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Observations to MS comments on National Reports and Check Lists – Article 17 Reporting

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This document provides observations from the ETC/BD to comments from Member States on their National Summaries and Checklist. These observations are restricted to issues where the ETC/BD does not share the MS opinion. In addition, it indicates changes made to the original data as requested by MS.

BELGIUM

Belgian authorities have requested to replace the map of habitat 6120.

ETC/BD observation: ETC/BD will use the corrected distribution map of the habitat 6120 in the biogeographical assessment of the conservation status and in all the official outputs from reporting.

Checklist

*Belgian authorities have confirmed that habitat 91D0 can be considered as **marginal** in the Atlantic biogeographical region. For the same reasons habitats 7110 and 2150 should be marked as marginal.*

MS justification: For raised bog (7110 present in the check list) we agree that the small Belgian Atlantic region is between the large continental range and the large range in UK-Ireland and therefore seems to be in "the middle" of its distribution. On the other hand, ombrotrophic conditions in the Belgian and surrounding Atlantic regions are very limited and therefore form a "marginal almost empty gap" between these large ranges. With a rough delineation of the EU range, such gaps are filled in. But with a finer delineation it will remain as a "hole" in the range map and then 7110 can be considered as marginal. The same is true for 2150.

ETC/BD observation: Habitat 7110 is included in several Natural 2000 sites in Atlantic region as 'insignificant presence' and in one site with representativity 'C'. The main portion of the distribution of the habitat is in Continental part of Belgium. This habitat will be marked as **marginal** in the Atlantic Region.

Habitat 2150 is present in only NATURA 2000 site in Belgium in Atlantic region with representativity 'B – good representativity'. Marginal habitats that occur on the edge of its natural range, may have limit environmental conditions and do not contain the typical species spectrum for that geographic region. The information on the representativity in the Natura 2000 database does not confirm that the habitat occurs marginally in the Atlantic region. Therefore, it will be considered as **present** in Atlantic region in Belgium.

*In the case of the species **Vespertilio murinus**, **Lurionium natans** and **Liparis loeselii** Belgium wrote that distinction between "marginal" and "present" is not possible because the Member State did not have the European perspective of the species distribution.*

ETC/BD observation: According to the Atlas of European mammals the natural distribution of the species **Vespertilio murinus** does not include the continental part of Belgium. This species is thus considered as **occasional** in the Continental biogeographical region.

Continental part of Belgium is a part of European range of **Liparis loeselii**. From this perspective the occurrence of the species should not be considered as marginal. Therefore, until the presence of the species in the only known locality where it was noted in the 80s is further clarified (the species is very difficult to find), we consider the species as **present** in the Continental region.

Lurionium natans is a species with a sub-atlantic distribution present in continental region of Germany, France, Poland and Czech Republic. The continental region of Belgium is within the overall range of the species. As in the case of **Liparis loeselii** although there are strong doubts from the side of Member State whether species is still present in its known locality it will be listed as **present** in Continental region.

CZECH REPUBLIC

Section 3.3, Overall assessment of conservation status by habitat category / species group (%)

Czech Republic has asked which species groups are included under 'other species'.

ETC/BD observation: "other species" includes: *Corallium rubrum* (CNIDARIA), *Centrostephanus longispinus* (ECHINODERMATA) and *Hirudo medicinalis* (ANNELIDA).

Section 3.5; correction of the future prospects percentages

Czech Republic has requested to correct the figures 'Future prospects' of 'Habitats' in following way FV 44%, U1 46% and U2 10%

ETC/BD observation: The statistics presented in the National Summary are based on the data submitted by Member State. Czech Republic has reported that future prospects of 41 habitats are favourable, of 46 unfavourable-inadequate and of 8 unfavourable-bad. All together Czech national report contains 95 habitat forms. Therefore, the statistics given in the National Summary reflects these figures.

Checklist

*Czech Republic has requested to change the status of the species **Myotis blythii**, **Pipistrellus savii** and **Rhinolophus ferrumequinum** in both Continental and Pannonian biogeographical regions from present to **occasional**. No justification provided.*

ETC/BD observation: In the yearly national report of Czech Republic presented to EUROBATS these 3 species are noted as occasionally present in the Czech Republic. Therefore, the status of these species was changed into **occasional**.

