SAP/MP/BMS in the Reference portal should be used), multiple plans can be selected)
10.2 Has a national plan linked to the international Species Action Plan (SAP) / Management Plan (MP) / Brief Management Statement (BMS) been adopted?	☐ YES ☐ NO

10.3	Assessment of the effectiveness of Species Action Plans (SAPs) for globally threatened species	Indicate if species' national status (with respect to numbers and range) is (select only one option): a) moving towards the plan's aim/objective(s) b) unchanged c) further deteriorating away from the plan's aim/objective(s)
10.4	Assessment of the effectiveness of Management Plans (MPs) for huntable species in non-Secure status	Indicate if species' national status (with respect to numbers and range) is (select only one option): a) improving b) unchanged c) further deteriorating
10.5	Sources of further information	Web-links (e.g. for national plan), published reports, etc. Free text

11 Information related to Annex II species of Directive 2009/147/EC

To be filled at species / subspecies level

11.1	Is the species nationally hunted?	Is the species nationally hunted? ☐ YES ☐ NO If yes, then continue filling in fields 11.2 to 11.4.					
11.2	Hunting bag	Provide national hunting bag statistics for the reporting period					
	a) Unit	Individuals					
	b) Season (optional)	Indicate if this information relates to a Winter or Passage population (where not filled it is assumed that Winter and Passage populations are not distinguished)					
	c) Statistics / numbers (in individuals)	Provide statistics per hunting season or per year (where season is not used) over the reporting period.					
		Season / year 1	Season / year 2	Season / year 3	Season / year 4	Season / year 5	Season / year 6
	Min. (raw, i.e. not rounded)						
	Max. (raw, i.e. not rounded)						
	Unknown						
11.3	Hunting bag Method used	Select one of the following methods: a) Complete survey or a statistically robust estimate b) Based mainly on extrapolation from a limited amount of data c) Based mainly on expert opinion with very limited data d) Insufficient or no data available					
11.4	Additional information Optional	Other relevant information, complementary to the data requested under fields 11.1–11.3 Free text					

Explanatory Notes
in support to the Reporting Format referred to in Article 12 of Directive 2009/147/EC (Birds Directive)

TABLE OF CONTENTS

	<i>Page</i>
Introduction	33
PART A GENERAL REPORT FORMAT	34
Member State	34
1. Main achievements under the Directive 2009/147/EC	34
1.1. Text in national language	34
1.2. Translation into English (optional)	35
1.3. Name, code and season of species / subspecies in success stories	35
2. General information sources on the implementation of Directive 2009/147/EC	35
2.1. General information on Directive 2009/147/EC	35
2.2. Information on the Natura 2000 (Special Protection Area (SPA)) network	35
2.3. Monitoring schemes (Article 4(1) and Article 10 of Directive 2009/147/EC)	35
2.4. Protection of species (Articles 5–8 of Directive 2009/147/EC)	35
2.5. Transposition of the Directive (legal texts)	35
3. Research and work required as a basis for the protection, management and sustainable use of bird populations (Article 10 of Directive 2009/147/EC)	36
3.1. National bird atlas	36
3.2. National bird monitoring overview	36
3.3. National bird red list	36
3.4. Other publications of EU-wide interest (e.g. national overview of action for threatened species)	36
4. Non-native bird species (Article 11 of Directive 2009/147/EC)	36
4.1. Species scientific name	36
4.2. Subspecific unit	36
4.3. Main contents of legal decision for introduction	37
4.4. Consultation with the Commission	37
4.5. Additional information (optional)	37
PART B – BIRD SPECIES' STATUS AND TRENDS REPORT FORMAT (ARTICLE 12 OF DIRECTIVE 2009/147/EC)	37
Species to be reported	37
Explanatory notes for completing the Bird species status and trends report format	40
1. Species information	42
1.1. Member State	42
1.2. Species code	42
1.3. EURING code	42
1.4. Species scientific name	42
1.5. Subspecific population	43

1.6. Alternative species scientific name (optional)	43
1.7. Common name (optional)	43
2. Season	43
2.1. Season	43
2.2. First time reporting	43
2.3. Additional information	43
3. Population size	43
3.1. Year or period	43
3.2. Population size	43
3.3. Type of estimate	44
3.4. Method used	45
3.5. Sources	45
3.6. Change and reason for change (since previous report)	45
3.7. Additional information (optional)	46
4. Population trend	46
4.1. Short-term trend (last 12 years)	46
4.1.1. Short-term trend period	46
4.1.2. Short-term trend direction	46
4.1.3. Short-term trend magnitude	47
4.1.4. Short-term trend – Method used	48
4.1.5. Sources	48
4.2. Long-term trend (since ca.1980)	48
4.2.1. Long-term trend period	48
4.2.2. Long-term trend direction	48
4.2.3. Long-term trend magnitude	49
4.2.4. Long-term trend – Method used	49
4.2.5. Sources	49
4.3. Additional information (optional)	49
5. Breeding distribution map and size	49
5.1. Sensitive species	49
5.2. Year or period	49
5.3. Breeding distribution map	49
5.4. Breeding distribution size	50
5.5. Method used	50
5.6. Additional maps (optional)	50
5.7. Sources	51
5.8. Additional information (optional)	51
6. Breeding distribution trend	51
6.1. Short-term trend (last 12 years)	51
6.1.1. Short-term trend period	51
6.1.2. Short-term trend direction	51

6.1.3. Short-term trend magnitude	51
6.1.4. Short-term trend – Method used	52
6.1.5. Sources	52
6.2. Long-term trend (since ca. 1980)	52
6.2.1. Long-term trend period	52
6.2.2. Long-term trend direction	53
6.2.3. Long-term trend magnitude	53
6.2.4. Long-term trend – Method used	53
6.2.5. Sources	53
6.3. Additional information (optional)	53
7. Main pressures and threats	53
7.1. Characterisation of pressures	54
7.2. Methods used (optional)	55
7.3. Sources of information (optional)	56
7.4. Additional information (optional)	56
8. Conservation measures	56
8.1. Status of measures	56
8.2. Scope of the measures taken	56
8.3. Main purpose of the measures taken	56
8.4. Location of the measures	57
8.5. Response to the measures	57
8.6. List of main conservation measures	57
8.7. Additional information (optional)	57
9. Natura 2000 (Special Protection Areas (SPAs)) coverage	57
9.1. Population size inside the Natura 2000 (Special Protection Area (SPA)) network	58
9.2. Type of estimate	58
9.3. Population size inside the network – Method used	58
9.4. Short-term trend of population size within the network – Direction	58
9.5. Short-term trend of population size within the network – Method used	59
9.6. Additional information (optional)	59
10. Progress in work related to international Species Action Plans (SAPs), Management Plans (MPs) and Brief Management Statements (BMSs)	59
10.1. Type of international plan	59
10.2. Has a national plan linked to the international (Species Action Plan (SAP) / Management Plan (MP) / Brief management Statement (BMS) been adopted?	60
10.3. Assessment of the effectiveness of Species Action Plans (SAPs) for globally threatened species	60
10.4. Assessment of the effectiveness of Management Plans (MPs) for huntable species in non-Secure status	60
10.5. Sources of further information	61

11. Information related to Annex II species (Article 7 of Directive 2009/147/EC)	61
11.1. Is the species nationally hunted?	61
11.2. Hunting bag	61
11.3. Hunting bag – Method used	61
11.4. Additional information (optional)	61
References	61

Introduction

A central element to the implementation and the success of the Directive 2009/147/EC is a good level of information on the status and trends of bird species as required under Article 12 of that directive. Data and information are needed in a structured and comparable format in order for the Commission to compile and analyse the data. The legal basis for providing data in a structured format is Art.12.1 second subparagraph.

This document provides information and guidance on how to fill the different data fields of the Article 12 report format (Part A and Part B). It mainly consists of descriptions of the information to be reported in each field and the basic requirements to be met by reported information.

More detailed descriptions of the concepts and methods for reported information are provided in guidelines that are not part of this implementing act. Furthermore, additional documentation that should be used for the correct completion of the report format is made available through the online 'Article 12 reference portal'.

The Article 12 reference portal

The reference portal contains the documentation related to the information provided in the report formats under Article 12 of Directive 2009/147/EC.

It includes:

- the report format & the explanatory notes and the guidelines;
- reference material, e.g. checklists for bird species, list of pressures and threats, list of conservation measures and the European grids (10×10 km ETRS) that should be used for mapping the distribution;
- examples illustrating the guidelines.

PART A

GENERAL REPORT FORMAT

The general report is a brief structured format aimed at summarising the most important facts and figures on general implementation of Directive 2009/147/EC, including links to more detailed information sources.

Each Member State is expected to prepare one general report covering the entire European territory of the Member State.

Any EU official language can be used in free text fields. However, the use of English is recommended.

All Internet addresses in reporting fields should be given in full, including the initial 'http://' or 'https://', if applicable.

Member State

Member States should select the two-letter code for your Member State from ISO 3166 in accordance with the list provided in the Article 12 reference portal. Do not submit separate general reports for subnational units.

1. MAIN ACHIEVEMENTS UNDER THE DIRECTIVE 2009/147/EC

This section aims to inform about the main achievements under Directive 2009/147/EC, including the Special Protection Area (SPA) network, in the Member State during the reporting period. The information should primarily be given in the national language (field 1.1), with a translation into English if possible (optional field 1.2).

1.1. Text in national language

Main achievements:

Describe briefly the main achievements under the Birds Directive during the reporting period, with a special emphasis on the Special Protection Area (SPA) network. This can include, for example:

- demonstrated benefits for different species;
- experiences with new or improved management techniques;
- positive changes in public acceptance of biodiversity protection;
- improved cooperation between authorities, nature conservationists and other interest groups;
- key enforcement cases;
- initiatives to combine establishment of Natura 2000 sites and the local economy;
- measures taken to minimise the impact of invasive species on native bird species, in line with EU Regulation 1143/2014 on invasive alien species ⁽¹⁾;
- information complementary to that given in Section 3 on research and work required as a basis for the protection, management and sustainable use of bird populations. This might include suggestions for urgent research that requires EU coordination (e.g. via LIFE funding);
- measures taken and their effect (achievements);
- success factors, outlook and the role of Natura 2000;

Success story example

Provision of a 'success story' (if available) gives the opportunity for the Member State to show an example of how the Directive is working in their country. Each success story should be based on a taxon that shows a genuine improvement during the reporting period, i.e. an increasing short-term population trend (breeding or wintering) irrespective of its long-term trend or a stable/fluctuating short-term population trend in the face of long-term declining trends. The improvements described should be conservation measure-driven and should concern the current reporting period, but may well include measures that started at an earlier point in time.

⁽¹⁾ http://ec.europa.eu/environment/nature/invasivealien/index_en.htm

Proposed structure:

- Indicate species / season
- Background on the species, past developments and their reasons (pressures, etc.), conservation challenges
- Measures taken and their effect (achievements)
- Role of the Natura 2000 network (if applicable)
- Success factors
- Outlook

The text should be maximum two to three pages long. If a Member State wishes to add further documentation to that requested, it should note these annexes and their filenames at the end of this field and upload the relevant files to the EEA's Reporting Mechanism together with the rest of the report.

1.2. Translation into English (optional)

This is an optional field to translate the information provided in field 1.1 into English (where it was reported in another language).

1.3. Name, code and season of species / subspecies in success stories

This field is to be completed where a success story is used to highlight the main achievements of the Directive described in field 1.1. Multiple species can be selected.

Fill in the:

- (a) Bird species code & name
- (b) Season

2. GENERAL INFORMATION SOURCES ON THE IMPLEMENTATION OF DIRECTIVE 2009/147/EC

This section aims to direct the interested public towards information sources relating to the Directive 2009/147/EC and the Special Protection Area (SPA) network of the respective Member State. In general, only links to Internet addresses are required. However, free text can also be used where there is a need to explain how to access the information source, e.g. in the case of multiple sources of information. All of the following fields should be completed.

2.1. General information on Directive 2009/147/EC

Provide links to general information on the Directive (e.g. a national portal presenting the EU Nature Directives).

2.2. Information on the Natura 2000 (Special Protection Area (SPA)) network

Provide links to general information on the network of Special Protection Areas (SPAs) (e.g. online databases of Natura 2000 sites, publications presenting the network).

2.3. Monitoring schemes (Article 4(1) and Article 10 of Directive 2009/147/EC)

Provide links to general information on monitoring (e.g. portal presenting national monitoring scheme(s), monitoring guidelines).

2.4. Protection of species (Articles 5–8 of Directive 2009/147/EC)

Provide links to general information on species protection.

2.5. Transposition of the Directive (legal texts)

Provide links to general information on transposition of the Directive.

3. RESEARCH AND WORK REQUIRED AS A BASIS FOR THE PROTECTION, MANAGEMENT AND SUSTAINABLE USE OF BIRD POPULATIONS (ARTICLE 10 OF DIRECTIVE 2009/147/EC)

This section relates to the obligation under Article 10(2) of Directive 2009/147/EC that Member States shall send the Commission any information required to enable it to take appropriate measures for the coordination of research and any work required as a basis for the protection, management and use of native bird populations. Additional free text information of relevance with reference to the implementation of Art. 10 of Directive 2009/147/EC can be given in Section 1 (main achievements). The information requested is limited to:

3.1. National bird atlas

Provide the title of the most recent national bird atlas (field 3.1.1) with information about the year of publication (field 3.1.2) and web link or bibliographic reference (field 3.1.3).

3.2. National bird monitoring overview

Provide the title or similar plus a short description of national bird monitoring overviews published during the reporting period, including species covered, main results, etc. (field 3.2.1), with a maximum of 500 characters. Provide information about the year of publication (field 3.2.2) and web link or bibliographic reference (field 3.2.3). Fields 3.2.1 to 3.2.3 should be repeated if more than one overview has been published.

3.3. National bird red list

Provide the title of the most recent national bird red lists (field 3.3.1), with information about the year of publication (field 3.3.2) and web link or bibliographic reference (field 3.3.3).

3.4. Other publications of EU-wide interest (e.g. national overview of action for threatened species)

Provide the title or similar plus a short description of other publications of EU-wide interest (e.g. national overview of action for threatened species) either published during the reporting period or recent publications, including species covered, main results, etc. (field 3.4.1), with a maximum of 500 characters. Provide information about the year of publication (field 3.4.2) and web link or bibliographic reference (field 3.4.3). Fields 3.4.1 to 3.4.3 should be repeated if more than one overview has been published, and a maximum of 10 publications should be reported.

More general information about the implementation of Article 10 of Directive 2009/147/EC can be provided in a free-text field under 'Main achievements under Directive 2009/147/EC' in Section 1.

4. NON-NATIVE BIRD SPECIES (ARTICLE 11 OF DIRECTIVE 2009/147/EC)

This section relates to the obligation following from Article 11 of Directive 2009/147/EC that 'Member States shall see that any introduction of species of bird which do not occur naturally in the wild state in the European territory of the Member States does not prejudice the local flora and fauna. In this connection they shall consult the Commission.'

This section should not be filled in if no introductions pursuant to Article 11 have been consulted upon, decided upon or carried out during the reporting period.

Each species should be reported, as follows:

4.1. Species scientific name

Provide the species scientific name.

4.2. Subspecific unit

Where relevant, use the subspecific population description.

4.3. Main contents of legal decision for introduction

Provide the main contents of the legal decision for introduction (free text; maximum 250 characters), including information about justification, number of individuals and duration of any authorisation.

4.4. Consultation with the Commission

Provide the date of consultation with the Commission.

4.5. Additional information (optional)

Additional information relating to Section 4 can be provided in optional field 4.5.

PART B

BIRD SPECIES' STATUS AND TRENDS REPORT FORMAT (ARTICLE 12 OF DIRECTIVE 2009/147/EC)

Species to be reported

Taxonomy and nomenclature

The taxonomy and nomenclature that should be used in the Article 12 species checklist (available from the Reference Portal) mirror those used in the *List of birds of the European Union* (hereafter 'EU Bird List' ⁽²⁾). The version of the EU Bird List published in August 2015 and updated in 2018 incorporated the taxonomic and nomenclatural changes proposed in del Hoyo & Collar (2014) ⁽³⁾, and the relevant changes from del Hoyo & Collar (2016). Taxonomic updates will be implemented to maintain alignment with taxonomic references followed by IUCN.

In general, reporting is primarily requested at the level of the species, as this is the taxonomic unit referred to throughout the text of the Directive, as well as the unit used for previous comprehensive status assessments of the EU's birds. However, in a minority of cases, reports are requested for 'subspecific units' – i.e. subspecies or distinct populations – whose status is of particular interest and/or policy relevance (e.g. in the context of subspecies-level listings in the Annexes of the Directive). For full details of the rationale explaining which subspecific populations should be reported on separately, see the guidelines giving technical guidance on concepts and definitions. For simplicity, the term 'species' is used in most instances below, even where it also refers to subspecific units.

Regularly occurring species

Member States should report on all 'regularly occurring' breeding species (even if their populations are small or considered 'marginal'), to allow an EU-wide picture of their population size and trend to be compiled. A species can be considered as regularly occurring if, for example, it bred in four or more of the six years covered by the reporting period. Species occurring less regularly than this should also be reported if their national population in the years they do occur may represent a significant proportion (e.g. > 1 %) of the overall EU population, or if they formerly occurred more regularly (see also 'Extinct species' below). Similar criteria should be applied for relevant (see below) Winter and Passage species. Regularly occurring species are denoted by the occurrence code PRE in the Article 12 bird species checklist on the Reference Portal.

Bird species occurring during the Winter season and on passage

Key wintering species

In addition, Member States should report on certain key wintering species – especially migratory waterbirds, such as wildfowl (ducks, geese and swans) and waders (shorebirds) – which are significantly more abundant in the EU during the winter and/or whose population size and trend are better monitored in winter (when they congregate in large numbers at a relatively small number of sites). For these species, assessment of their EU population status may be based primarily (or indeed entirely in some cases) on data for their winter populations, so Winter reports are requested from all Member States where they winter regularly (see also 'Regularly occurring species' above). Further information on the rationale behind the subset of species for which Winter reporting is obligatory is provided in the concepts and definitions technical guidance.

⁽²⁾ See http://ec.europa.eu/environment/nature/conservation/wildbirds/eu_species/index_en.htm.

⁽³⁾ del Hoyo, J. & Collar, N.J. (2014) *HBW and BirdLife International Illustrated Checklist of the Birds of the World. Volume 1: Non-passerines*. Lynx Edicions, Barcelona.

Special Protection Area (SPA) trigger (including Annex I species) and Annex II species of Directive 2009/147/EC occurring during Winter season and on passage

In addition, Winter reports are requested for a number of other regularly wintering species that do not meet the above criteria, but which are listed in Annex I of the Directive or listed/identified by the Member States as triggering Special Protection Area (SPA) classifications nationally due to their occurrence in winter. In all such cases, Winter reports provide important information relating to national implementation of the Directive, even if the population size and trend data reported cannot always be used for an overall assessment of the EU wintering population.

In general, Member States are not required to report on the population size or trend of species on passage (i.e. while on migration to/from their breeding and wintering grounds), because national data on population size and trend are difficult to aggregate at the EU level without detailed supplementary information that would allow the interpretation needed to allow for any duplicative counting.

Nevertheless, Passage season reports are still requested for certain key migratory species for which important information would otherwise not be reported. These include:

- species listed in Annex I of Directive 2009/147/EC;
- other migratory species whose occurrence on passage triggers Special Protection Area (SPA) classifications nationally (*) (as indicated in the species checklist on the Reference Portal).

In these cases, the (simplified) Passage reports provide important information on, for example, population size for Special Protection Area (SPA) trigger species on passage, national pressures and threats to key migratory species, which would not otherwise be captured elsewhere.

Member States are expected to report on Annex II Winter species, excluding sedentary species where only a Breeding report is required. Simplified Passage reports are also expected for Annex II Passage species that do not winter or breed in the country.

More information on reporting for these particular groups of species can be found in

Table 2: Sections of the species Report format to be filled in for Breeding, Winter and Passage season for different categories of bird species

Vagrant and occasional species

Vagrant or 'accidental' birds are those that have strayed well outside their normal breeding, wintering or migratory range. Over 300 species appear in the Category A 'vagrant' section of the EU Bird List, and several others occur regularly in parts of the EU, but only as vagrants in other Member States. As the occurrence of vagrants is unpredictable and probably largely reflects extrinsic factors (climatic conditions during key migratory periods, trends outside the EU, etc.), their reporting in Article 12 reports is not required. The same applies to 'occasional' species, which may be closer to their normal range, but whose occurrence within the Member State and/or season in question is not regular or stable (cf. 'Regularly occurring species' above).

Newly arriving species

In some instances, a species may not yet breed or winter regularly, but it is likely – e.g. based on more recent patterns of occurrence or similar trends in neighbouring countries – that it is in the process of colonising or becoming established as a regular visitor. In these cases, Member States are encouraged to report on the species in question, even if it is not possible to provide details for all the relevant sections and fields below. For species listed in the national checklist with occurrence 'ARR' – indicating that they have colonised the Member State during the short-term trend period – 'QA/QC' checks will be relaxed for certain fields (e.g. field 4.2.1 'Long-term trend period'). If the species is not already included in the species checklist for the Member State, it can be added while submitting the national report on the reporting mechanism.

See also field 4.1.3 'Short-term trend magnitude' for guidance on the specific issue of reporting trend magnitudes from a starting population size of zero (i.e. newly arriving species).

(*) Under Article 4(2).

Extinct species

Species that went extinct nationally before 1980 (i.e. around the time Directive 2009/147/EC was adopted/entered into force) should not be reported on, unless there is a national reintroduction project underway. However, reports should be provided for all species that formerly occurred regularly, but have gone extinct nationally since 1980 (i.e. those listed with occurrence 'EXBA' in the national checklist). This includes species for which the last record (even if it was a single individual) was noted after the date when the Directive came into force in the Member State; these species previously had a permanent/regular occurrence within the Member State.

In the specific case of former breeding species that no longer breed regularly, but do still occur during the breeding season (e.g. as unpaired individuals), Member States should continue treating these as 'regularly occurring' ⁽⁵⁾, particularly when their status (e.g. Annex I listing of Directive 2009/147/EC and/or general rarity) means that the continued presence of a small number of individuals could still be of broader interest.

Species that have colonised in small numbers, but did not become established and hence went extinct again nationally, all since 1980, should be treated as occasional species, and need not be reported on.

Although it will not always be possible to complete all of the relevant sections and fields for a species listed as 'EXBA', it is important to capture the year in which it went extinct nationally (or stopped occurring regularly, if this was not clear-cut ⁽⁶⁾) and the approximate size of its national population (and breeding range, where relevant) in ca.1980, so that the extent and rate of its decline can be taken into account (see also field 4.1.3 'Short-term trend magnitude' for more detailed guidance on providing trend magnitude information for species that went extinct during the trend period).

Non-native populations

In addition to 'naturally occurring birds in the wild state', as specified in Article 1 of the Directive, reporting is also requested for all populations of three largely introduced species listed in Annex II of the Directive (*Branta canadensis* ⁽⁷⁾, *Meleagris gallopavo* and *Phasianus colchicus* ⁽⁸⁾) and for feral populations of *Columba livia*. Reporting on other non-native species (including those listed in Category C of the EU Bird List ⁽⁹⁾) is optional, but encouraged in cases where the Member State hosts a non-native population of a species that occurs naturally elsewhere within the EU (and hence is listed in Category A 'native' / 'regular' of the EU Bird List), or the species represents a threat to native populations/species (e.g. those on the List of Invasive Alien Species of Union Concern ⁽¹⁰⁾: *Oxyura jamaicensis*, *Alopochen aegyptiaca*, *Threskiornis aethiopicus*, *Corvus splendens*, *Pycnonotus cafer* and *Acridotheres tristis*).

Table 1

Summary of species that should be reported on according to occurrence categories and species codes in the Article 12 bird checklist

Occurrence code/species code (from Article 12 checklist on Reference Portal)	Description	Reporting obligation
PRE	Regularly present	To be reported
ARR	Newly arriving	Not obligatory, but encouraged
EXBA	Species that became extinct after 1980	To be reported

⁽⁵⁾ Further details should also be provided, e.g. 'Species not confirmed as breeding since 2008, but one or two unpaired individuals still recorded regularly during the Breeding season' in field 3.7 'Additional information'

⁽⁶⁾ Many cases of national extinction will require some degree of expert judgement/interpretation, as it is often harder to confirm the absence of a species than its presence.

⁽⁷⁾ Wild individuals of *Branta canadensis* (from Greenland or North America) can also occur as vagrants in the EU, but the focus above is on the introduced populations.

⁽⁸⁾ Although some sources suggest that all populations of *Phasianus colchicus* west of the Caucasus are the result of introductions (some possibly as early as 1300 BC; Hagemeijer & Blair, 1997), others assert that the remnant population in Greece and former population in Bulgaria is/was truly native (e.g. Sokos & Birtsas, 2014).

⁽⁹⁾ See http://ec.europa.eu/environment/nature/conservation/wildbirds/eu_species/index_en.htm.

⁽¹⁰⁾ See http://ec.europa.eu/environment/nature/invasivealien/list/index_en.htm

e.g.A115-X	X denotes a non-native subpopulation of a species	Not obligatory, but encouraged. Mandatory reporting ONLY for species A044-X <i>Branta canadensis</i> , A115-X <i>Phasianus colchicus</i> , A460-X <i>Meleagris gallopavo</i> (non-native populations) and A206-X <i>Columba livia</i> (feral populations).
------------	---	---

Explanatory notes for completing the Bird species status and trends report format

The Report format should be completed for each species and for each season falling under the criteria outlined in Table 2. The species for reporting are listed in the Article 12 checklist.

For some Member States, a separate Report format should be provided for distinct subnational units. This applies to the Azores (Portugal), Madeira (Portugal) and the Canary Islands (Spain). Previous EU-level assessments have shown that many Macaronesian bird populations have a very different status and trends to those in Iberia, so separate reporting for subnational territories has been implemented since the reporting period 2008–2012.

The bird species' status and trends Report format ('species report') comprises eleven sections, as follows:

Season reporting

- (1) Species information
- (2) Season
- (3) Population size
- (4) Population trend
- (5) Breeding distribution map and size
- (6) Breeding distribution trend
- (7) Main pressures and threats
- (8) Conservation measures
- (9) Natura 2000 (Special Protection Areas (SPAs)) coverage

Species/subspecies-level reporting

- (10) Progress in work related to international Species Action Plans (SAPs), Management Plans (MPs) and Brief Management Statements (BMSs)
- (11) Information related to Annex II species of Directive 2009/147/EC

Table 2

Sections of the species Report format to be filled in for Breeding, Winter and Passage season for different categories of bird species (including Annex I and Annex II species of Directive 2009/147/EC and other migratory species triggering Special Protection Area (SPA) classification)

	Annex I & SPA trigger Breeding (incl sedentary)	Annex I & SPA trigger Winter	Annex I and SPA trigger Passage	Annex II Breeding (incl. Sedentary)	Annex II Winter	Annex II Passage	Other Breeding	Other key wintering
<u>Seasons reporting</u>								
1. Species information	X	X	X	X	X	X	X	X
2. Season	X	X	X	X	X	X	X	X
3. Population size	X	X	X	X	X	if SPA trigger(*)	X	X
4. Population trend	X	X	optional	X	X	optional	X	X
5. Breeding distribution map & size	X	-	-	X	-	-	X	-
6. Breeding distribution trend	X	-	-	X	-	-	X	-
7. Main pressures & threats	X	X	X	X	X	if SPA trigger(*)	-	-
8. Conservation measures	X	X	X	X	X	if SPA trigger(*)	-	-
9. Natura 2000 SPA coverage	X	X	X	If SPA trigger	If SPA trigger	If SPA trigger	-	-
<u>Species reporting</u>								
10. Progress on action & management plans	if relevant	if relevant	if relevant	if relevant	if relevant	if relevant	if relevant	if relevant
11. Information related to Annex II	If listed in Annex II	if listed in Annex II	if listed in Annex II	X	X	X	-	-

(*) plus optional for non-SPA trigger Annex II passage species.

'Breeding', 'Winter', and 'Passage' reports in the Table 2 correspond to the season selected in Section 2 of the reporting format.

Please refer to Section on 'Species to be reported' above for further explanation on species occurrences to be reported on.

For sedentary Annex I species of Directive 2009/147/EC only one report, based on breeding-season data, is requested (Breeding report), but pressures and threats and conservation measures (reported under Sections 7 and 8) should cover the whole year, not only pressures or measures specific to the breeding season.

For Annex I and other Special Protection Area (SPA) trigger species of Directive 2009/147/EC with different breeding, wintering and/or passage populations within the Member State, there should be separate reports for Breeding, Winter and a selection of Passage season species as indicated in the Article 12 checklist.

For sedentary Annex II species it is required only to submit a report for the Breeding season.

Section 10 should be completed for species with international ⁽¹¹⁾ Species Action Plans (SAPs), Management Plans (MPs) or Brief Management Statements (BMSs) (as specified in the species checklist on the Reference Portal).

Even though not all data used in the report will be collected during the reporting period, the report should give information of relevance for the reporting period (e.g. 2019–2024). In addition, while not all sections of the reporting format are mandatory for each annex and season, where this information is available it is strongly encouraged to submit it.

It is recommended that any free-text information provided is written in English, to facilitate its use during the EU analysis and to allow a wider readership.

1. SPECIES INFORMATION

Section 1 should be completed for all regularly occurring species as listed in the Article 12 bird checklist on the Reference Portal.

1.1. Member State

Member States should use the relevant country code from the list on the Reference Portal. In most cases, this will simply be the two-letter ISO 3166 code for your Member State. For a few Member States, separate reporting for subnational units applies (with reference to the status of particular species or populations in distinct geographical areas), and in the case of the Azores (Portugal), Madeira (Portugal) and the Canary Islands (Spain), the relevant four-letter subnational code, as specified on the Reference Portal, should be used.

1.2. Species code

Member States should use the species codes given in the species checklist (and code list) on the Reference Portal. New codes can be allocated if necessary. More information on the species code list and possible amendments can be found on the Reference Portal.

1.3. EURING code

Member States should use the EURING codes given in the species checklist (and code list) on the Reference Portal. Unique EURING codes have been allocated to nearly every bird species (and several subspecies) native to Europe, for the purposes of coordinating European bird ringing, and are widely used ⁽¹²⁾.

1.4. Species scientific name

Member States should use the scientific names given in the species checklist on the Reference Portal, which now largely reflects the nomenclature and taxonomy adopted in latest version of the *List of birds of the European Union* ⁽¹³⁾. In a small number of cases, the entry for scientific name includes the English phrase 'all others', to indicate that the taxonomic unit in question includes all of the remaining (native) subspecies not explicitly listed in the Annexes of the Directive (e.g. '*Accipiter gentilis* all others', cf. '*Accipiter gentilis arrigonii*' listed in Annex I of Directive 2009/147/EC). Taxonomic updates will be implemented to maintain alignment with taxonomic references followed by IUCN.

⁽¹¹⁾ Or at least 'multilateral' (a few SAPs and BMSs relate to taxa that are endemic to a single country).

⁽¹²⁾ <https://euring.org/data-and-codes/euring-codes>

⁽¹³⁾ http://ec.europa.eu/environment/nature/conservation/wildbirds/eu_species/index_en.htm

1.5. Subspecific population

Where relevant, Member States should use the subspecific population descriptions given in the species checklist on the Reference Portal. In many cases, the subspecific population names relate to the brief descriptions used to identify distinct flyway populations of AEWA species. In others, they clarify a taxonomic or nomenclatural treatment applied in the checklist, or help to distinguish introduced populations of species that are native elsewhere within the EU.

1.6. Alternative species scientific name (optional)

If the scientific name given under field 1.4 differs from that in general national usage, Member States may enter an alternative here.

1.7. Common name (optional)

If Member States wish to enter the common name of the species (or subspecies) used nationally, they may do so here. This could be useful if the draft report will be circulated for comments to people who may not be familiar with the scientific name, or when communicating the report with the public.

2. SEASON

2.1. Season

Select the season in which most of the data being reported were collected, with the options 'Breeding', 'Winter' and 'Passage'.

2.2. First time reporting

If the species is reported in the Member State for the first time, this should be indicated here. The first-time reporting field can be used for cases where a species is newly reported or reported in a season not previously reported on. This field is not for use in cases where the taxonomic name of a species has been updated. Some fields in the reporting format may not be applicable for species reported for the first time, e.g. when indicating the change and reason for change since the last reporting period. The first time reported can be indicated by entering 'Yes' in this field.

2.3. Additional information

This field allows Member States to report, as free text, any information which is felt relevant. If a species is reported for the first time, please explain why (i.e. a newly recorded species or otherwise). Any other additional information on this section is optional.

3. POPULATION SIZE

3.1. Year or period

Enter the year or period during which the population size was last determined: YYYY (for year) and YYYY–YYYY (for period, year–year).

Many reports will involve periods, because the population size of many species is commonly estimated during national atlas projects, which usually involve several years of fieldwork. In many cases the fieldwork will extend outside the limits of the current reporting period. The year or period reported should cover the actual period during which the data were collected.

In some cases, the population size will be estimated based on a complete species census or inventory that took place during an earlier reporting period, but which has been updated with the results of regular monitoring or using data from online-systems for collecting field data. The year or period reported should be that which the reported estimate of population size relates to.

3.2. Population size

Member States should use the population units (field 3.2(a) 'Unit') specified for each species – season combination in the species checklist. To allow the overall EU population size of each species to be calculated, all Member States should report their national data using the same population unit. For the vast majority of breeding species, numbers should be reported in units of breeding pairs ('p'), acknowledging that the estimates for many species, including many common and widespread ones, are in practice often based on the number of occupied territories (e.g. singing males) during the breeding season. When the breeding population size is reported as breeding pairs, but the figures are derived from primary field data collected using another unit (e.g. apparently occupied nests for certain seabirds), this information can be provided in field 3.7 'Additional information'.

In a small minority of cases involving species with an unusual/complex breeding biology or cryptic behaviour, other units – such as breeding females ('bfemales') or calling males ('cmales') – are more appropriate than pairs for reporting population size. Such species include certain harriers, crakes, bustards and grouse. The units that should be used for reporting the population size of such species are indicated in the species checklist on the Reference Portal.

For 'Winter' and 'Passage' season reports, population size should be reported, as appropriate, using the unit individuals ('i').

Three fields are available for the reporting of population size values: '(b) Minimum'; '(c) Maximum'; and '(d) Best single value'. The number of fields used will vary according to the nature of the population size information available for the species in question (see below), but should follow one of the following logical combinations: (b) and (c); just (d); or (b), (c) and (d).

If a precise estimate of population size does not exist, with estimates only available as a range (i.e. minimum–maximum), these two values should be reported in fields (b) and (c). Member States are encouraged to provide plausible minimum and maximum population sizes even for poorly-known species, to minimise the uncertainty carried over into the estimation of overall EU population size and trends (which involves 'weighting' by national population sizes), but where this is not possible, a lower limit can still be reported in field 3.2(d) (preferably with a complementary note in field 3.7, e.g. 'Maximum population size unlikely to exceed 100 000 pairs.'), with 'minimum' selected under field 3.3 'Type of estimate'.

If the population is very well monitored (and often, but not always, relatively small), a single precise value may be available, in which case this can be reported in field (d). In other cases, a range (minimum–maximum) and a mean or 'most-likely' value may be available, in which case these can all be provided, in fields (b), (c) and (d).

In a situation where only a minimum (or maximum) value of the population size is known (e.g. through expert opinion) this should be entered in the (d) 'Best single value' field and NOT the (b) 'Minimum' or (c) 'Maximum' fields. This can be explained in field 3.7 (Additional information).

Where raw data and/or precise estimates exist, these should be reported without rounding at Member State level; any such rounding will be done later at EU level, as necessary.

If the species has gone extinct nationally since 1980 (i.e. its occurrence is listed as 'EXBA' in the national checklist), '0' should be entered in field (d), and some indication of the timing of the extinction (e.g. '*Last recorded breeding in 1998.*') should ideally also be provided in field 3.7. If it is not clear whether the species has gone extinct nationally or still persists in very small numbers, values of '0' and, for instance, '1' can be entered in fields (b) and (c) respectively.

3.3. Type of estimate

Select the most appropriate description of the type of population size estimate reported under field 3.2. If values have been provided for all of fields 3.2(b), (c) and (d), choose the category that best describes the data (often 'multi-year mean' or '95 % confidence interval'). Further details of the options are provided below:

- best estimate – the best available single figure (including where only the maximum value of the population size is available) or interval, derived from, for example, a population census, a compilation of figures from localities, an estimate based on population densities and distribution data, or expert opinion, but for which 95 % confidence limits have not been calculated. Whether a best estimate comes from monitoring data, extrapolation or expert opinion can be indicated in field 3.4;
- multi-year mean – average value (and interval, i.e. worst and best years estimates) where population size has been estimated for several years during the reporting period (as indicated by the entry in field 3.1);
- 95 % confidence interval – estimates derived from sample surveys or a model for which 95 % confidence limits (as reported in fields 3.2(b) and 3.2(c)) could be calculated for the best single value (reported in field 3.2(d));
- minimum – where insufficient data exist to provide even a loosely bounded estimate, but where a population size is known to be above a certain value, or where the reported interval estimates come from a sample survey or monitoring project which probably underestimate the real population size.

If both interval (fields 3.2(b) 'Minimum' and 3.2(c) 'Maximum') and single values (field 3.2(d) 'Best single value') are provided, field 3.3 'Type of estimate' should correspond to the most accurate estimate. This should be noted in field 3.7 'Additional information'.