*Czech republic has requested to change the status of the species **Anthrenochernes stellae** and **Felis silvestris** in Continental region to **occasional**. No justification provided.*

ETC/BD observation: Since no other references confirm this information the status of these species will be maintained as **present**.

*Czech Republic asked to consider the species **Parnassius apollo** and **Mannia triandra** as **extinct** in Continental region. No justification provided.*

ETC/BD observation: **Parnassius apollo** is considered extinct in the Czech Republic. However, the species is present in one site in Morava where the population was reintroduced. For reintroduced species the category **present** was used in Checklist.

For **Mannia triandra** no justification was provided by Member state, no other references confirm this information. In List and Red List of Bryophytes of the Czech Republic (2005) the species is noted as CR. Therefore, the status of the species will be maintained as **present**.

GERMANY

Section 2, 3; Use of marine regions

German authorities argued against the use of the marine regions in the National Summary.

ETC/BD observation: The approach to differentiate between marine and terrestrial part of the biogeographical region originates in the very beginning of the discussions on the Article17 reporting format adopted by the Habitats Committee. The reasons for this approach and as well methodical guidance for use of marine regions is described in the Explanatory Notes & Guidelines. National Summary and all official reporting outputs inherit the principles settled in these guidance documents.

Section 2; *Lacerta viridis*, *Lacerta bilineata*.

*German authorities have noted that the above mentioned species are represented in National Summary as distinct units in contrary to the information in the Checklist where these species are aggregated and presented under the names *Lacerta viridis* (including *L. bilineata*)*

ETC/BD observation: Statistics in National Summaries reflect the reporting as made by the Member States. We note this difference in the German National Summary. In the check list both species are presented under the taxon *Lacerta viridis*, which is the only name in Annex IV of the Directive. For further clarification see the section 'Checklist' below.

Section 3 Presenting statistics by biogeographical regions

German authorities made an objection to the presentation of the statistics at national level; they propose using the biogeographical level because it is more accurate.

ETC/BD observation: The main statistics in the National Summary already gives the overall conservation status spitted by biogeographical region. This option is based on the requirement by the Commission that National Summaries must be brief and concise; additionally, more detailed statistics by biogeographical region will be made in the technical report to be made by the ETC/BD by the end of 2008.

Section 3 Weighting approach in aggregating of information from biogeographical regions

German authorities have proposed to use the weighting of the conclusions in calculating the statistics on the Member State level.

ETC/BD observation: This proposal will be taken into account in the appropriate statistics to be made in the technical report.

Sections 4.1, 4.3 Correction of the percentages

German authorities have asked for correction of the figures in the table in this section.

ETC/BD observation: The figures presented are based on the Member State data. Figures were corrected regarding the accepted comments on the presence of the species/habitats. The percentages were rounded to give 100% total. See section 'Checklist'.

Check list:

Lacerta viridis and *Lacerta bilineata*

*German authorities agreed with the use of the taxon *Lacerta viridis* to include both *L. viridis* and *L. bilineata* under the condition that both assessments will be fully taken into consideration.*

ETC/BD observation: The biogeographical assessment will be made for *L. viridis* and we will take into account both accounts provided by Germany (*L. viridis* & *L. bilineata*). However, the national assessments will be presented separately when relevant.

Leucorrhinia pectoralis in Alpine biogeographical region.

*Germany have proposed to set the status of this species to **occasional**.*

MS justification: The occurrence of the species lies on the boundary between Alpine and Continental regions and it is not clear to which of the regions the locality should be assigned.

ETC/BD observation: The species will be considered as **present** in Alpine region till this technical issue will be clarified.

IRELAND

The number of priority habitats

Irish authorities have not approved the number of the priority habitats in Ireland which should be 16 and not 14.

ETC/BD observation: Habitat types that have a priority and non priority form are considered as non-priority habitats. In Ireland this concerns habitats 6210 and 7130. The Article 17 Report – National Summaries Explanatory Note was updated to note this explicitly.

Section 3.1 Overall assessment of conservation status by biogeographical region (%)

Irish authorities have not approved the figures presented in this section of National Summary.

ETC/BD observation: Figures presented are based on the Member state data. Figures were corrected regarding the comments on the presence of the species/habitats submitted by Ireland in the reply to the proposed reporting checklist.

Marine habitats

Irish authorities disagreed with the way the habitats 1110, 1160, 1170 and 8330 were assigned to marine/terrestrial regions.