3.4. Method used

This field is used to detail the methodology used to estimate the population size in field 3.2. Select one of the following categories:

- a) complete survey or a statistically robust estimate (e.g. from sample surveys of the majority of the known distribution);
- b) based mainly on extrapolation from a limited amount of data (e.g. from sample surveys of a small proportion of the range, using models based on density/abundance and distribution data, or from an existing estimate updated using trend data);
- c) based mainly on expert opinion, with very limited data;
- d) insufficient or no data available.

If both interval (fields 3.2(b) 'Minimum' and 3.2(c) 'Maximum') and single values (field 3.2(d) 'Best single value') are provided, the Method used should correspond to the more accurate estimate. This should be noted in field 3.7 'Additional information'.

3.5. Sources

To create the necessary audit trail for the data reported in fields 3.1 to 3.4 above, enter the details of the key references or other sources of information used to complete these fields. Such sources may include, for example, published papers, unpublished data held in databases, websites and expert working groups. It is preferable to provide enough information so that anyone reviewing the report (or updating it in six or 12 years' time) will be able to understand the origin of the data reported.

3.6. Change and reason for change (since previous report)

This field is used to indicate if there has been any change since the previous reporting period in the population size reported and, if so, to describe the nature of this change.

If there is a change, indicate which of the following options b) to f) apply (it is possible to reply 'Yes' to more than one of the options b–f) ⁽¹⁴⁾:

- (a) no, there is no change
- (b) yes, due to genuine change
- (c) yes, due to improved knowledge or more accurate data
- (d) yes, due to the use of a different method ⁽¹⁵⁾ (including taxonomic change)
- (e) yes, but nature of the change is unknown
- (f) yes, due to other reasons

Finally, it should be indicated whether any difference is mainly due to (select one option):

- (a) genuine change
- (b) improved knowledge or more accurate data
- (c) the use of a different method
- (d) unknown
- (e) other reasons

⁽¹⁴⁾ It is a common phenomenon for a rare species to attract increased attention. As a result, more people search for it and find it, causing the population size estimate to be revised, and often substantially increased. Nevertheless, it may still be clear that the species is actually declining, based on analyses of data from sites with reliable historical trends. In this case, the options for 'improved knowledge/more accurate data' above should be selected. Field 3.7 'Additional information' allows a Member State to provide further details on why a population size estimate has increased, even though a population decline is reported in Section 3

⁽¹⁵⁾ Improved interpretation or the correction of errors in the interpretation of underlying data should be included under 'different method'

If a Member State wishes to give further information, this can be done in field 3.7 'Additional information'. If the field 'yes, due to other reasons' is ticked, it must be further specified in 'Additional information'. This field should be used only in very limited cases.

3.7. Additional information (optional)

This optional field can be used to provide supplementary free-text information relevant to the data provided for the assessment of population size under fields 3.1 to 3.6, such as details of any conversion factors used to convert field estimates of population size to breeding pairs (see text for field 3.2) or other reasons for change (field 3.6). For example, if, because of a change in methods, a Member State reports the same population size as in the previous report even though there has been a genuine change, this can also be noted here.

4. POPULATION TREND

4.1. Short-term trend (last 12 years)

Fields 4.1.1 to 4.1.5 are used to provide information on the short-term trend in population size, based on a 12-year period.

4.1.1. Short-term trend period

The period for short-term trends is 12 years (corresponding approximately to two reporting cycles). For the 2019–2024 reports, this means the period is 2013–2024, or a period as close as possible to this. Some flexibility is permitted, so although trends would ideally be reported for 2013–2024, data from 2010–2021, for example, will be accepted if the best available data relate to surveys in those years, or if using an earlier end point means that the national Article 12 report can be delivered without delay. Nevertheless, note that, as national trends need to be combined to estimate the overall EU-level trend, any trends not reported for the 'ideal' trend period will be extrapolated or truncated, as appropriate (See the concepts and definitions technical guidance for more information). For newly arriving species, ideally the trends would be reported with the start year as the year the species first bred/occurred; e.g. if the species was first observed as breeding in 2018 then the short-term trend period would be 2018–2024 for the reporting period 2019–2024.

4.1.2. Short-term trend direction

Indicate if the population trend over the period reported in field 4.1.1 was (only one option can be selected):

- (a) stable
- (b) fluctuating
- (c) increasing
- (d) decreasing
- (e) uncertain
- (f) unknown

Distinguishing 'stable' trends from slightly 'increasing' or 'decreasing' trends will depend on the nature of the trend information available for the species in question. Where statistically robust monitoring data are available, it should be possible to distinguish (and hence report) relatively slight – but statistically significant – increases or decreases (e.g. if the 95 % confidence intervals of the change do not overlap zero). On the other hand, if the allocation of trend direction category is based on less robust data (or expert opinion), a specified threshold (an overall change of 10 % over the trend period) should be used to distinguish 'stable' from 'increasing' or 'decreasing' trends. In both cases, Member States are encouraged to provide relevant explanatory/supplementary information in field 4.3 'Additional information' (e.g. 'Short-term trend from national common bird monitoring scheme for the period 2013–2024 was -0.4 % (with 95 % CI: -1.1 % & +0.4 % per year), so change for the whole period was -4 % (95 % CI: -11 % and +4 %); hence categorised as 'stable'.'). For further guidance see the concepts and definitions technical guidance.

'Fluctuating' applies to species whose average population level did not change significantly over the trend period, but which are characterised by large interannual variations in abundance, sometimes of one or two orders of magnitude. Species that typically show such dynamics include Boreal and Arctic breeding species, such as certain owls and crossbills, whose abundance is closely linked to the availability of food that shows cyclical peaks and troughs, but the category may also apply to species that are particularly affected by adverse or variable climatic conditions. Member States are requested to restrict use of this category to species that show interannual population increases/decreases of ≥ 50 %. This includes species that, overall, are adjudged to breed or winter 'regularly' (e.g. more often than not), but may still not occur every year.

The category 'uncertain' should be used in cases where some monitoring data are available, but these data are not sufficient to reliably determine between two or more trend directions e.g. between fluctuating or decreasing. This could be due to sample sizes being small and/or monitoring schemes only being established relatively recently. Further details, e.g. of the available data and/or expert opinion of the likely 'real' trend, can be provided in field 4.3. 'Additional information'. Trends from national common bird monitoring schemes categorised as 'uncertain' by TRIM ⁽¹⁶⁾, for example, should be reported using this category (not 'fluctuating'). For further guidance see the concepts and definitions technical guidance.

The trend category 'unknown' should be used only in cases where there is no information – quantitative or qualitative – available on the national trend of the species. However, even in these instances, national experts will often have a sense of more likely trend scenarios – or at least of the plausible 'limits' of any potential increase or decrease – and any indication of this ⁽¹⁷⁾ could still be very helpful when carrying out the EU-level population status assessments.

Further guidance related to population trends is given in the concepts and definitions technical guidance.

4.1.3. Short-term trend magnitude

If 'increasing', 'decreasing' or 'uncertain' is reported in field 4.1.2, enter the overall percentage change in population size over the trend period specified in field 4.1.1.

Choose from the following options:

- (a) Minimum
- (b) Maximum
- (c) Best single value
- If magnitude is only available as a range (e.g. 20–30 %), these two values should be reported in '(a) Minimum' and '(b) Maximum'.
- If a precise figure (e.g. 27 %) is available, this should be entered in '(c) Best single value'.
- Where a mean or 'most-likely' trend is available, along with 95 % confidence limits these three values can all be reported, in (c), (a) and (b) respectively.
- In a situation where only a minimum (or maximum) value is known (e.g. through expert opinion) this should be entered in the 'Best single value' field and NOT the '(a) Minimum' or '(b) Maximum' fields.
- Negative magnitude values should be reported (i.e. include the '-' sign) for all negative trend magnitudes, including cases where the direction is already indicated as 'decreasing'. Nevertheless, to avoid unnecessary data entry, it is not necessary to include the '+' sign for positive trends (i.e. a trend magnitude of '15' will be assumed to represent +15%). In the case of negative trends, note that the 'Minimum' and 'Maximum' fields relate to minimum and maximum values mathematically (not minimum and maximum declines).

In the specific case of species that have colonised or became established during the trend period (e.g. those listed as newly arriving [ARR] in the national species checklist), the magnitude of any population increase should be calculated based on the population size in the initial year ⁽¹⁸⁾. For example, for the reporting period 2019–2024, if a species first bred (one pair) in 2018, but the breeding population in 2024 is eight pairs, '2018–2024' should be entered in field 4.1.1, 'increasing' should be selected in field 4.1.2, and '700' (i.e. the percentage increase from one to eight) should be entered in field 4.1.3 (c). Ideally, a complementary note confirming the year of colonisation and the initial population size (e.g. 'Species first bred (one pair) in 2018.') in field 4.3 'Additional information' should also be provided.

In contrast, for species that have gone extinct nationally during the trend period, simply reporting a decrease of 100 % does not provide all the information needed to assess the relative importance of the decline (declines to zero from starting population sizes of, for instance, one and 100 both represent decreases of 100 %). In the example of a species that had a breeding population of 10 pairs in 2014, but went extinct as a breeder in 2021, '2014–2021' should be entered in field 4.1.1, 'decreasing' should be selected in field 4.1.2, '-100' should be entered in field 4.1.3(c), and a complementary note indicating the population size in 2014 (e.g. 'Species declined from 10 breeding pairs in 2014 to extinction as a breeding species in 2021.') should be added in field 4.3 'Additional information'.

⁽¹⁶⁾ Trends and Indices for Monitoring data [freeware program]: used by many common bird monitoring schemes to analyse national survey data (see <https://pecbms.info/methods/software/>).

⁽¹⁷⁾ For example, a note in field 4.3 'Additional information' along the lines of 'No reliable information available on short-term trend, but not believed to have decreased or increased by more than 30 % over the ideal trend period.'

⁽¹⁸⁾ To avoid the problem of calculating a percentage from a baseline of zero.

Although trend magnitudes are not mandatory for trends reported as 'stable' or 'fluctuating' ⁽¹⁹⁾, they can also be reported in field 4.1.3. 'Any additional relevant explanatory/supplementary information – such as the confidence intervals of 'stable' trends or further details on fluctuations can be provided in field 4.3 'Additional information'.

4.1.4. *Short-term trend – Method used*

Use one of the following categories:

- (a) complete survey or a statistically robust estimate (e.g. comparison of two estimates of population size originating from complete censuses, or dedicated population monitoring with good statistical power);
- (b) based mainly on extrapolation from a limited amount of data (e.g. trends derived from data collected only from a relatively small sample of the population, or based on insufficient sample size, or trends extrapolated from some other measurements);
- (c) based mainly on expert opinion, with very limited data;
- (d) insufficient or no data available.

Only one category can be chosen; where data have been compiled from a variety of sources, choose the category for the most important source of data.

The 'Method used' field applies to both the short-term trend direction (field 4.1.2) and trend magnitude (4.1.3), as these two fields are part of one assessment and should both be considered here.

4.1.5. *Sources*

To create the necessary audit trail for the data reported in fields 4.1.1 to 4.1.4 above, enter the details of the key references or other sources of information used to complete these fields. Such sources may include, for example, published papers, unpublished data held in databases, websites and expert working groups. It is preferable to provide enough information so that anyone reviewing the report (or updating it in six- or 12-years' time) will be able to understand the origin of the data reported.

4.2. **Long-term trend (since ca.1980)**

4.2.1. *Long-term trend period*

The ideal period for reporting long-term trends is from ca.1980 (when Directive 2009/147/EC was adopted/entered into force) until ca. the last year of the reporting period. However, there is some flexibility here, and hence if a Member State has conducted national censuses in (for example) 1980, 1995, 2015 and 2020, the trend between 1980 and 2020 should be reported for the reporting period 2019-2024). For species that have colonised since 1980, ideally the trends would be reported with the start year as the year the species first bred/occurred, e.g. if the species was first observed as breeding in 2000 then the long-term trend period would be from 2000. For newly arriving species, the start date would fall within the last two reporting periods (i.e. 2013 to 2024 for the reporting period 2019-2024, see also text for field 4.1.1).

Member States lacking population monitoring scheme data from before 2000 are encouraged to consult other potential sources of trend information, such as the two editions of *Birds in Europe* ⁽²⁰⁾, which present banded estimates of national population trend (plus supporting references) for most species for 1970–1990 and 1990–2000.

4.2.2. *Long-term trend direction*

See field 4.1.2 short-term trend direction above.

If the allocation of trend direction category is based on less robust data (or expert opinion), a specified threshold (an overall change of 20 % over the long-term trend period) should be used to distinguish 'stable' from 'increasing' or 'decreasing' trends (the 10 % threshold is used for the short-term trend in field 4.1.2).

Further guidance related to population trends is given in the concepts and definitions technical guidance.

⁽¹⁹⁾ All such trends are treated as showing no net change overall when estimating the EU-level trend.

⁽²⁰⁾ Tucker, G.M. & Heath, M.F. (1994) *Birds in Europe: their conservation status*. BirdLife International (BirdLife Conservation Series No. 3), Cambridge, UK.
BirdLife International (2004) *Birds in Europe: population estimates, trends and conservation status*. BirdLife International (BirdLife Conservation Series No. 12), Cambridge, UK.

4.2.3. *Long-term trend magnitude*

See field 4.1.3 on short-term trend magnitude above.

4.2.4. *Long-term trend – Method used*

See field 4.1.4 on short-term trend - Method used above.

4.2.5. *Sources*

See field 4.1.5 above.

4.3. **Additional information (optional)**

This section can be used to provide supplementary free-text information relevant to the data provided for the assessment of population trends under Sections 4.1 and 4.2 (see text for preceding fields for suggestions).

5. **BREEDING DISTRIBUTION MAP AND SIZE**

National breeding bird atlases already exist for most EU Member States, and a new European Breeding Bird Atlas ('EBBA2') was published in 2020 ⁽²¹⁾. In contrast, few countries have published national winter bird atlases, and many bird species are much more mobile in winter anyway. Hence, no winter distribution data are requested.

5.1. **Sensitive species**

Some species are particularly vulnerable to persecution, illegal killing or collecting, and hence might face genuinely increased risks to their conservation or management if detailed information about their distribution were to be made publicly available. In a minority of cases, Member States may consider a species to be at risk if its distribution is made publicly available at the standard 10×10 km grid scale requested (see Section 5.3). Where information on distribution, if reported according to the specifications in field 5.3, is considered 'sensitive', this can be indicated by entering 'Yes' in this field.

If a species is marked as 'sensitive', the Commission and EEA will not disclose its distribution to the public (for instance, by posting this information on a publicly available database or Internet-based site).

5.2. **Year or period**

Enter the year (e.g. 2021) or period (e.g. 2019–2023) when the breeding distribution was last determined. Many reports will involve periods, because the distribution of most species is commonly mapped during national atlas projects, which usually involve several years of fieldwork. The year or period reported should cover the actual period during which the data were collected.

Where no recent atlas information exists, Member States are encouraged to report a more up-to-date figure, by remapping the national distribution using other data, such as the results of annual monitoring schemes, data gathered from the Internet, and national or regional surveys. In such cases the distribution map will be elaborated based on data from the previous reporting period or using older distribution data that has been updated with the results of regular monitoring or using data from online-systems for collecting data. The year or period reported should be that which the reported distribution relates to.

5.3. **Breeding distribution map**

Submit a distribution map, together with the relevant metadata (projection, datum, scale). The standard is 10×10 km ETRS89 grid cells in the LAEA (EPSG:3035) projection ⁽²²⁾. The distribution dataset will consist of the 10-km grid cells where breeding is recorded or likely (see guidance below for mapping the species distribution); the use of attribute data to

⁽²¹⁾ <https://ebba2.info/>

⁽²²⁾ European Terrestrial Reference System 1989; Lambert Azimuthal Equal Area projection with parameters: latitude of origin 52°N, longitude of origin 10°E, false northing 3 210 000,0m, false easting 4 321 000,0m (EPSG 3035 based). Origin of the grid is calculated from 0mN 0mE of projection <http://www.eionet.europa.eu/gis>.

indicate the presence or absence of a species in a grid cell is not permitted. The period over which the distribution data were collected should be included in the metadata following the INSPIRE guidelines ⁽²³⁾. The technical specifications for distribution maps are given on the Reference Portal.

Member States, or small territories such as the Canary Islands, Madeira or Azores can use maps using 1x1 km grids. These will be aggregated to 10x10 km for visualisation at the European level.

The grids for individual Member States are available for download from the Reference Portal.

The map should show the breeding occurrence (i.e. presence or absence) of the species in each grid cell. In general, only grid cells where breeding is 'confirmed', 'probable' or 'possible' should be included; for definitions of breeding categories and codes, refer to Table 2 in the 'Methodology' for the new European Breeding Bird Atlas ⁽²⁴⁾. However, in cases where survey coverage and data availability are known to be poor, cells considered likely to hold breeding populations (especially common species) may be included as well, using expert knowledge or modelling. In these cases, further information related to data reliability can be provided in field 5.8 'Additional information'.

5.4. Breeding distribution size

Enter the total surface area of the current distribution in the Member State, in km². In most cases, this will be the number of occupied 10x10 km squares multiplied by 100. The surface area of the distribution should be represented by grids (10x10 km or 1x1 km) which occur entirely or partly within the Member State (i.e. grids intersected by the Member State boundaries should be counted entirely).

For localised species it is possible to report distribution surface area using finer resolution; for example, for species restricted to a single location, distribution area is the area of a locality where species occurs, which can be several hectares.

5.5. Method used

This field is used to detail the methodology used for calculating breeding distribution size in field 5.4. Select one of the following categories:

- a) complete survey or a statistically robust estimate
- b) based mainly on extrapolation from a limited amount of data
- c) based mainly on expert opinion, with very limited data
- d) insufficient or no data available

Where data have been compiled from a variety of sources, use the category for the most important source of data.

The 'Method used' should be reported as '(d) Insufficient or no data available' if the distribution map on which the estimated surface area of distribution is based (obtained through comprehensive mapping, modelling or extrapolation, or, exceptionally, expert interpretation) covers less than 75 % of the presumed actual species distribution and no other data were used to fill in this gap in estimating the surface area of distribution (i.e. the resulting map is incomplete in relation to the presumed species distribution and so the surface area of distribution is underestimated).

5.6. Additional maps (optional)

This is for cases where a Member State wishes to submit an additional map different from the standard submission map under field 5.3. Note that this is an optional field and does not replace the need to provide a map under field 5.3.

⁽²³⁾ For the period 2019-2024 further details for alignment with INSPIRE will be given in the relevant delivery manual for spatial data.

⁽²⁴⁾ <https://ebba2.info/about/methodology/>

Maps at a resolution other than 10×10 km or with grids other than the ETRS89 LAEA (EPSG:3035) grid, may be reported here.

5.7. Sources

To create the necessary audit trail for the data reported in fields 5.1 to 5.6 above, enter the details of the key references or other sources of information used to complete these fields. Such sources may include, for example, published papers, unpublished data held in databases, websites and expert working groups. It is preferable to provide enough information so that anyone reviewing the report (or updating it in six or 12 years' time) will be able to understand the origin of the data reported.

5.8. Additional information (optional)

This section can be used to provide supplementary free-text information (maximum 500 characters) relevant to the data provided for the assessment of breeding distribution under fields 5.1 to 5.7.

6. BREEDING DISTRIBUTION TREND

6.1. Short-term trend (last 12 years)

Fields 6.1.1 to 6.1.5 are used to provide information on the short-term trends in breeding distribution, based on a 12-year period. For short-term trend in general, where data are absent or unknown, it is encouraged to use expert opinion or other data sources e.g. for example, where more recent, species-specific studies provide insights into recent trends or, in the case of very rare/localised breeders, knowledge of former/existing breeding locations may allow a simple comparison (e.g. breeding was known at three sites in 2013 and was still occurring at same three sites in/around 2024, so the short-term distribution trend is essentially stable), the trend direction can be assessed using this information with expert opinion.

6.1.1. Short-term trend period

The period for short-term trends is 12 years (two reporting cycles). For the 2019–2024 reports, this means the period is 2013–2024, or a period as close as possible to this. Some flexibility is permitted, so although trends would ideally be reported for 2013–2024, other data spanning a different but comparable time period (e.g. 2009–2023) will be accepted if the best available data relate to surveys in those years. For newly arriving species, ideally the trends would be reported with the start year as the year the species first bred, e.g. if the species was first observed as breeding in 2018 then the short-term trend period would be 2018–2024 for the reporting period 2019–2024. Indicate the period used in this field.

6.1.2. Short-term trend direction

Indicate whether the distribution trend over the period reported in field 6.1.1 was (only one option can be selected):

- (a) stable
- (a) fluctuating
- (b) increasing
- (c) decreasing
- (d) uncertain
- (e) unknown

See the text for field 4.1.2 Short-term trend direction in population for further guidance on the interpretation and use of these trend direction categories. The category 'fluctuating' will probably apply to fewer distribution trends than population trends, but may still be appropriate, for example, in cases where the national distribution of a (regularly occurring) species is strongly influenced by seasonal conditions elsewhere (e.g. the drying-out of favoured wetland sites further south).

6.1.3. Short-term trend magnitude

If 'increasing', 'decreasing' or 'uncertain' is reported in field 6.1.2, enter the overall percentage change in distribution size over the trend period specified in field 6.1.1.

Choose from the following options:

(a) Minimum

(b) Maximum

(c) Best single value

— If only an interval (e.g. 20–30 %) is possible, these two values should be reported in '(a) Minimum' and '(b) Maximum'.

— If a precise figure (e.g. 27 %) is available, this should be entered in '(c) Best single value'.

— If a mean or 'most-likely' trend is available, along with 95 % confidence limits, these three values can all be reported, in (c), (a) and (b) respectively.

— In a situation where only a minimum (or maximum) value is known (e.g. through expert opinion) this should be entered in the 'Best single value' field and NOT the '(a) Minimum' or '(b) Maximum' fields. Negative magnitude values should be reported (i.e. include the '-' sign) for all negative trend magnitudes, including cases where the direction is already indicated as 'decreasing'. Nevertheless, to avoid unnecessary data entry, it is not necessary to include the '+' sign for positive trends (i.e. a trend magnitude of '15' will be assumed to represent +15%). In the case of negative trends, note that the 'Minimum' and 'Maximum' fields relate to minimum and maximum values mathematically (not minimum and maximum declines).

If available, the trend magnitude can also be reported for 'stable' or 'fluctuating' trends.

See the related text for field 4.1.3 Short-term trend – Magnitude for population for guidance on the specific cases of species that have either colonised or have gone extinct nationally during the trend period.

6.1.4. *Short-term trend – Method used*

This field is used to detail the methodology used for calculating the short-term trend magnitude. Select one of the following categories:

(a) complete survey or a statistically robust estimate (e.g. comparing two distribution maps based on accurate distribution data, or dedicated monitoring of a species' distribution with good statistical power);

(b) based mainly on extrapolation from a limited amount of data (e.g. trends derived from occurrence data collected for other purposes, or from data collected from only a part of the geographical range of a habitat, or trends based on measuring some other predictors of habitat distribution, such as land-cover changes);

(c) based mainly on expert opinion, with very limited data;

(d) insufficient or no data available.

6.1.5. *Sources*

To create the necessary audit trail for the data reported in fields 6.1.1 to 6.1.4 above, enter the details of the key references or other sources of information used to complete these fields. Such sources may include, for example, published papers, unpublished data held in databases, websites and expert working groups. It is preferable to provide enough information so that anyone reviewing the report (or updating it in six or 12 years' time) will be able to understand the origin of the data reported.

6.2. **Long-term trend (since ca. 1980)**

6.2.1. *Long-term trend period*

The ideal period for reporting long-term trends is from ca.1980 (when the Birds Directive was adopted/entered into force) until ca.the last year of the reporting period. However, there is some flexibility here, and hence if a Member State has conducted national atlas surveys in (for example) 1980, 1995, 2015 and 2020, the trend between 1980 and 2020 should be reported for the reporting period 2019-2024.

For species that have colonised since 1980, ideally the trends would be reported with the start year as the year the species first bred; e.g. if the species was first observed as breeding in 2000 then the long-term trend period would be from 2000. For newly arriving species, the start date would fall within the last two reporting periods (i.e. 2013 to 2024 for the reporting period 2019-2024, see also text for field 6.1.1).

Member States lacking distribution trend data from before 2000 could consult the original EBCC Atlas ⁽²⁵⁾ or *Birds in Europe* ⁽²⁶⁾, which presents banded estimates of national range trend for species between 1970 and 1990.

6.2.2. Long-term trend direction

See field 6.1.2 short-term trend direction above.

6.2.3. Long-term trend magnitude

See field 6.1.3 short-term trend magnitude.

6.2.4. Long-term trend – Method used

See field 6.1.4 short-term trend - Method used.

6.2.5. Sources

See field 6.1.5.

6.3. Additional information (optional)

This section can be used to provide supplementary free-text information (maximum 500 characters) relevant to the data provided for the assessment of breeding distribution trend under Sections 6.1 and 6.2. For example, a Member State may wish to report information about geographical shifts in distribution (short-term or long-term), or fragmentation of the distribution, even though no changes in overall distribution size are reported.

7. MAIN PRESSURES AND THREATS

This section is designed to capture information about the principal factors responsible for causing individual species to decline, suppressing their numbers or restricting their ranges. It should be completed for all regularly occurring (as listed in the Article 12 bird checklist) species for the following groups:

- Annex I species of Directive 2009/147/EC;
- Annex II Breeding and Winter species of Directive 2009/147/EC;
- any other migratory species triggering Special Protection Area (SPA) designations nationally.

Member States are encouraged to provide this information for any remaining species for which information is available.

More information related to season-specific reporting on Breeding, Winter or Passage Annex I of Directive 2009/147/EC and other Special Protection Area (SPA) trigger species can be found in

Table 2: Sections of the species Report format to be filled in for Breeding, Winter and Passage season for different categories of bird species

Pressures have acted within the current reporting period and they have an impact on the long-term viability of the species or its habitat(s); threats are future/foreseeable impacts (within the next two reporting periods) that are likely to affect the long-term viability of the species and/or its habitat(s) (see Table 3). Threats are not reported separately; it is understood that a pressure reported with timing as 'ongoing and likely to be in the future' is both a pressure and a threat, whereas one with timing 'only in future' is only a threat. Threats should represent those issues judged to be reasonably likely (e.g. based on current pressures being reported or on foreseeable development projects). The definition of pressures and threats is given in Table 3 below.

⁽²⁵⁾ Hagemeijer, E.J.M. & Blair, M., eds. (1997) *The EBCC Atlas of European Breeding Birds: their distribution and abundance*. T & A D Poyser, London.

⁽²⁶⁾ Tucker, G.M. & Heath, M.F. (1994) *Birds in Europe: their conservation status*. BirdLife International (BirdLife Conservation Series No. 3), Cambridge, UK.

Table 3

Definition of a pressure and threat (in the context of Article 12 reporting)

	Period of action/definition	Timeframe
Pressure	Acting now and/or during (any part of or all of) the current reporting period.	Current 6-year reporting period.
Threat	Factors expected to act in the future after the current reporting period.	Future two reporting periods, i.e. within 12 years following the end of the current reporting period.

7.1. Characterisation of pressures

Provide the list of pressures: list a maximum of 20 pressures. The list of pressures is available on the Reference Portal.

For each bird taxon:

- select a maximum of 20 entries for pressures using the code at the second level of the hierarchical list. The list of pressures and threats is available on the Reference Portal.
- for each pressure, indicate the **timing**, which is the timeframe it is acting in.

Timing	
in the past but now suspended due to measures	For reporting <u>pressures</u> which have become suspended at some point in the current reporting period. Where selected, there is no need to complete the fields on scope and influence.
ongoing	For reporting pressures that are ongoing during the reporting period i.e. no evidence of being suspended due to measures.
ongoing and likely to be in the future	For reporting both <u>pressures</u> and <u>threats</u> . Where selected, there is no need to complete the fields on scope and influence for the part of the entry concerning the threat, but only for the part that concerns the pressure.
only in future	For reporting <u>threats</u> . Where selected, there is no need to complete the fields on scope and influence.

- indicate for each, the proportion of population affected by the pressure (**scope**) – ‘whole >90%’, ‘majority 50 – 90%’ or ‘minority <50%’.

Scope (proportion of population affected)*	
[*to be completed for ‘ongoing’ and ‘ongoing and likely to be in the future’ timings only. Although the latter also includes threats, the ‘scope’ and ‘influence’ will only address pressures]	
whole >90 %	more than 90 % of the population reported in the Member State is affected by the pressure
majority 50 – 90 %	between 50 – 90 % of the population reported in the Member State is affected by the pressure
minority <50 %	less than 50 % of the population reported in the Member State is affected by the pressure

- (d) indicate the **influence** on the population or habitat of the species – ‘high influence’, ‘medium influence’ or ‘low influence’. The influence indicates how the pressure affects the decline of the population or the habitat of the species.

Influence (on population or habitat of the species)*	
[*to be completed for ‘ongoing’ and ‘ongoing and likely to be in the future’ timings only. Although the latter also includes threats, the ‘scope’ and ‘influence’ will only address pressures]	
High influence	The pressure listed is a highly significant factor contributing to the decline of the population or the habitat of the species. It is an important direct or immediate influence on the population.
Medium influence	The pressure listed contributes to the decline of the population or the habitat of the species, but is not a high influence or a low influence pressure. It has a medium direct/immediate or indirect influence on the population.
Low influence	The pressure listed contributes to the decline of the population or the habitat of the species, although not the main contributor and in combination with other pressures and/or factors.

- (e) indicate the location where the pressure is primarily operating. Only one option should be selected.

Location*	
[*choose the option corresponding to where the pressure is principally acting]	
Inside the Member State	To be chosen for pressures acting inside the Member State or inside and outside the Member State but having approximately equal impact to national bird population
Elsewhere in the EU	If the pressure is primarily acting elsewhere in the EU (but may also be acting inside the Member State)
Outside the EU	Where it is known that the pressure principally acts outside the EU Member States
Both inside and outside the EU	Where the pressure acts both inside and outside the EU Member States
Unknown	Location of where the pressure is acting is not known

The overall impact of a pressure, as captured in fields timing, scope and influence, should reflect the influence of the pressure on the trends of the species.

Where Invasive Alien Species (IAS) of Union concern is selected among pressures, it is obligatory to provide the names of these species in (f). A drop-down list will be available for these species. For the list of IAS of Union concern please see the Art. 12 Reference Portal. When a pressure concerns ‘Other invasive alien species (other than species of Union concern)’, the provision of names of these species is optional in (g). Please select from EASIN database (see Article 12 reference portal). More than one species can be selected for both cases.

If a Member State wishes to give more precise information on the nature of a certain pressure, this can be written in field 7.4 ‘Additional information’.

More detailed guidance on reporting pressure/threats is provided in the guidelines and in the notes in the list of pressures and threats available from the Reference Portal.

7.2. Methods used (optional)

The optional ‘Methods used’ field is to provide general information for pressures reporting, and is not required for specific pressures. Where a methodology is used for a specific pressure, this information can be provided in field 7.4 ‘Additional information’.

Choose one of the following categories:

- (a) complete survey or a statistically robust estimate;
- (b) based mainly on extrapolation from a limited amount of data;
- (c) based mainly on expert opinion with very limited data;
- (d) insufficient or no data available.

Only one category can be chosen; where data have been compiled from a variety of sources, choose the category for the most important source of data.

7.3. Sources of information (optional)

To provide the necessary audit trail for the data reported in field 7.1 above, Member States can enter the details of the key references or other sources supporting evidence of pressures reported. Such sources may include, for example, published papers, unpublished data held in databases, websites and expert working groups. If expert opinion was indicated in field 7.2, it can be further elaborated on in this field. It is preferable to list enough information so that anyone reviewing the report (or updating it in six or 12 years' time) will be able to understand the origin of the information reported.

7.4. Additional information (optional)

If a Member State wishes to give additional information on certain pressures (e.g. estimates of annual mortality caused by a particular pressure, for instance illegal killing) or methodology, it can be provided in this field.

8. CONSERVATION MEASURE

Member States are asked to describe the most important conservation measures taken for species for which this information is requested (see

Table 2: Sections of the species Report format to be filled in for Breeding, Winter and Passage season for different categories of bird species). Member States are also encouraged to provide this information also for any remaining species where available.

8.1. Status of measures

Select whether measures are needed or not. If the answer is 'Yes', then proceed to select from the following options (only one option can be selected):

- (a) Measures identified but none yet taken;
- (b) Measures needed but cannot be identified;
- (c) Part of measures identified have been taken;
- (d) Most/all of measures identified have been taken.

8.2. Scope of the measures taken

Where part of the measures identified have been taken (8.1 c) or most/all of the measures identified have been taken (8.1 d), indicate the scope of these measures, i.e. the proportion of the population they impact:

- (a) <50 %
- (b) 50 – 90 %
- (c) >90 %

The assessment should be done in a general way.

8.3. Main purpose of the measures taken

A. Indicate the main purposes of the measures taken. This part should only be filled in if conservation measures have been taken (field 8.1(c) 'Part of the measures identified and taken' is marked 'Yes' or 8.1 (d) Most/all of measures identified and taken are marked 'Yes'). Several purposes can be identified:

- a) Maintain the current distribution, population and/or habitat for the species;
- b) Expand the current distribution of the species;

- c) Increase the population size and/or improve population dynamics (improve reproductive success, reduce mortality, improve age/sex structure);
- d) Restore the habitat of the species.

B. To identify the main purpose of the measures taken, please indicate if this is to (only one option can be selected):

- maintain the current state;
- expand the range;
- increase or improve the population;
- restore the habitat.

The aim of this field is not to describe the effect of the measures, rather describe the intended objective of the measures implemented. The response is further elaborated on in field 8.5 below.

8.4. Location of the measures

Indicate where the measures are mostly being implemented. This part should only be filled in if conservation measures have been taken (field 8.1(c) & (d) 'Part of measures identified have been taken' and 'Most/all of measures identified have been taken' is marked 'Yes') – (only one option can be selected):

- (a) only inside Natura 2000;
- (b) both inside and outside Natura 2000;
- (c) only outside Natura 2000.

This field tries to capture where the main focus of the conservation action is taking place. Therefore, choose option (a) if all or the vast majority of the conservation measures are restricted to Natura 2000, option (b) if there is a roughly equal effort to implement measures inside and outside Natura 2000, and option (c) if all or the vast majority of the measures are taken outside Natura 2000.

8.5. Response to the measures

Provide an estimate of when the measures start, or are expected to start, to neutralise the pressure and to produce positive effects (with regard to the main purpose of the measures indicated in field 8.3). Choose one option from:

- (a) short-term response (within the current reporting period, e.g. 2019–2024);
- (b) medium-term response (within the next two reporting periods, e.g. 2025–2036);
- (c) long-term response (after e.g. 2036).

8.6. List of main conservation measures

List a maximum of 20 conservation measures. Member States should use the codes provided on the Reference Portal.

More detailed guidance on the use of conservation measures is provided in the concepts and definitions technical guidance and in the notes in the list of conservation measures available from the Reference Portal.

8.7. Additional information (optional)

Additional information to help understand the information given on conservation measures can be reported here.

9. NATURA 2000 (SPECIAL PROTECTION AREAS (SPAS)) COVERAGE

This section is designed to capture information about the Natura 2000 (Special Protection Areas - (SPA)) coverage for individual species. Under Article 4 of the Directive, Member States are obliged to classify the most suitable territories for certain species as SPAs. In order to assess the extent of coverage of the Special Protection Area (SPA) network for each relevant species at EU level, Member States are requested to report the size (and short-term trend) of the population that occurs within their national SPA network.

The section should only be completed for Annex I species of Directive 2009/147/EC and other migratory species triggering Special Protection Area (SPA) classifications nationally, as indicated in the species checklist on the Reference Portal.

More information related to season-specific reporting on Breeding, Winter or Passage Annex I of Directive 2009/147/EC and other Special Protection Area (SPA) trigger species can be found in

Table 2: Sections of the species Report format to be filled in for Breeding, Winter and Passage season for different categories of bird species

See background information in the concepts and definitions technical guidance.

9.1. Population size inside the Natura 2000 (Special Protection Area (SPA)) network

Provide an estimate of the total population size included within the entire national Special Protection Area (SPA) network during the same year or period as reported in field 3.1. See the text for field 3.2 Population size above for details of how to complete fields (a), (b), (c) and/or (d).

In order to avoid overinflated figures, Member States may need to adjust the total population size inside the Natura 2000 network for some mobile wintering species downwards to allow for significant movements of individuals between Special Protection Areas (SPAs), as might apply, for instance, for various geese species wintering in north-western Europe.

9.2. Type of estimate

Select one of the following options:

- best estimate – the best available single figure (including where only the maximum value of the population size is available) or interval, derived from, for example, a population census, a compilation of figures from localities, an estimate based on population densities and distribution data, or expert opinion, but for which 95 % confidence limits have not been calculated. Whether a best estimate comes from monitoring data, extrapolation or expert opinion can be indicated in field 9.3;
- multi-year mean – average value (and interval) where population size has been estimated for several years during the reporting period;
- 95 % confidence interval – estimates derived from sample surveys or a model for which 95 % confidence limits could be calculated (as reported in fields 9.1(b) and 9.1(c));
- minimum – where insufficient data exist to provide even a loosely bounded population size estimate, but where a population size is known to be above certain value, or where the reported interval comes from a sample survey or monitoring project which probably underestimates the real population size.

Follow the same guidance as for field 3.3 'Type of estimate' for Population size.

9.3. Population size inside the network – Method used

Select one of the following options (analogous to field 3.4 'Method used'):

- (a) complete survey or a statistically robust estimate;
- (b) based mainly on extrapolation from a limited amount of data;
- (c) based mainly on expert opinion with very limited data;
- (d) insufficient or no data available.