ETC/BD observation: In Explanatory Notes & Guidelines the Member States were recommended to report for marine habitats and species in marine regions. The list of marine habitats was based on the lists made by the Marine Working Group, which included all above mentioned habitats except 1160. Given that several Member States reported this habitat as marine and taking into account that it can be attributed to the marine environment given its characteristics, the ETC/BD will treat all information for this habitat under the corresponding marine region.

GREECE

Checklist

Myotis alcaethoe and *Pipistrellus pygmaeus*

*Greek authorities asked to add the species *Myotis alcaethoe* and *Pipistrellus pygmaeus* to Checklist and all the statistics in National Summary. The report for these two species was not submitted to CDR in the prescribed xml format.*

ETC/BD observation: These species were added to the Checklist. They will be included in the statistics of the National Summary, biogeographical assessment of the conservation status and all the official outputs from reporting.

Lynx lynx in the Mediterranean biogeographical region.

*Greek authorities have proposed to treat this species as **occasional/possibly extinct** in Mediterranean region and provided other information about the situation of lynx in Greece.*

ETC/BD observation: According to the Member State comments the species is occasionally observed in several localities although there is no prove of the existence of population. The status of the species in Greece is unclear. It is possible that the observed individuals are remnants of the historic population. Regarding these information the species will be considered as **present** in Mediterranean region of Greece. The same approach was used as well for other Member States in the comparable situation, e.g. Iberian lynx in Portugal.

FRANCE

Section 3 Presenting statistics by biogeographical regions

French authorities made an objection to the presentation of the statistics at national level; they propose using the biogeographical level because it is more accurate.

ETC/BD observation: The main statistics in the National Summary already gives the overall conservation status spitted by biogeographical region. This option is based on the requirement by the Commission that National Summaries must be brief and concise; additionally, more detailed statistics by biogeographical region will be made in the technical report to be made by the ETC/BD by the end of 2008.

Additional explanatory comments

French authorities proposed to add comments explaining what is presented in the statistics in each section.

ETC/BD observation: The notes explaining background of the figures presented in the National Summary are provided in the National Summary - Explanatory Note. The extent of the National Summary is limited and the text information is then restricted to the most crucial notes.

Section 4

French authorities have disagreed with the information on the data quality and completeness presented in section 4.

ETC/BD observation: The figures presented are based on the Member state data. Figures were corrected regarding the comments on the presence of the species/habitats submitted by France in the reply to the proposed reporting checklist.

Checklist

Erroneous conclusions

French authorities have asked for the correction of the conclusions for several species.

ETC/BD observation: The corrections concern cases where there was incoherence between partial and overall conclusions reported by France. The ETC/BD will use the corrected conclusions in the statistics, in the biogeographical assessment of the conservation status and in all the official outputs from reporting.

ITALY

General report

Italy requested to replace general-report.xml file in their envelope on CDR.

ETC/BD observation: The file general-report.xml was replaced in the Member state envelope. Problems with viewing the information about Financing the Natura 2000 was connected with erroneous structure of the file but this was corrected by the EEA.

Number of species

Italian authorities have not approved the numbers of the species per Annexes presented in the table in this section.

ETC/BD observation: The figures for Annex II and Annex IV were corrected and are equal to those proposed by Italy. In case of Annex V, figures presented are based on the Member State provided data and concern as well the request to change the status of the species.

Checklist

Caretta caretta

Italian authorities have noted that the species was reported in Continental and Mediterranean regions in addition to the Marine Mediterranean region.

ETC/BD observation: In Explanatory Notes & Guidelines the Member States it was recommended to report for marine habitats and species in marine regions. The list of marine species was based on a list defined by DG Environment's Marine Working Group. It included as well the above mentioned species. The recommendation was partly followed by Member States and some Member States reported marine species only in marine regions and some as well in terrestrial. For the purpose of aggregation of the data for the biogeographical assessment a uniform approach had to be used for all Member States. ETC/BD assigned to the marine region those species where the major part of the life cycle is linked with the marine environment. This is the case of *Caretta caretta*.

Hydromantes italicus

Italian authorities noted that the species Hydromantes italicus was reported as Speleomantes italicus.