Follow the same guidance as for field 3.4 'Method used' for Population size.

9.4. Short-term trend of population size within the network – Direction

As in field 4.1.2 'Short-term trend direction', indicate whether the population trend in the Special Protection Area (SPA) network over the short-term trend period (as reported in field 4.1.1) was (only one option can be selected):

- (a) stable
- (b) fluctuating
- (c) increasing
- (d) decreasing

(e) uncertain

(f) unknown

See the text for field 4.1.2 'Short-term trend direction' for further guidance on the interpretation and use of these trend direction categories.

9.5. Short-term trend of population size within the network – Method used

Select which of the following options best describes the method used to assess the short-term trend direction (as per field 4.1.4 'Short-term trend – Method used'):

- (a) complete survey or a statistically robust estimate;
- (b) based mainly on extrapolation from a limited amount of data;
- (c) based mainly on expert opinion with very limited data;
- (d) insufficient or no data available.

Only one category can be chosen; where data have been compiled from a variety of sources, choose the category for the most important source of data.

Follow the same guidance as for field 4.1.4 'Short-term trend - Method used'.

9.6. Additional information (optional)

This section can be used to provide supplementary free-text information (maximum 500 characters) relevant to the data provided in fields 9.1 to 9.5.

The information below for Section 10 Progress in work related to international Species Action Plans (SAPs), Management Plans (MPs) and Brief Management Statements (BMSs) and Section 11 Information related to Annex II species is to be provided for each taxon across all relevant seasons.

10. PROGRESS IN WORK RELATED TO INTERNATIONAL SPECIES ACTION PLANS (SAPS), MANAGEMENT PLANS (MPS) AND BRIEF MANAGEMENT STATEMENTS (BMSS)

This section is designed to capture information about Member States' work on some of the EU's most threatened bird species, for which international (or multilateral ⁽²⁷⁾) Species Action Plans (SAPs) or Brief Management Statements (BMSs) have been developed, as well as a suite of huntable species considered to be in a poor condition in the EU and for which Management Plans (MPs) have been prepared ⁽²⁸⁾. The reporting also includes work done within the framework of plans adopted by other international organisations to which the EU is a signatory, such as the Bern Convention ⁽²⁹⁾, African-Eurasian Waterbird Agreement (AEWA) ⁽³⁰⁾ and the Convention on Migratory Species (CMS) ⁽³¹⁾.

Since the 1990s, significant EU resources have been spent on the conservation of many of these species (e.g. through LIFE projects), so Member States are requested to summarise what they have done at national level to implement these plans and to improve the status of the relevant species. The list of relevant taxa with an indication of a type of plan is available on the Reference Portal. This section is to be filled at species / subspecies level.

10.1. Type of international plan

Use the type of international plan (Species Action Plan (SAP), Management Plan (MP) or Brief Management Statement (BMS) specified in the list of taxa with international/multilateral plans, which is available on the Reference Portal.

⁽²⁷⁾ In a few cases, the SAP/BMS relates to a species or subspecies that is endemic to a single country.

⁽²⁸⁾ http://ec.europa.eu/environment/nature/conservation/wildbirds/action_plans/index_en.htm for Species Action Plans and Brief Management Statements, and http://ec.europa.eu/environment/nature/conservation/wildbirds/hunting/managt_plans_en.htm for Management Plans.

⁽²⁹⁾ <https://www.coe.int/en/web/bern-convention/>

⁽³⁰⁾ <https://www.unep-aewa.org/en>

⁽³¹⁾ <https://www.cms.int>

10.2. Has a national plan linked to the international (Species Action Plan (SAP) / Management Plan (MP) / Brief management Statement (BMS) been adopted?

Please select 'Yes' or 'No'. If 'Yes', please provide a web link to (and/or bibliographic reference for) the national plan in field 10.5 'Sources of further information' below. Fields 10.3 and 10.4 are to be completed regardless of whether 'Yes' or 'No' is selected here.

10.3. Assessment of the effectiveness of Species Action Plans (SAPs) for globally threatened species

This field is used to provide information on the species' national status (in terms of population size and range/distribution) in relation to objectives outlined in the Species Action Plans (SAPs) / Brief management Statements (BMSs). The list of species with SAPs and BMSs for which this field should be filled in is provided in the list of taxa with international/multilateral plans, which is available on the Reference Portal ⁽³²⁾. A more detailed list including objectives to be considered in the assessment for each species is provided on the Reference Portal.

Some plans list different short-term and long-term objectives. For example, for *Clanga clanga* [= *Aquila clanga*] the action plan lists the following objectives related to either distribution or population size;

- (a) 'in the short-term, to halt the decline in the population and safeguard all existing breeding, roosting and wintering habitat';
- (b) 'in the long term, to safeguard the distribution and numbers of the European population of the Greater Spotted Eagle, restoring the range to what it was in 1920'.

If the short-term objective (e.g. stabilisation of population size) has been achieved or there has been progress towards the objective, option '(a) moving towards the plan's aim/objective(s)' should be selected.

Some plans include objectives that are not directly expressed as an increase/stabilisation of population or distribution, but for example a reduction in mortality caused by certain pressures or the protection/restoration of certain key sites. The effectiveness of a plan should be assessed considering the impact of those measures to population size/distribution. For example, if several key sites for a species have been restored (a short-term objective has been achieved) with a long-term aim to stabilise the population of a species but the population size is still declining (with an unchanged rate) the option '(b) unchanged' should be selected.

Please choose from one of the following options:

- (a) moving towards the plan's aim/objective(s);
- (b) unchanged;
- (c) further deteriorating away from the plan's aim/objective(s).

10.4. Assessment of the effectiveness of Management Plans (MPs) for huntable species in non-Secure status

This field is specific to huntable species in non-Secure status. It is used to provide information on their status (in terms of population size and range/distribution) on a national level, in relation to objectives outlined in the Management Plans (MPs). The list of species with Management Plans (MPs) for which this field should be filled in is provided in the list of taxa with international/multilateral plans, which is available on the Reference Portal ⁽³³⁾. A more detailed list including objectives to be considered in the assessment for each species is provided on the Reference Portal.

Please choose from one of the following options (follow same guidance as for field 10.3):

- (a) improving;
- (b) unchanged;
- (c) further deteriorating.

⁽³²⁾ In the list of taxa with international or multilateral plans (including BMSs) some of the species listed (e.g. *Falco naumanni*) are currently assessed as not threatened globally, but at the time the plan was drafted were considered threatened or had conservation problems which required a coordinated action.

⁽³³⁾ Some of the species listed now have 'Secure' status within EU (e.g. *Netta rufina*), but in past they were considered non-Secure at the EU level or at the geographical scale of the plan (e.g. AEWA contracting parties) or had conservation problems which required a coordinated action.

10.5. Sources of further information

In this field, Member States are requested to provide links to appropriate websites, web links and/or bibliographic references for relevant publications (e.g. a national plan), contact details of responsible organisations, etc.

11. INFORMATION RELATED TO ANNEX II SPECIES (ARTICLE 7 OF DIRECTIVE 2009/147/EC)

This section is to be filled at species / subspecies level.

11.1. Is the species nationally hunted?

Not all species listed in Annex II of Directive 2009/147/EC are hunted in all (relevant) Member States. Indicate here whether the species in question is indeed hunted in your country ⁽³⁴⁾. If 'Yes', complete fields 11.2 to 11.4 below.

This field indicates if a species is nationally hunted in practice. For example, if a species is not classified as huntable by national/regional legislation (so it cannot be hunted) or if there is a permanent prohibition (for huntable species), the answer should be 'No'. More information can be provided in field 11.4 'Additional information'.

11.2. Hunting bag

Provide national hunting bag statistics (in individuals) per year/hunting season over the six years of the reporting period: provide the unit (individuals) in field 11.2(a), and proceed to fill in field 11.2(b) if applicable (i.e. hunting season, optional) and 11.2(c) with information per hunting season or per year (where hunting season is not used). For the reporting period 2019-2024 hunting season 1 is 2018/2019 (starting in autumn 2018 and ending in spring 2019); Season 6 is 2023/2024. Where a precise value is known, please enter this into both the 'minimum' and 'maximum' fields. If only minimum or only maximum numbers are available, these should be reported in the respective fields 'Min.' and 'Max.'. An option of 'unknown' is also provided.

In cases where bag statistics are only available for a group of species, without a reliable breakdown per species, the proportion (e.g. 50–90% for the dominant species and 0–5% for the other species) for each species should be estimated and reported as 'Min.' and 'Max.' values under 11.2. The appropriate explanation should be provided in field 11.4 'Additional information' (e.g. 'Bag statistics (min-max) were obtained for a group of species ([species 1], [species 2], [species x]), but probably >90% relate to the species in this report'). The 'Method used' (field 11.3) should reflect the fact that actual figures reported are an approximation, and should be 'b' or 'c' respectively.

11.3. Hunting bag – Method used

Select which of the following options best describes the method used to provide hunting statistics:

- (a) Complete survey or a statistically robust estimate;
- (b) Based mainly on extrapolation from a limited amount of data;
- (c) Based mainly on expert opinion with very limited data;
- (d) Insufficient or no data available.

11.4. Additional information (optional)

Provide web links or bibliographic references for the key sources of information used to complete the fields in Section 11, including details of any national reports or online databases. Also, any other information related to hunting bag statistics can be provided here, for example information related to validation checks on data quality and accuracy, or if additional demographic data is collected (e.g. via wing surveys). Any recent changes in survey methods or reporting tools may also be reported.

References

BirdLife International (2004) Birds in Europe: population estimates, trends and conservation status. BirdLife International (BirdLife Conservation Series No. 12), Cambridge, UK.

⁽³⁴⁾ Or subnational unit, as appropriate.

del Hoyo, J. & Collar, N.J. (2014) HBW and BirdLife International Illustrated Checklist of the Birds of the World. Volume 1: Non-passerines. Lynx Edicions, Barcelona.

Hagemeijer, E.J.M. & Blair, M., eds. (1997) The EBCC Atlas of European Breeding Birds: their distribution and abundance. T & A D Poyser, London.

Sokos, C. & Birtsas, P. (2014) The last indigenous black-necked pheasant population in Europe. *G@lliformed* 8: 13–22.

Tucker, G.M. & Heath, M.F. (1994) Birds in Europe: their conservation status. BirdLife International (BirdLife Conservation Series No. 3), Cambridge, UK.

COMMISSION IMPLEMENTING DECISION (EU) 2023/696**of 27 March 2023****accepting a request submitted by the Italian Republic pursuant to Directive (EU) 2016/797 of the European Parliament and of the Council for non-application until 30 June 2024 of point 7.4.2.1 of the Annex to Commission Regulation (EU) 2016/919 for ten ETR675 vehicles***(notified under document C(2023) 1916)***(Only the Italian text is authentic)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union ⁽¹⁾, and in particular Article 7(4) thereof,

Whereas:

- (1) On 23 September 2022, Italy submitted to the Commission a request for temporary non-application until 30 June 2024 of point 7.4.2.1 of the Annex to Commission Regulation (EU) 2016/919 ⁽²⁾, which requires new vehicles to be equipped with on-board European Train Control System (ETCS) Baseline 3 by 1 July 2023 at the latest. The request concerns ten new ETR675 vehicles with consecutive identification numbers ETR675.17 to ETR675.26, supplied by Alstom Ferroviaria S.p.A. The ten vehicles complete an existing fleet of 26 ETR675 vehicles owned by Italo-Nuovo Trasporto Viaggiatori S.p.A (Italo-NTV S.p.A).
- (2) The information provided by the Italian authorities in support of the request enabled the Commission to carry out its analysis.
- (3) In accordance with point 7.4.2.1 of the Annex to Regulation (EU) 2016/919, new vehicles authorised after 16 June 2019 are to comply with the sets of specifications #2 or #3 (ETCS Baseline 3) referred to in Table A 2 of Annex A to that Regulation ⁽³⁾.
- (4) Point 7.4.2.3 of the Annex to Regulation (EU) 2016/919 aims at facilitating the transition from ETCS Baseline 2 towards ETCS Baseline 3 with extended deadlines. In accordance with subpoint 3(b) of that point, certain vehicles equipped with ETCS Baseline 2 and authorised before 31 December 2020 in conformity to a vehicle type authorisation issued before 1 January 2019 may benefit from an extended deadline to 1 July 2023 to comply with ETCS Baseline 3.
- (5) The ten vehicles referred to in the request were ordered in different batches as purchase options after the initial contract was signed on 28 October 2015 between Italo-NTV S.p.A and Alstom Ferroviaria S.p.A for the supply and maintenance of 26 vehicles ETR675 (also known as Pendolino EVO).
- (6) The six vehicles ETR675.17 to ETR675.22 were ordered before 16 June 2019, equipped with ETCS Baseline 2 and authorised to be placed on the market before 31 December 2020. In accordance with point 7.4.2.3 of the Annex to Regulation (EU) 2016/919, those vehicles are required to comply with ETCS Baseline 3 by 1 July 2023.
- (7) The two vehicles ETR675.23 and ETR675.24 were ordered after 16 June 2020, namely on 31 July 2020, equipped with ETCS Baseline 2 and authorised to be placed on the market before 31 December 2020. In accordance with point 7.4.2.3 of the Annex to Regulation (EU) 2016/919, those vehicles are required to comply with ETCS Baseline 3 by 1 July 2023.

⁽¹⁾ OJ L 138, 26.5.2016, p. 44.

⁽²⁾ Commission Regulation (EU) 2016/919 of 27 May 2016 on the technical specification for interoperability relating to the 'control-command and signalling' subsystems of the rail system in the European Union (OJ L 158, 15.6.2016, p. 1).

⁽³⁾ Set of Specifications #1 corresponds to ETCS Baseline 2, GSM-R Baseline 1

Set of Specifications #2 corresponds to ETCS Baseline 3, Maintenance release 1, GSM-R Baseline 1

Set of Specifications #3 corresponds to ETCS Baseline 3, Release 1, GSM-R Baseline 1

- (8) The two vehicles ETR675.25 and ETR675.26, ordered on 31 July 2019, were scheduled for delivery after 31 December 2020. They fell therefore out of the scope of the transitional provision of point 7.4.2.3 of the Annex to Regulation (EU) 2016/919 and should have been equipped with ETCS Baseline 3 in accordance with point 7.4.2.1. of that Annex. Commission Decision C(2021)3233final ⁽⁴⁾ granted a temporary non-application until 30 June 2023. As a result, all ten trains referred to in the request are currently equipped with ETCS Baseline 2 only.
- (9) The migration from ETCS Baseline 2 to ETCS Baseline 3 of the ten vehicles which form the object of this Decision was scheduled over a period ending on 1 July 2023, in accordance with the deadline set under point 7.4.2.3. of the Annex to Regulation (EU) 2016/919.
- (10) However, the safe migration from on-board ETCS Baseline 2 to ETCS Baseline 3 depends on the availability of the upgrade of the Milano-Bologna line to trackside ETCS Baseline 3 for the test that ensures the compatibility of the on-board and track side ETCS Baseline 3. The availability of the line for testing was delayed, due to the late installation of trackside ETCS Baseline 3. Testing will only become possible during the second quarter of 2023, which will delay the first vehicle re-authorisations to November 2023.
- (11) The temporary non-application of point 7.4.2.1 of the Annex to Regulation (EU) 2016/919 for one more year to the ten ETR675 vehicles equipped with ETCS Baseline 2, until their retrofit to ETCS Baseline 3, in the course of regular maintenance, during the period from November 2023 until 30 June 2024, would allow the continuation of services in the absence of any alternatives under commercially and operationally viable conditions.
- (12) A delay in migration would not affect interoperability as the ten vehicles concerned are already equipped with ETCS Baseline 2, and the trackside is also equipped with ETCS Baseline 2 and will gradually migrate to ETCS Baseline 3 until 2025, according to Italy's ERTMS national implementation plan, without affecting the interoperability with both ETCS Baseline 2 and ETCS Baseline 3 equipped vehicles.
- (13) According to the information provided by the Italian authorities, the manufacturer of the vehicles identified with numbers ETR675.17 to ETR675.26, Alstom Ferroviaria S.p.A, and their owner, Italo-NTV S.p.A, have committed to an engineering and installation plan to upgrade those vehicles and the remaining fleet with on-board equipment complying with ETCS Baseline 3. According to that plan, the upgrade should be completed by 30 June 2024.
- (14) The request is based on Article 7(1) point (c) of Directive (EU) 2016/797, which allows a non-application of one or more technical specifications for interoperability (TSI) where the application of the TSI would compromise the economic viability of the project and/or the compatibility of the rail system in the Member States concerned.
- (15) The information provided by the Italian authorities shows that if the request for non-application of point 7.4.2.1 of the Annex to Regulation (EU) 2016/919 were not accepted, the operator would be obliged to install ETCS Baseline 3 in the ten vehicles, temporarily retiring them from service beyond the normal scheduled maintenance. This would have a significant negative economic impact on the operator in the revenue lost due to the lack of commercial service, in the missed invoices, and in the costs necessary for parking the ten vehicles. The alternative provision applied, namely the continued use of ETCS Baseline 2 until the upgrade to ETCS Baseline 3 can be performed in a viable manner, is acceptable as it would not affect interoperability and ensure the continuation of the services.
- (16) For those reasons, the conditions laid down in Article 7(1), point (c), of Directive (EU) 2016/797 should be considered fulfilled, and the differed migration from ETCS Baseline 2 to ETCS Baseline 3 of the ten vehicles with identification numbers ETR675.17 to ETR675.26 should be authorised until 30 June 2024.

⁽⁴⁾ Commission Implementing Decision C(2021) 3233 final of 11 May 2021 accepting a request for non-application of part of the technical specification for interoperability relating to the 'control-command and signalling' subsystems of the rail system in the European Union laid down in Regulation (EU) 2016/919, submitted by the Italian Republic to the Commission in accordance with Article 7(4) of Directive (EU) 2016/797 of the European Parliament and of the Council.

- (17) Therefore, the request submitted by Italy not to apply point 7.4.2.1 of the Annex to Regulation (EU) 2016/919 to those vehicles until 30 June 2024 should be accepted.
- (18) The measures provided for in this Decision are in accordance with the opinion of the Committee referred to in Article 51(1) of Directive (EU) 2016/797,

HAS ADOPTED THIS DECISION:

Article 1

The request of the Italian Republic not to apply point 7.4.2.1 of the Annex to Regulation (EU) 2016/919 to ten ETR675 vehicles with consecutive identification numbers ETR675.17 to ETR675.26 until 30 June 2024 is accepted.

Article 2

This Decision shall apply within the geographic limits of the Italian railway network.

Article 3

This Decision is addressed to the Italian Republic.

It shall apply until 30 June 2024.

Done at Brussels, 27 March 2023.