ETC/BD observation: Habitats Directive lists this species as *Hydromantes (Speleomantes) strinatii (Hydromantes (Speleomantes) italicus)*. In biogeographical assessment and other reporting outputs species will be presented with the Habitats Directive name unless this is the uncommon misspelling of the correct name. In case of *H. italicus* the first of 2 Habitats Directive genus names will be used.

CYPRUS

Section 2, Number of species; Section 3, Correction of the statistics

Cyprus has requested to change the number of species reported in Annex II and Annex IV for the Mediterranean Region and corresponding statistics in Section 3.

ETC/BD observation: Cyprus submitted a total of 54 species reports. Three species - *Sideritis cypria*, *Brassica hilarionis*, *Delphinium caseyi* - occur outside the area where the Community acquis applies at present according to protocol 10 of the Accession Treaty of Cyprus. Therefore, these species were not included in the statistics.

HUNGARY

Checklist

*Hungarian authorities have proposed to consider the following habitats as **marginal** in Pannonian region in Hungary.*

3260, 4030, 6230, 7110, 7140, 7220 - *Surface of habitat is less than 100 ha and it does not fulfil exactly the definition of habitat type under HD, so MS indicates it as a marginal habitat.*

ETC/BD observation: Marginal habitats that occur on the edge of its natural range, may have limit environmental conditions and do not contain the typical species spectrum for that geographic region.

Above mentioned habitats occur in Hungary in the margin of its natural distribution and some of them (e.g. 7110) could fulfil the definition of a marginal habitat. All are anyway listed in Natura 2000 Reference list and noted in the ecological characteristic of several sites with representativity 'B – good representativity' and higher. For this reason justification provided by Hungary is not sufficient to conclude that the presence of the habitats is marginal and they will be further considered as **present**. Furthermore, there is no quantitative indication in the Habitats Directive concerning the minimum surface area of a habitat type.

8150, 8160, 8220, 8230 - *Typical rocky habitat type with habitat surface less than 100 ha, so MS suggests to indicate it as a marginal habitat, in spite of its overall favourable conservation status.*

ETC/BD observation: Abovementioned habitats occurs in Hungary in the margin of its natural distribution Like in the case of first mentioned habitats Hungary has proposed several sites where these habitats are present with representativity 'B – good representativity' and higher. . For this reason justification provided by Hungary is not sufficient to conclude that the occurrence of the habitats is marginal and they will be further considered as **present**.

6110 - *There is a debate among experts on existence of this habitat type in Hungary. Surface of the habitat is less than 100 ha. MS suggests indicating it as a marginal habitat.*

ETC/BD observation: Hungary has proposed several sites where these habitat is present with representativity 'B – good representativity' and higher. The information provided by Hungary is not sufficient to classify this habitat type as marginal. It will be further considered as **present**.

*Hungarian authorities have proposed to consider the following species as **occasional** or **marginal** in Pannonian region in Hungary.*

Adenophora lilifolia - *Adenophora lilifolia is an Atlantic species known from only 4 localities in Hungary. Populations will presumably struggle to survive.*

Buxbaumia viridis - *No moss capsule has been found since 2005 (due to natural fluctuation), and the population is situated on the border of the species' range (this moss is a boreal species) so survival of the population is doubtful.*

ETC/BD observation: The species reaches margins of its natural range in Hungary. Understanding of the concept of occasional/marginal species in other Member states for other species was applied more strictly, mostly species which has no stable population and occur in atypical habitats in the margin of the natural range were considered as occasional/marginal. To keep the consistency of approach over all the European territory the species will be considered as **present** in Hungary.

Canis lupus, Lynx lynx - *Marginal population. The lynx and the wolf disappeared from Hungary in the 30's. Neither species was detected in the Hungarian fauna until 1970. In the following period there was no reliable information about occurrences and recolonisation, except some occasional*

observations. Recently small, but perhaps breeding populations of both species can be found in the north-eastern region of the country, moreover, juveniles have been recorded. However, exact locations, the stability of the occurrences and reproduction are not known. Because of these reasons the protection status of the species also differ: the lynx has been a strictly protected species since 1988, while the wolf has been protected since 1993.

ETC/BD observation: Hungary has noted that after period of occasional observations of the specimens of these species it is probable that small population is present in the north of the country. These populations are connected to the vital Slovak populations. As it is probable that the species are established in the Member State they will be further considered as **present**.