For the Commission
Adina-Ioana VĂLEAN
Member of the Commission

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 2021/05 OF THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT COMMUNITY

on the revision of Annex I to the Treaty establishing the Transport Community [2023/697]

THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT COMMUNITY,

Having regard to Treaty establishing the Transport Community, and in particular point (a) of Article 20(3) thereof,

Whereas:

- (1) In accordance with point (a) of Article 20(3) of the Treaty establishing the Transport Community ('TCT'), in respect of new legally binding European Union acts, the Regional Steering Committee of the Transport Community is to adopt, inter alia, decisions revising Annex I to the TCT to integrate those acts in the TCT.
- (2) A significant number of new legal acts of the European Union have been adopted in areas covered by the TCT since its signature on 9 October 2017, whereas other legal acts have been repealed. Annex I should therefore be revised to reflect these changes.
- (3) For the sake of legal clarity and simplification, it is appropriate to replace Annex I.1, except for the maps of the indicative Ten-T extension to the Western Balkans (core and comprehensive networks), to Annex I.7 of the TCT, by the text in the Annex to this Decision,

HAS ADOPTED THIS DECISION:

Article 1

Annex I.1, except for the maps of the indicative TEN-T extension to the Western Balkans (core and comprehensive networks), to Annex I.7 the TCT is replaced by the text in the Annex to this Decision.

Article 2

This Decision shall enter into force on the date of its adoption.

Done in Sarajevo, on 28 June 2021.

*For the Regional Steering Committee
The President*

ANNEX

'ANNEX I

RULES APPLICABLE TO THE TRANSPORT SECTOR AND RELATED ISSUES

ANNEX I.1

RULES APPLICABLE TO TRANSPORT INFRASTRUCTURE FORMING THE SOUTH EAST EUROPE CORE NETWORK

The 'Applicable provisions' of the following European Union acts shall be applicable in accordance with the Main Treaty and Annex II on horizontal adaptations unless otherwise specified in this Annex or in Protocols I to VI. Where necessary, specific adaptations for each individual act are set out hereinafter.

The following European Union acts refer to the latest version of such acts as last modified.

Regulatory area	Legislation
TEN-T development	Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU (OJ L 348, 20.12.2013, p. 1). Commission Delegated Regulation (EU) 2016/758 of 4 February 2016 amending Regulation (EU) No 1315/2013 of the European Parliament and of the Council as regards adapting Annex III thereto (OJ L 126, 14.5.2016, p. 3).
Alternative fuels infrastructure	Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure (OJ L 307, 28.10.2014, p. 1).

ANNEX I.2

RULES APPLICABLE TO RAIL TRANSPORT

The 'Applicable provisions' of the following European Union acts shall be applicable in accordance with the Main Treaty and Annex II on horizontal adaptations unless otherwise specified in this Annex or in Protocols I to VI. Where necessary, specific adaptations for each individual act are set out hereinafter.

The following European Union acts refer to the latest version of such acts as last modified.

Regulatory area	Legislation
Market access	Regulation No 11 concerning the abolition of discrimination in transport rates and conditions, in implementation of Article 79(3) of the Treaty establishing the European Economic Community (OJ 52, 16.8.1960, p. 1121). Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area (OJ L 343, 14.12.2012, p. 32). Directive (EU) 2016/2370 of the European Parliament and of the Council of 14 December 2016 amending Directive 2012/34/EU as regards the opening of the market for domestic passenger transport services by rail and the governance of the railway infrastructure (OJ L 352, 23.12.2016, p. 1). Commission Delegated Decision (EU) 2017/2075 of 4 September 2017 replacing Annex VII to Directive 2012/34/EU of the European Parliament and of the Council establishing a single European railway area (OJ L 295, 14.11.2017, p. 69). Commission Implementing Regulation (EU) No 869/2014 of 11 August 2014 on new rail passenger services (OJ L 239, 12.8.2014, p. 1). Commission Implementing Regulation (EU) 2015/10 of 6 January 2015 on criteria for applicants for rail infrastructure capacity and repealing Implementing Regulation (EU) No 870/2014 (OJ L 3, 7.1.2015, p. 34). Commission Implementing Regulation (EU) 2015/171 of 4 February 2015 on certain aspects of the procedure of licensing railway undertakings (OJ L 29, 5.2.2015, p. 3). Commission Implementing Regulation (EU) 2015/429 of 13 March 2015 setting out the modalities to be followed for the application of the charging for the cost of noise effects (OJ L 70, 14.3.2015, p. 36). Commission Implementing Regulation (EU) 2015/909 of 12 June 2015 on the modalities for the calculation of the cost that is directly incurred as a result of operating the train service (OJ L 148, 13.6.2015, p. 17). Commission Implementing Regulation (EU) 2015/1100 of 7 July 2015 on the reporting obligations of the Member States in the framework of rail market monitoring (OJ L 181, 9.7.2015, p. 1). Commission Implementing Regulation (EU) 2016/545 of 7 April 2016 on procedures and criteria concerning framework agreements for the allocation of rail infrastructure capacity (OJ L 94, 8.4.2016, p. 1). Commission Implementing Regulation (EU) 2017/2177 of 22 November 2017 on access to service facilities and rail-related services (OJ L 307, 23.11.2017, p. 1). Commission Implementing Regulation (EU) 2018/1795 of 20 November 2018 laying down procedure and criteria for the application of the economic equilibrium test pursuant to Article 11 of Directive 2012/34/EU of the European Parliament and of the Council (OJ L 294, 21.11.2018, p. 5).

	Regulation (EU) No 913/2010 of the European Parliament and of the Council of 22 September 2010 concerning a European rail network for competitive freight (OJ L 276, 20.10.2010, p. 22). Commission Implementing Decision (EU) 2018/500 of 22 March 2018 on the compliance of the proposal to establish the Alpine-Western Balkan rail freight corridor with Article 5 of Regulation (EU) No 913/2010 of the European Parliament and of the Council (OJ L 82, 26.3.2018, p. 13). Commission Implementing Decision (EU) 2018/491 of 21 March 2018 on the compliance of the joint proposal submitted by the Member States concerned for the extension of the North Sea Mediterranean rail freight corridor with Article 5 of Regulation (EU) No 913/2010 of the European Parliament and of the Council (OJ L 81, 23.3.2018, p. 23). Commission Implementing Decision (EU) 2018/300 of 11 January 2018 on the compliance of the joint proposal submitted by the Member States concerned for the extension of the Atlantic rail freight corridor with Article 5 of Regulation (EU) No 913/2010 of the European Parliament and of the Council (OJ L 56, 28.2.2018, p. 60). Commission Implementing Decision (EU) 2017/178 of 31 January 2017 amending Implementing Decision (EU) 2015/1111 on the compliance of the joint proposal of the Member States concerned to extend the North Sea-Baltic rail freight corridor with Article 5 of Regulation (EU) No 913/2010 of the European Parliament and of the Council concerning a European rail network for competitive freight (OJ L 28, 2.2.2017, p. 71). Commission Implementing Decision (EU) 2017/177 of 31 January 2017 on the compliance with Article 5 of Regulation (EU) No 913/2010 of the European Parliament and of the Council of the joint proposal to establish the 'Amber' rail freight corridor (OJ L 28, 2.2.2017, p. 69). Commission Implementing Decision (EU) 2015/1111 of 7 July 2015 on the compliance of the joint proposal submitted by the Member States concerned for the extension of the North Sea-Baltic rail freight corridor with Article 5 of Regulation (EU) No 913/2010 of the European Parliament and of the Council concerning a European rail network for competitive freight (OJ L 181, 9.7.2015, p. 82).
Train driver licensing	Directive 2007/59/EC of the European Parliament and of the Council of 23 October 2007 on the certification of train drivers operating locomotives and trains on the railway system in the Community (OJ L 315, 3.12.2007, p. 51). Commission Regulation (EU) 2019/554 of 5 April 2019 amending Annex VI to Directive 2007/59/EC of the European Parliament and of the Council on the certification of train drivers operating locomotives and trains on the railway system in the Community (OJ L 97, 8.4.2019, p. 1). Commission Regulation (EU) No 36/2010 of 3 December 2009 on Community models for train driving licences, complementary certificates, certified copies of complementary certificates and application forms for train driving licences, under Directive 2007/59/EC of the European Parliament and the Council (OJ L 13, 19.1.2010, p. 1). Commission Decision 2010/17/EC of 29 October 2009 on the adoption of basic parameters for registers of train driving licences and complementary certificates provided for under Directive 2007/59/EC of the European Parliament and of the Council (OJ L 8, 13.1.2010, p. 17). Commission Decision 2011/765/EU of 22 November 2011 on criteria for the recognition of training centres involved in the training of train drivers, on criteria for the recognition of examiners of train drivers and on criteria for the organisation of examinations in accordance with Directive 2007/59/EC of the European Parliament and of the Council (OJ L 314, 29.11.2011, p. 36).

Interoperability	Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union (OJ L 138, 26.5.2016, p. 44). Commission Implementing Regulation (EU) 2018/545 of 4 April 2018 establishing practical arrangements for the railway vehicle authorisation and railway vehicle type authorisation process pursuant to Directive (EU) 2016/797 of the European Parliament and of the Council (OJ L 90, 6.4.2018, p. 66). Commission Delegated Decision (EU) 2017/1474 of 8 June 2017 supplementing Directive (EU) 2016/797 of the European Parliament and of the Council with regard to specific objectives for the drafting, adoption and review of technical specifications for interoperability (OJ L 210, 15.8.2017, p. 5). Commission Implementing Decision (EU) 2018/1614 of 25 October 2018 laying down specifications for the vehicle registers referred to in Article 47 of Directive (EU) 2016/797 of the European Parliament and of the Council and amending and repealing Commission Decision 2007/756/EC (OJ L 268, 26.10.2018, p. 53). Commission Decision 2009/965/EC of 30 November 2009 on the reference document referred to in Article 27(4) of Directive 2008/57/EC of the European Parliament and of the Council on the interoperability of the rail system within the Community (OJ L 341, 22.12.2009, p. 1). Commission Regulation (EU) No 1299/2014 of 18 November 2014 on the technical specifications for interoperability relating to the 'infrastructure' subsystem of the rail system in the European Union (OJ L 356, 12.12.2014, p. 1). Commission Regulation (EU) No 1300/2014 of 18 November 2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility (OJ L 356, 12.12.2014, p. 110). Commission Implementing Regulation (EU) 2019/772 of 16 May 2019 amending Regulation (EU) No 1300/2014 as regards inventory of assets with a view to identifying barriers to accessibility, providing information to users and monitoring and evaluating progress on accessibility (OJ L 139I, 27.5.2019, p. 1). Commission Regulation (EU) No 1301/2014 of 18 November 2014 on the technical specifications for interoperability relating to the 'energy' subsystem of the rail system in the Union (OJ L 356, 12.12.2014, p. 179). Commission Implementing Regulation (EU) 2018/868 of 13 June 2018 amending Regulation (EU) No 1301/2014 and Regulation (EU) No 1302/2014 as regards provisions on energy measuring system and data collecting system (OJ L 149, 14.6.2018, p. 16). Commission Regulation (EU) No 1302/2014 of 18 November 2014 concerning a technical specification for interoperability relating to the 'rolling stock – locomotives and passenger rolling stock' subsystem of the rail system in the European Union (OJ L 356, 12.12.2014, p. 228). Commission Regulation (EU) No 1303/2014 of 18 November 2014 concerning the technical specification for interoperability relating to 'safety in railway tunnels' of the rail system of the European Union (OJ L 356, 12.12.2014, p. 394). Commission Regulation (EU) No 1304/2014 of 26 November 2014 on the technical specification for interoperability relating to the subsystem 'rolling stock – noise' amending Decision 2008/232/EC and repealing Decision 2011/229/EU (OJ L 356, 12.12.2014, p. 421).
------------------	---

Commission Implementing Regulation (EU) 2019/774 of 16 May 2019 amending Regulation (EU) No 1304/2014 as regards application of the technical specification for interoperability relating to the subsystem 'rolling stock – noise' to the existing freight wagons (OJ L 139I, 27.5.2019, p. 89).

Commission Regulation (EU) No 1305/2014 of 11 December 2014 on the technical specification for interoperability relating to the telematics applications for freight subsystem of the rail system in the European Union and repealing the Regulation (EC) No 62/2006 (OJ L 356, 12.12.2014, p. 438).

Commission Implementing Regulation (EU) 2018/278 of 23 February 2018 amending the Annex to Regulation (EU) No 1305/2014 as regards the structure of the messages, data and message model, Wagon and Intermodal Unit Operating Database, and to adopt an IT standard for the communication layer of the Common Interface (OJ L 54, 24.2.2018, p. 11).

Commission Implementing Regulation (EU) 2019/778 of 16 May 2019 amending Regulation (EU) No 1305/2014 as regards Change Control Management (OJ L 139I, 27.5.2019, p. 356).

Commission Implementing Decision 2011/665/EU of 4 October 2011 on the European register of authorised types of railway vehicles (OJ L 64, 8.10.2011, p. 32).

Commission Implementing Regulation (EU) 2019/777 of 16 May 2019 on the common specifications for the register of railway infrastructure and repealing Implementing Decision 2014/880/EU (OJ L 139I, 27.5.2019, p. 312).

Commission Decision 2012/757/EU of 14 November 2012 concerning the technical specification for interoperability relating to the 'operation and traffic management' subsystem of the rail system in the European Union and amending Decision 2007/756/EC (OJ L 345, 15.12.2012, p. 1).

Commission Implementing Regulation (EU) 2019/773 of 16 May 2019 on the technical specification for interoperability relating to the operation and traffic management subsystem of the rail system within the European Union and repealing Decision 2012/757/EU (OJ L 139I, 27.5.2019, p. 5)

Commission Regulation (EU) No 454/2011 of 5 May 2011 on the technical specification for interoperability relating to the subsystem 'telematics applications for passenger services' of the trans-European rail system (OJ L 123, 12.5.2011, p. 11).

Commission Implementing Regulation (EU) 2019/250 of 12 February 2019 on the templates for 'EC' declarations and certificates for railway interoperability constituents and subsystems, on the model of declaration of conformity to an authorised railway vehicle type and on the 'EC' verification procedures for subsystems in accordance with Directive (EU) 2016/797 of the European Parliament and of the Council and repealing Commission Regulation (EU) No 201/2011 (OJ L 42, 13.2.2019, p. 9).

Commission Regulation (EU) 2016/919 of 27 May 2016 on the technical specification for interoperability relating to the 'control-command and signalling' subsystems of the rail system in the European Union (OJ L 158, 15.6.2016, p. 1).

Commission Regulation (EU) No 321/2013 of 13 March 2013 concerning the technical specification for interoperability relating to the subsystem 'rolling stock – freight wagons' of the rail system in the European Union and repealing Decision 2006/861/EC (OJ L 104, 12.4.2013, p. 1).

	Commission Decision 2010/713/EU of 9 November 2010 on modules for the procedures for assessment of conformity, suitability for use and EC verification to be used in the technical specifications for interoperability adopted under Directive 2008/57/EC of the European Parliament and of the Council (OJ L 319, 4.12.2010, p. 1). Commission Implementing Regulation (EU) 2019/776 of 16 May 2019 amending Commission Regulations (EU) No 321/2013, (EU) No 1299/2014, (EU) No 1301/2014, (EU) No 1302/2014, (EU) No 1303/2014 and (EU) 2016/919 and Commission Implementing Decision 2011/665/EU as regards the alignment with Directive (EU) 2016/797 of the European Parliament and of the Council and the implementation of specific objectives set out in Commission Delegated Decision (EU) 2017/1474 (OJ L 139I, 27.5.2019, p. 108). Commission Implementing Regulation (EU) 2020/387 of 9 March 2020 amending Regulations (EU) No 321/2013, (EU) No 1302/2014 and (EU) 2016/919 as regards the extension of the area of use and transition phases (OJ L 73, 10.3.2020, p. 6). Commission Implementing Regulation (EU) 2020/424 of 19 March 2020 on submitting information to the Commission as regards non-application of technical specifications for interoperability in accordance with Directive (EU) 2016/797 (OJ L 84, 20.3.2020, p. 20).
European Union Agency for Railways	Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004 (OJ L 138, 26.5.2016, p. 1). Commission Implementing Regulation (EU) 2018/867 of 13 June 2018 laying down the rules of procedure of the Board(s) of Appeal of the European Union Agency for Railways (OJ L 149, 14.6.2018, p. 3). Commission Implementing Regulation (EU) 2018/764 of 2 May 2018 on the fees and charges payable to the European Union Agency for Railways and their conditions of payment (OJ L 129, 25.5.2018, p. 68).
Railway safety	Directive (EU) 2016/798 of the European Parliament and of the Council of 11 May 2016 on railway safety (OJ L 138, 26.5.2016, p. 102). Commission implementing Regulation (EU) 2018/763 of 9 April 2018 establishing practical arrangements for issuing single safety certificates to railway undertakings pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council, and repealing Commission Regulation (EC) No 653/2007 (OJ L 129, 25.5.2018, p. 49). Commission implementing Regulation (EU) 2019/779 of 16 May 2019 laying down detailed provisions on a system of certification of entities in charge of maintenance of vehicles pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council and repealing Commission Regulation (EU) No 445/2011 (OJ L 139I, 27.5.2019, p. 360). Commission Regulation (EU) No 1158/2010 of 9 December 2010 on a common safety method for assessing conformity with the requirements for obtaining railway safety certificates (OJ L 326, 10.12.2010, p. 11). Commission delegated Regulation (EU) 2018/762 of 8 March 2018 establishing common safety methods on safety management system requirements pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council and repealing Commission Regulations (EU) No 1158/2010 and (EU) No 1169/2010 (OJ L 129, 25.5.2018, p. 26).

	Commission Regulation (EU) No 1169/2010 of 10 December 2010 on a common safety method for assessing conformity with the requirements for obtaining a railway safety authorisation (OJ L 327, 11.12.2010, p. 13). Commission Regulation (EU) No 1078/2012 of 16 November 2012 on a common safety method for monitoring to be applied by railway undertakings, infrastructure managers after receiving a safety certificate or safety authorisation and by entities in charge of maintenance (OJ L 320, 17.11.2012, p. 8). Commission delegated Regulation (EU) 2018/761 of 16 February 2018 establishing common safety methods for supervision by national safety authorities after the issue of a single safety certificate or a safety authorisation pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council and repealing Commission Regulation (EU) No 1077/2012 (OJ L 129, 25.5.2018, p. 16). Commission Decision 2009/460/EC of 5 June 2009 on the adoption of a common safety method for assessment of achievement of safety targets, as referred to in Article 6 of Directive 2004/49/EC of the European Parliament and of the Council (OJ L 150, 13.6.2009, p. 11). Commission recommendation (EU) 2019/780 of 16 May 2019 on practical arrangements for issuing safety authorisations to infrastructure managers (OJ L 139I, 27.5.2019, p. 390).
Inland transport of dangerous goods	Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260, 30.9.2008, p. 13).
Transportable pressure equipment	Directive 2010/35/EU of the European Parliament and of the Council of 16 June 2010 on transportable pressure equipment and repealing Council Directives 76/767/EEC, 84/525/EEC, 84/526/EEC, 84/527/EEC and 1999/36/EC (OJ L 165, 30.6.2010, p. 1).
Social field – working time/hours	Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time (OJ L 299, 18.11.2003, p. 9). Council Directive 2005/47/EC of 18 July 2005 on the Agreement between the Community of European Railways (CER) and the European Transport Workers' Federation (ETF) on certain aspects of the working conditions of mobile workers engaged in interoperable cross-border services in the railway sector – Agreement concluded by the European Transport Workers' Federation (ETF) and the Community of European Railways (CER) on certain aspects of the working conditions of mobile workers engaged in interoperable cross-border services (OJ L 195, 27.7.2005, p. 15).
Passenger rights	Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations (OJ L 315, 3.12.2007, p. 14).
Electronic freight transport information	Regulation (EU) 2020/1056 of the European Parliament and of the Council of 15 July 2020 on electronic freight transport information (OJ L 249, 31.7.2020, p. 33).