*Hungarian authorities have proposed to consider **Colias myrmidone** as **extinct before Habitats Directive came into force** in Pannonian region in Hungary*

MS justification: On the verge of immediate extinction. Presumably the drastic decline of the Hungarian population is just part of the decline of this species over all of Europe. The biggest populations had been living on the Western part of the country, representing 90% of the whole Hungarian population in the 1980s. Monitoring of the species detected only a few specimens in 2004 and 2005. The situation is similar in other countries of the Pannonian region too.

ETC/BD observation: According to the IUCN criteria the species should be considered as extinct when there is no reasonable doubt that the last individual has died and when this presumption is based on the exhaustive research carried out over a time frame appropriate to the taxon's life cycle and life form. The other Member States used the concept of the extinct species more closely to the IUCN criteria. The rapid decline of the population is not an appropriate criterion to consider the species as extinct. The species will be further considered as **present** in Hungary.

*Hungarian authorities have proposed to consider the following species as **extinct after Habitats Directive came into force** in Pannonian region in Hungary.*

***Glyphipterix loricatella** - The species is at the edge of extinction (probably extinct). **Glyphipterix loricatella** is described from Hungary and is presently known only from here. The species' life-history is unknown (larval stages, host plant, ecology). The last six years the species was under detection level, however the reason can be the natural fluctuation or lack of detailed monitoring and ecological research.*

***Chondrosoma fiduciarium** - The species is on the verge of extinction (probably extinct). During the past few years population size was under detection level. (It can be natural population fluctuation according to the expert opinion, but habitats of the species are also endangered.)*

ETC/BD observation: Member State noted in its justification that only few specimen of the species were found or that the population is under the detection level, what can be connected with the natural fluctuation in abundance or with insufficiency of the research. The species presence is not improbable. Taking into account the IUCN criteria (see above) and the approach of the other Member States these species will be considered as **present**.

*Hungarian authorities have proposed to consider the following species as **extinct after Habitats Directive came into force** in Pannonian region in Hungary.*

***Leptidea morsei** - Probably extinct. Monitoring of the species detected only 2 specimens, however the reason can be the natural fluctuation.*

***Pulsatilla patens** - The species is on the verge of extinction in Hungary. Potential habitats outside the present locality can only be colonised if artificial measures are taken in this direction. The future of the fragmentary population (1 locality) is doubtful.*

ETC/BD observation: According to the information provided by Member state the recent species presence was proved by research. Taking into account the IUCN criteria (see above) and the approach of the other Member States these species will be considered as **present**.

MALTA

Number of species

Maltese authorities have not approved the numbers of the species in Annex IV on both national and biogeographical level.

ETC/BD observation: The number of the species is based on the data provided by the Member state. Maltese national report contains 61 species forms: 53 species are listed in Annex IV of Habitats Directive. Species in Annex IV for Malta are given in the Checklist.

Section 3

Maltese authorities have signaled that when computing the statistics in section 3 they get different results in comparison to numbers presented in National Summary.

ETC/BD observation: In the case of habitats differences between ETC and Maltese results can result from rounding the percentages. In the National Summary all percentages were rounded to give 100% in total.

In case of species all the figures presented are based on the Member State data. Species that are occasional or extinct prior HD came into force were not taken into account in the statistics.

THE NETHERLANDS

Section 3.4 Conservation status for each parameter (%)

Dutch authorities did not approve the figures for 'Population' in the species table in this section.

ETC/BD observation: The differences between ETC and Dutch results can result from rounding of percentages.

Alosa alosa

Dutch authorities have noted that Alosa alosa is proposed to be deleted from Reference list, because it is not present in Atlantic region.

ETC/BD observation: In report for this species Netherland noted that this species is only occasionally recorded in main rivers. It was listed in the Reference list because of the presence of the species in the neighbouring part of Germany. This species will be considered as **occasional** in Atlantic region.

Marine species and habitats

Dutch authorities have objected against the assignment of some species/habitats to the marine regions. The seals and the porpoise occur in 1160 and 1130. 1160 is assigned purely to marine regions and 1130 to terrestrial. These animals should be than reported in both regions as they occur in both abovementioned habitats or 1130 should be assigned as well to marine regions.