ANNEX I.3

RULES APPLICABLE TO ROAD TRANSPORT

The 'Applicable provisions' of the following European Union acts shall be applicable in accordance with the Main Treaty and Annex II on horizontal adaptations unless otherwise specified in this Annex or in Protocols I to VI. Where necessary, specific adaptations for each individual act are set out hereinafter.

The following European Union acts refer to the latest version of such acts as last modified.

Regulatory area	Legislation
Road charging infrastructure – annual vehicle taxes	Directive 1999/62/EC of the European Parliament and of the Council of 17 June 1999 on the charging of heavy goods vehicles for the use of certain infrastructures (OJ L 187, 20.7.1999, p. 42).
Admission to the occupation of road operator	Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ L 300, 14.11.2009, p. 51). Regulation (EU) 2020/1055 of the European Parliament and of the Council of 15 July 2020 amending Regulations (EC) No 1071/2009, (EC) No 1072/2009 and (EU) No 1024/2012 with a view to adapting them to developments in the road transport sector (OJ L 249, 31.7.2020, p. 17). (See however Article 4 of Regulation (EU) 2020/1055 on the date of entry into force or application)
Social provisions - driving time and rest periods	Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85 (OJ L 102, 11.4.2006, p. 1). Commission Regulation (EU) No 581/2010 of 1 July 2010 on the maximum periods for the downloading of relevant data from vehicle units and from driver cards (OJ L 168, 2.7.2010, p. 16). Regulation (EU) 2020/1054 of the European Parliament and of the Council of 15 July 2020 amending Regulation (EC) No 561/2006 as regards minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods and Regulation (EU) No 165/2014 as regards positioning by means of tachographs (OJ L 249, 31.7.2020, p. 1).
Tachograph	Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport (OJ L 60, 28.2.2014, p. 1). Commission Implementing Regulation (EU) 2016/68 of 21 January 2016 on common procedures and specifications necessary for the interconnection of electronic registers of driver cards (OJ L 15, 22.1.2016, p. 51). Commission Implementing Regulation (EU) 2016/799 of 18 March 2016 implementing Regulation (EU) No 165/2014 of the European Parliament and of the Council laying down the requirements for the construction, testing, installation, operation and repair of tachographs and their components (OJ L 139, 26.5.2016, p. 1).

	Commission Implementing Regulation (EU) 2018/502 of 28 February 2018 amending Implementing Regulation (EU) 2016/799 laying down the requirements for the construction, testing, installation, operation and repair of tachographs and their components (OJ L 85, 28.3.2018, p. 1). Council Regulation (EEC) No 3821/85 on recording equipment in road transport (OJ L 370, 31.12.1985, p. 8). (See however Article 46 of Regulation (EU) No 165/2014). Regulation (EU) 2020/1054 of the European Parliament and of the Council of 15 July 2020 amending Regulation (EC) No 561/2006 as regards minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods and Regulation (EU) No 165/2014 as regards positioning by means of tachographs (OJ L 249, 31.7.2020, p. 1).
Enforcement of social legislation	Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC (OJ L 102, 11.4.2006, p. 35), as amended by: Directive (EU) 2020/1057 of the European Parliament and of the Council of 15 July 2020 laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road transport sector and amending Directive 2006/22/EC as regards enforcement requirements and Regulation (EU) No 1024/2012 (OJ L 249, 31.7.2020, p. 49). (See however Article 9 of Directive (EU) 2020/1057 on transposition)
Form of attestation of activities	Commission Decision 2007/230/EC of 12 April 2007 on a form concerning social legislation relating to road transport activities (OJ L 99, 14.4.2007, p. 14).
Working time	Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities (OJ L 80, 23.3.2002, p. 35).
Transportable pressure equipment	Directive 2010/35/EU of the European Parliament and of the Council of 16 June 2010 on transportable pressure equipment and repealing Council Directives 76/767/EEC, 84/525/EEC, 84/526/EEC, 84/527/EEC and 1999/36/EC (OJ L 165, 30.6.2010, p. 1).
Roadworthiness	Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC (OJ L 127, 29.4.2014, p. 51).
Roadside inspection	Directive 2014/47/EU of the European Parliament and of the Council of 3 April 2014 on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC (OJ L 127, 29.4.2014, p. 134).
Speed limitation devices	Council Directive 92/6/EEC of 10 February 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community (OJ L 57, 2.3.1992, p. 27).
Safety belts	Council Directive 91/671/EEC of 16 December 1991 relating to the compulsory use of safety belts and child-restraint systems in vehicles (OJ L 373, 31.12.1991, p. 26).

Mirrors	Directive 2007/38/EC of the European Parliament and of the Council of 11 July 2007 on the retrofitting of mirrors to heavy goods vehicles registered in the Community (OJ L 184, 14.7.2007, p. 25).
Registration documents	Council Directive 1999/37/EC of 29 April 1999 on the registration documents for vehicles (OJ L 138, 1.6.1999, p. 57). Council Directive 2006/103/EC of 20 November 2006 adapting certain Directives in the field of transport policy, by reason of the accession of Bulgaria and Romania (OJ L 363, 20.12.2006, p. 344).
Training of drivers	Directive 2003/59/EC of the Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC (OJ L 226, 10.9.2003, p. 4). Directive (EU) 2018/645 of the European Parliament and of the Council of 18 April 2018 amending Directive 2003/59/EC on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers and Directive 2006/126/EC on driving licences (OJ L 112, 2.5.2018, p. 29).
Driving licence	Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences (OJ L 403, 30.12.2006, p. 18). Commission Regulation (EU) No 383/2012 of 4 May 2012 laying down technical requirements with regard to driving licences which include a storage medium (microchip) (OJ L 120, 5.5.2012, p. 1).
Cross-border exchange of information	Directive (EU) 2015/413 of the European Parliament and of the Council of 11 March 2015 facilitating cross-border exchange of information on road-safety-related traffic offences (OJ L 68, 13.3.2015, p. 9).
Inland transport of dangerous goods	Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260, 30.9.2008, p. 13).
Checks on transport of dangerous goods	Council Directive 95/50/EC of 6 October 1995 on uniform procedures for checks on the transport of dangerous goods by road (OJ L 249, 17.10.1995, p. 35).
Tunnels	Directive 2004/54/EC of the European Parliament and of the Council of 29 April 2004 on minimum safety requirements for tunnels in the trans-European road network (OJ L 167, 30.4.2004, p. 39).
Road infrastructure safety management	Directive 2008/96/EC of the European Parliament and of the Council of 19 November 2008 on road infrastructure safety management (OJ L 319, 29.11.2008, p. 59).
Dimensions and weight of vehicles	Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic (OJ L 235, 17.9.1996, p. 59).
Passenger rights	Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (OJ L 55, 28.2.2011, p. 1).

Clean vehicles and/or alternative fuels infrastructure	Directive 2009/33/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of clean road transport vehicles in support of low-emission mobility (OJ L 120, 15.5.2009, p. 5). Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure (OJ L 307, 28.10.2014, p. 1).
Intelligent Transport Systems	Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport (OJ L 207, 6.8.2010, p. 1). Commission Implementing Decision 2011/453/EU of 13 July 2011 adopting guidelines for reporting by the Member States under Directive 2010/40/EU of the European Parliament and of the Council (OJ L 193, 23.7.2011, p. 48). Commission Implementing Decision (EU) 2016/209 of 12 February 2016 on a standardisation request to the European standardisation organisations as regards Intelligent Transport Systems (ITS) in urban areas in support of Directive 2010/40/EU of the European Parliament and of the Council on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport (OJ L 39, 16.2.2016, p. 48). Commission Delegated Regulation (EU) No 305/2013 of 26 November 2012 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the harmonised provision for an interoperable EU-wide eCall (OJ L 91, 3.4.2013, p. 1). Commission Delegated Regulation (EU) No 885/2013 of 15 May 2013 supplementing ITS Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of information services for safe and secure parking places for trucks and commercial vehicles (OJ L 247, 18.9.2013, p. 1). Commission Delegated Regulation (EU) No 886/2013 of 15 May 2013 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to data and procedures for the provision, where possible, of road safety-related minimum universal traffic information free of charge to users (OJ L 247, 18.9.2013, p. 6). Commission Delegated Regulation (EU) 2015/962 of 18 December 2014 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of EU-wide real-time traffic information services (OJ L 157, 23.6.2015, p. 21). Decision No 585/2014/EU of the European Parliament and of the Council of 15 May 2014 on the deployment of the interoperable EU-wide eCall service (OJ L 164, 3.6.2014, p. 6).
Road toll systems	Directive 2004/52/EC of the European Parliament and of the Council of 29 April 2004 on the interoperability of electronic road toll systems in the Community (OJ L 166, 30.4.2004, p. 124). Directive (EU) 2019/520 of the European Parliament and of the Council of 19 March 2019 on the interoperability of electronic road toll systems and facilitating cross-border exchange of information on the failure to pay road fees in the Union (OJ L 91, 29.3.2019, p. 45). Commission Decision 2009/750/EC of 6 October 2009 on the definition of the European Electronic Toll Service and its technical elements (OJ L 268, 13.10.2009, p. 11).

Type approval	Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (OJ L 151, 14.6.2018, p. 1). Regulation (EU) No 167/2013 of the European Parliament and of the Council of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles (OJ L 60, 2.3.2013, p. 1). Regulation (EU) No 168/2013 of the European Parliament and of the Council of 15 January 2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles (OJ L 60, 2.3.2013, p. 52).
Electronic freight transport information	Regulation (EU) 2020/1056 of the European Parliament and of the Council of 15 July 2020 on electronic freight transport information (OJ L 249, 31.7.2020, p. 33). (to the extent relevant for acts falling within the scope of this Annex) ⁽¹⁾

⁽¹⁾ On scope, see Article 2 of Regulation (EU) 2020/1056. Directive 92/106/EEC and Regulation (EC) No 1072/2009 are not listed in this annex. The extent to which Regulation (EU) 2020/1056 covers aspects linked to those acts it is not relevant.

ANNEX I.4

RULES APPLICABLE TO MARITIME TRANSPORT

The 'Applicable provisions' of the following European Union acts shall be applicable in accordance with the Main Treaty and Annex II on horizontal adaptations unless otherwise specified in this Annex or in Protocols I to VI. Where necessary, specific adaptations for each individual act are set out hereinafter.

The following European Union acts refer to the latest version of such acts as last modified.

Regulatory area	Legislation
Maritime policy	Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council (OJ L 149, 20.5.2014, p. 1).
Access to the market	Council Regulation (EEC) No 3577/92 of 7 December 1992 applying the principle of freedom to provide services to maritime transport within Member States (maritime cabotage) (OJ L 364, 12.12.1992, p. 7). Council Regulation (EEC) No 4055/86 of 22 December 1986 applying the principle of freedom to provide services to maritime transport between Member States and between Member States and third countries (OJ L 378, 31.12.1986, p. 1). Regulation (EC) No 789/2004 of the European Parliament and of the Council of 21 April 2004 on the transfer of cargo and passenger ships between registers within the Community and repealing Council Regulation (EEC) No 613/91 (OJ L 138, 30.4.2004, p. 19). Council Regulation (EEC) No 4058/86 of 22 December 1986 concerning coordinated action to safeguard free access to cargoes in ocean trades (OJ L 378, 31.12.1986, p. 21).
International relations	Council Regulation (EEC) No 4057/86 of 22 December 1986 on unfair pricing practices in maritime transport (OJ L 378, 31.12.1986, p. 14).
International agreements	Council Decision 2012/22/EU of 12 December 2011 concerning the accession of the European Union to the Protocol of 2002 to the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974, with the exception of Articles 10 and 11 thereof (OJ L 8, 12.1.2012, p. 1). Council Decision 2012/23/EU of 12 December 2011 concerning the accession of the European Union to the Protocol of 2002 to the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974, as regards Articles 10 and 11 thereof (OJ L 8, 12.1.2012, p. 13).
Ship inspection and survey organisations – recognised organisations	Directive 2009/15/EC of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations (OJ L 131, 28.5.2009, p. 47). Commission Decision 2009/491/EC of 16 June 2009 on criteria to be followed in order to decide when the performance of an organisation acting on behalf of a flag State can be considered an unacceptable threat to safety and the environment (OJ L 162, 25.6.2009, p. 6). Regulation (EC) No 391/2009 of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organisations (OJ L 131, 28.5.2009, p. 11).

	Commission Regulation (EU) No 788/2014 of 18 July 2014 laying down detailed rules for the imposition of fines and periodic penalty payments and the withdrawal of recognition of ship inspection and survey organisations pursuant to Articles 6 and 7 of Regulation (EC) No 391/2009 of the European Parliament and of the Council (OJ L 214, 19.7.2014, p. 12).
Flag State	Directive 2009/21/EC of the European Parliament and of the Council of 23 April 2009 on compliance with flag State requirements (OJ L 131, 28.5.2009, p. 132).
Port State control	Directive 2009/16/EC of the European Parliament and of the Council of 23 April 2009 on port State control (OJ L 131, 28.5.2009, p. 57).
Vessel traffic monitoring	Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC (OJ L 208, 5.8.2002, p. 10).
International Safety Management Code	Regulation (EC) No 336/2006 of the European Parliament and of the Council of 15 February 2006 on the implementation of the International Safety Management Code within the Community and repealing Council Regulation (EC) No 3051/95 (OJ L 64, 4.3.2006, p. 1).
Reporting formalities	Directive 2010/65/EU of the European Parliament and of the Council of 20 October 2010 on reporting formalities for ships arriving in and/or departing from ports of the Member States and repealing Directive 2002/6/EC (OJ L 283, 29.10.2010, p. 1).
Marine equipment	Directive 2014/90/EU of the European Parliament and of the Council of 23 July 2014 on marine equipment and repealing Council Directive 96/98/EC (OJ L 257, 28.8.2014, p. 146).
Passenger ships	Directive 2003/25/EC of the European Parliament and of the Council of 14 April 2003 on specific stability requirements for ro-ro passenger ships (OJ L 123, 17.5.2003, p. 22). Regulation (EC) No 392/2009 of the European Parliament and of the Council of 23 April 2009 on the liability of carriers of passengers by sea in the event of accidents (OJ L 131, 28.5.2009, p. 24). Council Directive 98/41/EC of 18 June 1998 on the registration of persons sailing on board passenger ships operating to or from ports of the Member States of the Community (OJ L 188, 2.7.1998, p. 35). Directive 2009/45/EC of the European Parliament and of the Council of 6 May 2009 on safety rules and standards for passenger ships (OJ L 163, 25.6.2009, p. 1). Directive (EU) 2017/2110 of the European Parliament and of the Council of 15 November 2017 on a system of inspections for the safe operation of ro-ro passenger ships and high-speed passenger craft in regular service and amending Directive 2009/16/EC and repealing Council Directive 1999/35/EC (OJ L 315, 30.11.2017, p. 61).
Safety of fishing vessels	Council Directive 97/70/EC of 11 December 1997 setting up a harmonised safety regime for fishing vessels of 24 metres in length and over (OJ L 34, 9.2.1998, p. 1).
Oil tankers	Regulation (EU) No 530/2012 of the European Parliament and of the Council of 13 June 2012 on the accelerated phasing-in of double-hull or equivalent design requirements for single-hull oil tankers (OJ L 172, 30.6.2012, p. 3).
Bulk carriers	Directive 2001/96/EC of the European Parliament and of the Council of 4 December 2001 establishing harmonised requirements and procedures for the safe loading and unloading of bulk carriers (OJ L 13, 16.1.2002, p. 9).

Accident investigation	Directive 2009/18/EC of the European Parliament and of the Council of 23 April 2009 establishing the fundamental principles governing the investigation of accidents in the maritime transport sector and amending Council Directive 1999/35/EC and Directive 2002/59/EC of the European Parliament and of the Council (OJ L 131, 28.5.2009, p. 114). Commission Implementing Regulation (EU) No 651/2011 of 5 July 2011 adopting the rules of procedure of the permanent cooperation framework established by Member States in cooperation with the Commission pursuant to Article 10 of Directive 2009/18/EC of the European Parliament and of the Council (OJ L 177, 6.7.2011, p. 18). Commission Regulation (EU) No 1286/2011 of 9 December 2011 adopting a common methodology for investigating marine casualties and incidents developed pursuant to Article 5(4) of Directive 2009/18/EC of the European Parliament and of the Council (OJ L 328, 10.12.2011, p. 36).
Insurance	Directive 2009/20/EC of the European Parliament and of the Council of 23 April 2009 on the insurance of shipowners for maritime claims (OJ L 131, 28.5.2009, p. 128).
Ship-source pollution	Directive 2005/35/EC of the European Parliament and of the Council of 7 September 2005 on ship-source pollution and on the introduction of penalties, including criminal penalties, for pollution offences (OJ L 255, 30.9.2005, p. 11).
Ship-generated waste	Directive (EU) 2019/883 of the European Parliament and of the Council of 17 April 2019 on port reception facilities for the delivery of waste from ships, amending Directive 2010/65/EU and repealing Directive 2000/59/EC (OJ L 151, 7.6.2019, p. 116).
Organotin compounds	Regulation (EC) No 782/2003 of the European Parliament and of the Council of 14 April 2003 on the prohibition of organotin compounds on ships (OJ L 115, 9.5.2003, p. 1).
Maritime security	Regulation (EC) No 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security (OJ L 129, 29.4.2004, p. 6). Directive 2005/65/EC of the European Parliament and of the Council of 26 October 2005 on enhancing port security (OJ L 310, 25.11.2005, p. 28). Commission Regulation (EC) No 324/2008 of 9 April 2008 laying down revised procedures for conducting Commission inspections in the field of maritime security (OJ L 98, 10.4.2008, p. 5).
Training of seafarers	Directive 2008/106/EC of the European Parliament and of the Council of 19 November 2008 on the minimum level of training of seafarers (OJ L 323, 3.12.2008, p. 33). Directive (EU) 2019/1159 of the European Parliament and of the Council of 20 June 2019 amending Directive 2008/106/EC on the minimum level of training of seafarers and repealing Directive 2005/45/EC on the mutual recognition of seafarers' certificates issued by the Member States (OJ L 188, 12.7.2019, p. 94).
Social aspects	Directive 2013/54/EU of the European Parliament and of the Council of 20 November 2013 concerning certain flag State responsibilities for compliance with and enforcement of the Maritime Labour Convention, 2006 (OJ L 329, 10.12.2013, p. 1). Council Directive 1999/63/EC of 21 June 1999 concerning the Agreement on the organisation of working time of seafarers concluded by the European Community Shipowners' Association (ECSA) and the Federation of Transport Workers' Unions in the European Union (FST) (OJ L 167, 2.7.1999, p. 33).

	Directive 1999/95/EC of the European Parliament and of the Council of 13 December 1999 concerning the enforcement of provisions in respect of seafarers' hours of work on board ships calling at Community ports (OJ L 14, 20.1.2000, p. 29). Council Directive 2009/13/EC of 16 February 2009 implementing the Agreement concluded by the European Community Shipowners' Associations (ECSA) and the European Transport Workers' Federation (ETF) on the Maritime Labour Convention, 2006, and amending Directive 1999/63/EC (OJ L 124, 20.5.2009, p. 30). Council Directive 92/29/EEC of 31 March 1992 on the minimum safety and health requirements for improved medical treatment on board vessels (OJ L 113, 30.4.1992, p. 19).
Passenger rights	Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending Regulation (EC) No 2006/2004 (OJ L 334, 17.12.2010, p. 1).
Transportable pressure equipment	Directive 2010/35/EU of the European Parliament and of the Council of 16 June 2010 on transportable pressure equipment and repealing Council Directives 76/767/EEC, 84/525/EEC, 84/526/EEC, 84/527/EEC and 1999/36/EC (OJ L 165, 30.6.2010, p. 1).
European Maritime Safety Agency	Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency (OJ L 208, 5.8.2002, p. 1).
Committee on Safe Seas and the Prevention of Pollution from Ships	Regulation (EC) No 2099/2002 of the European Parliament and of the Council of 5 November 2002 establishing a Committee on Safe Seas and the Prevention of Pollution from Ships (COSS) and amending the Regulations on maritime safety and the prevention of pollution from ships (OJ L 324, 29.11.2002, p. 1).
Port Services	Regulation (EU) 2017/352 of the European Parliament and of the Council of 15 February 2017 establishing a framework for the provision of port services and common rules on the financial transparency of ports (OJ L 57, 3.3.2017, p. 1).
Maritime Single Window	Regulation (EU) 2019/1239 of the European Parliament and of the Council of 20 June 2019 establishing a European Maritime Single Window environment and repealing Directive 2010/65/EU (OJ L 198, 25.7.2019, p. 64).
Environment	Directive (EU) 2016/802 of the European Parliament and of the Council of 11 May 2016 relating to a reduction in the sulphur content of certain liquid fuels (OJ L 132, 21.5.2016, p. 58). Commission Implementing Decision (EU) 2015/253 of 16 February 2015 laying down the rules concerning the sampling and reporting under Council Directive 1999/32/EC as regards the sulphur content of marine fuels (OJ L 41, 17.2.2015, p. 55).

ANNEX I.5

RULES APPLICABLE TO INLAND WATERWAY TRANSPORT

The 'Applicable provisions' of the following European Union acts shall be applicable in accordance with the Main Treaty and Annex II on horizontal adaptations unless otherwise specified in this Annex or in Protocols I to VI. Where necessary, specific adaptations for each individual act are set out hereinafter.

The following European Union acts refer to the latest version of such acts as last modified.

Regulatory area	Legislation
Access to the market	Council Regulation (EC) No 1356/96 of 8 July 1996 on common rules applicable to the transport of goods or passengers by inland waterway between Member States with a view to establishing freedom to provide such transport services (OJ L 175, 13.7.1996, p. 7). Council Regulation (EEC) No 3921/91 of 16 December 1991 laying down the conditions under which non-resident carriers may transport goods or passengers by inland waterway within a Member State (OJ L 373, 31.12.1991, p. 1). Council Regulation (EC) No 718/1999 of 29 March 1999 on a Community fleet capacity policy to promote inland waterway transport (OJ L 90, 2.4.1999, p. 1). Council Directive 96/75/EC of 19 November 1996 on the systems of chartering and pricing in national and international inland waterway transport in the Community (OJ L 304, 27.11.1996, p. 12). Council Regulation (EEC) No 2919/85 of 17 October 1985 laying down the conditions for access to the arrangements under the Revised Convention for the navigation of the Rhine relating to vessels belonging to the Rhine Navigation (OJ L 280, 22.10.1985, p. 4).
Access to the profession	Council Directive 87/540/EEC of 9 November 1987 on access to the occupation of carrier of goods by waterway in national and international transport and on the mutual recognition of diplomas, certificates and other evidence of formal qualifications for this occupation (OJ L 322, 12.11.1987, p. 20). Directive (EU) 2017/2397 of the European Parliament and of the Council of 12 December 2017 on the recognition of professional qualifications in inland navigation and repealing Council Directives 91/672/EEC and 96/50/EC (OJ L 345, 27.12.2017, p. 53). Commission Delegated Directive (EU) 2020/12 of 2 August 2019 supplementing Directive (EU) 2017/2397 of the European Parliament and of the Council as regards the standards for competences and corresponding knowledge and skills, for the practical examinations, for the approval of simulators and for medical fitness (OJ L 6, 10.1.2020, p. 15). Commission Delegated Regulation (EU) 2020/473 of 20 January 2020 supplementing Directive (EU) 2017/2397 of the European Parliament and of the Council with regard to the standards for databases for the Union certificates of qualification, service record books and logbooks (OJ L 100, 1.4.2020, p. 1). Commission Implementing Regulation (EU) 2020/182 of 14 January 2020 on models in the field of professional qualifications in inland navigation (OJ L 38, 11.2.2020, p. 1).
Boatmasters' certificates	Council Directive 91/672/EEC of 16 December 1991 on the reciprocal recognition of national boatmasters' certificates for the carriage of goods and passengers by inland waterways (OJ L 373, 31.12.1991, p. 29). Council Directive (EC) 96/50 of 23 July 1996 on the harmonisation of the conditions for obtaining national boatmasters' certificates for the carriage of goods and passengers by inland waterway in the Community (OJ L 235, 17.9.1996, p. 31).

Safety/technical requirements	Directive 2009/100/EC of the European Parliament and of the Council of 16 September 2009 on reciprocal recognition of navigability licences for inland waterway vessels (OJ L 259, 2.10.2009, p. 8). Directive (EU) 2016/1629 of the European Parliament and of the Council of 14 September 2016 laying down technical requirements for inland waterway vessels, amending Directive 2009/100/EC and repealing Directive 2006/87/EC (OJ L 252, 16.9.2016, p. 118). Commission Delegated Directive (EU) 2018/970 of 18 April 2018 amending Annexes II, III and V to Directive (EU) 2016/1629 of the European Parliament and of the Council laying down technical requirements for inland waterway vessels (OJ L 174, 10.7.2018, p. 15). Commission Delegated Regulation (EU) 2019/1668 of 26 June 2019 amending Directive (EU) 2016/1629 of the European Parliament and of the Council laying down technical requirements for inland waterway vessels (OJ L 256, 7.10.2019, p. 1). Commission Delegated Regulation (EU) 2020/474 of 20 January 2020 on the European Hull Data Base (OJ L 100, 1.4.2020, p. 12). Commission Implementing Decision (EU) 2020/1122 of 28 July 2020 on the recognition of DNV GL AS as a classification society for inland waterway vessels in accordance with Directive (EU) 2016/1629 of the European Parliament and of the Council (OJ L 245, 30.7.2020, p. 15). Directive 2010/35/EU of the European Parliament and of the Council of 16 June 2010 on transportable pressure equipment and repealing Council Directives 76/767/EEC, 84/525/EEC, 84/526/EEC, 84/527/EEC and 1999/36/EC (OJ L 165, 30.6.2010, p. 1).
Inland transport of dangerous goods	Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260, 30.9.2008, p. 13).
River information services	Directive 2005/44/EC of the European Parliament and of the Council of 7 September 2005 on harmonised river information services (RIS) on inland waterways in the Community (OJ L 255, 30.9.2005, p. 152). Commission Implementing Regulation (EU) No 909/2013 of 10 September 2013 on the technical specifications for the electronic chart display and information system for inland navigation (Inland ECDIS) referred to in Directive 2005/44/EC of the European Parliament and of the Council (OJ L 258, 28.9.2013, p. 1). Commission Regulation (EC) No 416/2007 of 22 March 2007 concerning the technical specifications for Notices to Skippers as referred to in Article 5 of Directive 2005/44/EC of the European Parliament and of the Council on harmonised river information services (RIS) on inland waterways in the Community (OJ L 105, 23.4.2007, p. 88). Commission Regulation (EC) No 414/2007 of 13 March 2007 concerning the technical guidelines for the planning, implementation and operational use of river information services (RIS) referred to in Article 5 of Directive 2005/44/EC of the European Parliament and of the Council on harmonized river information services (RIS) on inland waterways in the Community (OJ L 105, 23.4.2007, p. 1). Commission Implementing Regulation (EU) 2018/2032 of 20 November 2018 amending Commission Regulation (EC) No 416/2007 concerning the technical specifications for Notices to Skippers (OJ L 332, 28.12.2018, p. 1). Commission Implementing Regulation (EU) 2018/1973 of 7 December 2018 amending Implementing Regulation (EU) No 909/2013 on the technical specifications for the electronic chart display and information system for inland navigation (Inland ECDIS) referred to in Directive 2005/44/EC of the European Parliament and of the Council (OJ L 324, 19.12.2018, p. 1).

	Commission Implementing Regulation (EU) 2019/838 of 20 February 2019 on technical specifications for vessel tracking and tracing systems and repealing Regulation (EC) No 415/2007 (OJ L 138, 24.5.2019, p. 31). Commission Implementing Regulation (EU) 2019/1744 of 17 September 2019 on technical specifications for electronic ship reporting in inland navigation and repealing Regulation (EU) No 164/2010 (OJ L 273, 25.10.2019, p. 1).
Environment (air quality) and Climate change	Directive 2009/30/EC of the European Parliament and of the Council of 23 April 2009 amending Directive 98/70/EC as regards the specification of petrol, diesel and gas-oil and introducing a mechanism to monitor and reduce greenhouse gas emissions and amending Council Directive 1999/32/EC as regards the specifications of fuel used by inland waterway vessels and repealing Directive 93/12/EEC (OJ L 140, 5.6.2009, p. 88). Regulation (EU) 2016/1628 of the European Parliament and of the Council of 14 September 2016 on requirements relating to gaseous and particulate pollutant emission limits and type-approval for internal combustion engines for non-road mobile machinery, amending Regulations (EU) No 1024/2012 and (EU) No 167/2013, and amending and repealing Directive 97/68/EC (OJ L 252, 16.9.2016, p. 53).
Passenger rights	Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending Regulation (EC) No 2006/2004 (OJ L 334, 17.12.2010, p. 1).
Electronic freight transport information	Regulation (EU) 2020/1056 of the European Parliament and of the Council of 15 July 2020 on electronic freight transport information (OJ L 249, 31.7.2020, p. 33).
Working time	Council Directive 2014/112/EU of 19 December 2014 implementing the European Agreement concerning certain aspects of the organisation of working time in inland waterway transport, concluded by the European Barge Union (EBU), the European Skippers Organisation (ESO) and the European Transport Workers' Federation (ETF) (OJ L 367, 23.12.2014, p. 86).

ANNEX I.6

ENVIRONMENT RULES APPLICABLE TO THE TRANSPORT SECTOR

The 'Applicable provisions' of the following European Union acts shall be applicable in accordance with the Main Treaty and Annex II on horizontal adaptations unless otherwise specified in this Annex or in Protocols I to VI. Where necessary, specific adaptations for each individual act are set out hereinafter.

The following European Union acts refer to the latest version of such acts as last modified.

Regulatory area	Legislation
Assessment of effects	Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment, as amended by Directive 2014/52/EU. (OJ L 26, 28.1.2012, p. 1). and the Convention on Environmental Impact Assessment in a Transboundary Context of 1991 (Espoo Convention). All projects listed in Annex I of the EIA Directive falling under the scope of the Treaty shall be subject to an environmental impact assessment in line with EU EIA provisions. All projects listed in Annex II of the EIA Directive falling under the scope of the Treaty shall be subject to a determination whether these should be made subject to an environmental impact assessment in line with EU EIA provisions. In addition, transboundary aspects should be addressed in line with the requirements of the Espoo Convention. Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ L 197, 21.7.2001, p. 30). and the Protocol on strategic Environmental Assessment to the Espoo Convention (SEA protocol). All plans and programmes in the field of Transport shall, where applicable, be subject to an environmental assessment in line with the provisions of the SEA Directive and the SEA Protocol to the Espoo Convention. If the implementation of a plan or programme is likely to have significant transboundary environmental effects, or where a Party likely to be significantly affected so requests, transboundary consultation should take place as per the provisions of the SEA Protocol (Article 10) and/or the SEA Directive (Article 7).
Conservation	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). If a project is likely to affect sites of nature conservation importance, an appropriate nature conservation assessment shall be made, equivalent to that provided for in Article 6 of Directive 92/43/EEC. Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds OJ L 103, 25.4.1979, p. 1–18, amended by Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds, (OJ L 20, 26.1.2010, p. 7).
Fuels, air quality and climate change	Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels and amending Council Directive 93/12/EEC (OJ L 350, 28.12.1998, p. 58). Directive (EU) 2016/802 of the European Parliament and of the Council of 11 May 2016 relating to a reduction in the sulphur content of certain liquid fuels (OJ L 132, 21.5.2016, p. 58).

Regulatory area	Legislation
Water policy	Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1). All transport projects on navigation falling under the scope of this Treaty should be developed and implemented in line with Article 4(7) of Directive 2000/60/EC. All transport projects on navigation falling under the scope of this Treaty should, where applicable, be carried out in line with the Joint Statement on Inland Navigation and Environmental Sustainability in the Danube River Basin as endorsed by the International Commission for the Protection of the Danube river (ICPDR), Danube Commission and Sava Commission.
Noise	Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise – Declaration by the Commission in the Conciliation Committee on the Directive relating to the assessment and management of environmental noise, (OJ L 189, 18.7.2002, p. 12).

ANNEX I.7

PUBLIC PROCUREMENT RULES APPLICABLE TO TRANSPORT SECTOR

The 'Applicable provisions' of the following European Union acts shall be applicable in accordance with the Main Treaty and Annex II on horizontal adaptations unless otherwise specified in this Annex or in Protocols I to VI. Where necessary, specific adaptations for each individual act are set out hereinafter.

The following European Union acts refer to the latest version of such acts as last modified.

Regulatory area	Legislation
Review procedures	Council Directive 89/665/EEC of 21 December 1989 on the coordination of the laws, regulations and administrative provisions relating to the application of review procedures to the award of public supply and public works contracts (OJ L 395, 30.12.1989, p. 33). Council Directive 92/13/EEC of 25 February 1992 coordinating the laws, regulations and administrative provisions relating to the application of Community rules on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors (OJ L 76, 23.3.1992, p. 14).
Procurement procedures	Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts (OJ L 94, 28.3.2014, p. 1). Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65). Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243). Commission Implementing Regulation (EU) 2015/1986 of 11 November 2015 establishing standard forms for the publication of notices in the field of public procurement and repealing Implementing Regulation (EU) No 842/2011 (OJ L 296, 12.11.2015, p. 1).
Public services	Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70 (OJ L 315, 3.12.2007, p. 1). Regulation (EU) 2016/2338 of the European Parliament and of the Council of 14 December 2016 amending Regulation (EC) No 1370/2007 concerning the opening of the market for domestic passenger transport services by rail (OJ L 354, 23.12.2016, p. 22).'

DECISION No 1/2023 OF THE SPECIALISED COMMITTEE ON SOCIAL SECURITY COORDINATION ESTABLISHED BY ARTICLE 8(1)(P) OF THE TRADE AND COOPERATION AGREEMENT BETWEEN THE EUROPEAN UNION AND THE EUROPEAN ATOMIC ENERGY COMMUNITY, OF THE ONE PART, AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, OF THE OTHER PART,

of 10 March 2023

as regards the use of the Electronic Exchange of Social Security Information for the transmission of data between institutions or liaison bodies [2023/698]

THE SPECIALISED COMMITTEE ON SOCIAL SECURITY COORDINATION,

Having regard to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part ⁽¹⁾ (the 'Trade and Cooperation Agreement'), and in particular Article SSCL.4(2) of its Protocol on Social Security Coordination,

Whereas:

- (1) Pursuant to Article SSCL.71(4) of the Protocol on Social Security Coordination to the Trade and Cooperation Agreement (the 'Protocol on Social Security Coordination'), for the purposes of implementing that protocol, the United Kingdom may take part in the Electronic Exchange of Social Security Information and bear the related costs.
- (2) Pursuant to Article SSCL.4(2) of the Protocol on Social Security Coordination, the transmission of data between the institutions or the liaison bodies of the Member States and the United Kingdom may, subject to the approval of the Specialised Committee on Social Security Coordination, be carried out via the Electronic Exchange of Social Security Information. To the extent forms and documents are exchanged via the Electronic Exchange of Social Security Information, they are to respect the rules applicable to the Electronic Exchange of Social Security Information.
- (3) The use of the Electronic Exchange of Social Security Information for the purposes of implementing the Protocol on Social Security Coordination would be beneficial for the Member States and the United Kingdom, social security institutions, and persons moving between the European Union and the United Kingdom, as it would ensure a more rapid, accurate and secure exchange of social security information under the Protocol on Social Security Coordination. The Specialised Committee on Social Security Coordination should therefore adopt a decision to approve the transmission of data via the Electronic Exchange of Social Security Information.
- (4) The Specialised Committee on Social Security Coordination notes that, whilst the rules on social security coordination laid down in the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community ⁽²⁾ are legally separate from those laid down in the Trade and Cooperation Agreement, Article 34(2) of the former agreement provides that the United Kingdom is to take part in the Electronic Exchange of Social Security Information (EESSI) and bear the related costs,

HAS ADOPTED THIS DECISION:

Article 1

The transmission of data between the institutions or the liaison bodies of the Member States and the United Kingdom shall be carried out via the Electronic Exchange of Social Security Information. This is without prejudice to exceptional and objectively justified situations.

Article 2

The United Kingdom shall bear the related costs which arise from its participation in the Electronic Exchange of Social Security Information pursuant to Article SSCL.71(4) of the Protocol on Social Security Coordination.

⁽¹⁾ OJ L 149, 30.4.2021, p. 10.

⁽²⁾ OJ L 29, 31.1.2020, p. 7.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Brussels and London, 10 March 2023.

*For the Specialised Committee on Social Security
Coordination*

The Co-chairs

Jordi CURELL GOTOR

Ronan O'CONNOR

ISSN 1977-0677 (electronic edition)
ISSN 1725-2555 (paper edition)



Publications Office
of the European Union
L-2985 Luxembourg
LUXEMBOURG

EN