ETC/BD observation: In Explanatory Notes & Guidelines the Member States were recommended to report for marine habitats and species in marine regions. The list of marine species was defined by DG Environment's Marine Working Group. It included as well the above mentioned species. The recommendation was partly followed by Member States and some Member States reported marine species only in marine regions and some as well in terrestrial. For the purpose of aggregation of the data for the biogeographical assessment a uniform approach had to be used for all Member States. ETC/BD assigned to the marine region those species where the major part of the life cycle is linked with the marine environment. This is the case of *Phocidae* and *Catacea*.

In the case of habitats ETC/BD assigned to the marine region those habitats which are closely connected with marine environmental conditions. As to the habitats that could be regarding the environmental conditions assigned to either marine or terrestrial region decision was made based on the portion of distribution that occurs in the marine areas as they were defined in the abovementioned document.

AUSTRIA

Presentation of the conservation status by parameter

Austrian authorities proposed to present as well the assessments of the single parameters of conservation status

ETC/BD observation: This statistic is already presented in the table in section 3.4 Conservation status for each parameter (%).

Checklist

*Austria proposed to change the status of **Eriogaster catax** in Alpine biogeographical region to **extinct before Habitats Directive came into force**.*

MS justification: No recent records; unclear if regionally extinct, further investigations necessary.

ETC/BD observation: Until further clarification of the species status and under the precautionary principle we consider it as **present**.

*Austria proposed to change the status of **Morimus funereus** in Continental biogeographical region to **introduced***

MS justification: Status of the species in Austria is unclear. Maybe the species is not autochthonous in Austria.

ETC/BD observation: Austrian populations represent the edge of the natural range of the species in central Europe. In Czech Republic the species is extinct. Until further clarification of the species status and under the precautionary principle we consider it as **present**.

POLAND

Erroneous conclusions

Polish authorities have asked for the correction of the conclusions of habitat 91T0

ETC/BD observation: The corrections concern cases where there was incoherence between partial and overall conclusions reported by Poland. The ETC/BD will use the corrected conclusions in the

statistics, in the biogeographical assessment of the conservation status and in all the official outputs from reporting.

Checklist

*Polish authorities have proposed to consider the following species as **occasional** or **marginal** in Alpine region in Poland.*

***Leucorrhinia pectoralis** - The same situation as in the case of *L. albifrons*. *Leucorrhinia pectoralis* occurs in ALP only marginally for natural reasons: this region is for the most part beyond the range of the species; the species inhabits mostly lowlands, and only exceptionally areas situated above 500 m a.s.l.; in ALP suitable habitats for this species are lacking or very scarce.*

***Ophiogomphus cecilia** - occurs in ALP only marginally for natural reasons: the species inhabits mostly lowlands, and only exceptionally areas situated above 500 m a.s.l.; in ALP suitable habitats for this species are lacking or very scarce.*

***Sympecma paedisca** - occurs in ALP only marginally for natural reasons: this region is for the most part beyond the range of the species; the species inhabits mostly lowlands, and only exceptionally areas situated above 500 m a.s.l.; in ALP suitable habitats for this species are lacking or very scarce.*

ETC/BD observation: European natural range of these dragonflies excludes mountain ranges and all three species occur mainly in lowland areas. Alpine biogeographical region in Poland represents the margin of the distribution of the species. Understanding of the concept of occasional/marginal species in other Member States for other species was applied more strictly, mostly species which has no stable population and occur in atypical habitats in the margin of the natural range were considered as occasional/marginal. To keep the consistency of approach over all the European territory the species will be considered as **present** as well in Alpine region.

***Pelobates fuscus** - It is a typical lowland species; its vertical range reaches 450 m a.s.l. In ALP *P. fuscus* occurs marginally in submontane areas. The habitat conditions in ALP are generally unsuitable for the species.*

ETC/BD observation: The species will be considered as **present** in Alpine region for the same reasons as above mentioned species. Given the way biogeographic borders have been drawn, the Alpine region also includes some low altitude areas.

PORTUGAL

Additional explanatory comments

In the opinion of the Portuguese authorities it is necessary to indicate in the National Summary that the statistics present the percentages of the assessments and not of habitats/species.

ETC/BD observation: The note explaining the background of the figures presented in the statistics of the National Summary are provided in its Explanatory Note.

Section 3 Presenting statistics by biogeographical regions

Portuguese authorities made an objection to the presentation of the statistics at national level; they propose using the biogeographical level because it is more accurate.

ETC/BD observation: The main statistics in the National Summary already gives the overall conservation status splitted by biogeographical region. This option is based on the requirement by the Commission that National Summaries must be brief and concise; additionally, more detailed

statistics by biogeographical region will be made in the technical report to be made by the ETC/BD by the end of 2008.

Presenting separately the information for plant and animal species

Portuguese authorities have proposed to present the information separately for animal and plant species. From the point of view of Portugal this is important because of the disproportion in the level of the completeness of the reports for animal and plant species.

ETC/BD observation: Information on the overall conservation status by species group is presented in the section 3.3 Overall assessment of conservation status by habitat category / species group (%). This option is based on the requirement by the Commission that National Summaries must be brief and concise; additionally, more detailed statistics by biogeographical region will be made in the technical report to be made by the ETC/BD by the end of 2008.

Section 3.2

Portuguese authorities argue against including this section to the National Summary. This section was optional and presented results do not bring the systematic overview of deterioration or improvement of conservation status.

ETC/BD observation: Structure of the National summary was discussed twice and endorsed by the Habitats Committee.

Checklist

Erroneous conclusions:

Portuguese authorities have asked for the correction of the conclusions for several species.

ETC/BD observation: The corrections concern cases where there was incoherence between partial and overall conclusions reported by Portugal. The ETC/BD will use the corrected conclusions in the statistics, in the biogeographical assessment of the conservation status and in all the official outputs from reporting.

Tursiops truncatus

Portuguese authorities have objected to excluding the species from Checklist in Mediterranean region.

ETC/BD observation: Marine species are in the check list included exclusively under the marine regions. In Explanatory Notes & Guidelines the Member States were recommended to report for marine habitats and species in marine regions. The list of marine species was defined by DG Environment's Marine Working Group. It included as well the above mentioned species. The recommendation was partly followed by Member States and some Member States reported marine species only in marine regions and some as well in terrestrial. For the purpose of aggregation of the data for the biogeographical assessment a uniform approach had to be used for all Member States. Marine species will be included only in the marine regions in all outputs and presentations from reporting.

Marine habitats

Portuguese authorities disapprove the assignment of the habitat 1160 to Atlantic and Marine Macaronesian region. This habitat was reported by Portugal in Macaronesian and Mediterranean regions following the instructions in Explanatory Notes & Guidelines.

ETC/BD observation: In Explanatory Notes & Guidelines the Member States were recommended to report for marine habitats and species in marine regions. The list of marine habitats was based on the lists made by the Marine Working Group, which included all above mentioned habitats except 1160. Given that several Member States reported this habitat as marine and taking into account that

it can be attributed to the marine environment given its characteristics, the ETC/BD will treat all information for this habitat under the corresponding marine region.

Apium repens

*Portuguese authorities have proposed to consider the species as **extinct before Habitats Directive came into the force** in Mediterranean region.*

MS justification: The species was known from 3 localities where it was observed between 1905 and 1998. Since then the species was not recorded any more despite the research activities carried out between 1994 and 1996 (Pinto et al., 1996). Although the species have not been seen since 1998 (there are no records since the Habitats directive came into force) there are several doubt in considering it extinct. There is still a probability of rediscovery of the species for this species, it should be considered as possibly extinct or probably not extinct.

ETC/BD observation: According to the IUCN criteria the species should be considered as extinct when there is no reasonable doubt that the last individual has died and when this presumption is based on the exhaustive research carried out over a time frame appropriate to the taxon's life cycle and life form. Taking into consideration the comment provided by Member state that there still exists certain level of probability that the species will be rediscovered and the knowledge of population dynamics of the species it will be treated as **present** in Mediterranean region.

Lynx pardinus

*Portuguese authorities have proposed to consider the species as **extinct after Habitats Directive came into the force** in Mediterranean region.*

MS justification: The species is in the pre-extinction phase in the Portugal. Data from 1987-1996 showed that population size is about 40 individuals and that the population is fragmented into small subpopulations (Supper et al. 1998, Fernandes et al. 2001). During the local surveys between 1997 and 2000 and national survey in 2002 the species presence was not confirmed.

ETC/BD observation: European Mammal Assessment notes that the last record of the Iberian lynx presence comes from 2001, although all further surveys indicate the absence of resident animals. Regarding IUCN criteria in this situation the time period is not sufficient to conclude on extinction of the species in Portugal. It will be maintained as **present** in Mediterranean region.

Unio pictorum

Portuguese authorities argue against excluding this species from Checklist.

*MS justification: Recently it is accepted the species *Unio crassus* in Portugal includes two distinct morphologically and genetically differentiated taxonomic units, one occurring in Guadiana and Sado (*U. crassus*) and the other (*U. pictorum*) distributed all over the country. The species listed in the Habitats Directive included these two units.*

ETC/BD observation: *U. crassus* and *U. pictorum* are morphologically and genetically different species. *U. pictorum* was already a valid scientific entity when the Directive was approved, it is a rather common species, and was not listed in the Annexes of Habitats Directive. This is a different case from the examples given by Portugal for the *Chondrostoma* taxa. Therefore, the report from *U. pictorum* will not be taken into account.

SLOVAKIA

Section 2, Number of the species

Slovak authorities have not approved the numbers of the species presented in the table in this section.

ETC/BD observation: The occasional species are not included in the statistics. The numbers presented reflects data provided by Member state.

Section 3.1 Overall assessment of conservation status by biogeographical region (%), section 3.2 Number of habitats / species with unfavourable CS but improving or deteriorating

Slovak Authorities have not approved the statics for species presented in these sections.

ETC/BD observation: Statistics in the section 3 are based on the Member state provided data. Occasional species are not concerned. All the percentages were rounded to give 100% as total. Minor difference can be connected to the use of different rounding method.

FINLAND

Section 1; Number of sites

In the Finnish general report the number of sites covers only those sites which were present on the list adopted by Commission's decision. The reason for this approach was the understanding of the guidance and the General report form.

ETC/BD observation: In the section 2 'State of designation of Natura 2000' of General report Member States were supposed to give a number of the Sites of Community Importance what for the purpose of reporting includes the sites approved by Commissions decision (SCI in the sense of Habitats Directive) and as well those officially proposed by Member State (pSCI). For more information see [Article 17 Guidelines-Addendum 1-March 2007](#).

Section 2; Number of species

Finnish authorities did not approve the numbers of the species in Annex IV and Annex V. presented in the table in this section. The reason for this could be that the exceptions for Finland were not taken into consideration during calculating these statistics.

ETC/BD observation: The numbers of the species in the section 2 were corrected considering the information about the occasional and extinct species and comments regarding the exceptions for Finland.

Section 2 Number of species, explanatory notes

Finnish authorities have proposed to include an additional note "If a Member State has exceptions from one or more annexes for certain species, this was taken into account." under the table in the section 2.

ETC/BD observation: This issue is explained in the National Summary - Explanatory Note. The extent of the National Summary is limited and only most crucial notes should be included directly in the document.

Section 3 Presenting statistics by biogeographical regions

Finish authorities made an objection to the presentation of the statistics at national level; they propose using the biogeographical level because it is more accurate.

ETC/BD observation: The main statistics in the National Summary already gives the overall conservation status spitted by biogeographical region. This option is based on the requirement by the Commission that National Summaries must be brief and concise; additionally, more detailed statistics by biogeographical region will be made in the technical report to be made by the ETC/BD by the end of 2008.

SWEDEN

Checklist

Muscardinus avellanarius

Swedish authorities requested to add the form for the species Muscardinus avellanarius to the Article 17 national report.

ETC/BD observation: Species was added to the check list and will be included in the statistics of the NS, biogeographical assessment of the conservation status and all the official outputs from reporting

Habitat 1160

Swedish authorities asked to correct the information reported for this habitat due to changes in its attribution to biogeographical/marine regions.

ETC/BD observation: Corrected information replaced previous one.

Erroneous conclusions:

Swedish authorities have asked for the correction of the conclusions for species Bufo calamita.

ETC/BD observation: **Erroneous conclusions:**

Swedish authorities have asked for the correction of the conclusions for several species.

ETC/BD observation: The corrections concern cases where there was incoherence between partial and overall conclusions reported by Sweden. The ETC/BD will use the corrected conclusions in the statistics, in the biogeographical assessment of the conservation status and in all the official outputs from reporting.

Number of species and habitats

Swedish authorities did not approve the numbers of the species presented in the table in this section. The reason of this could be that the exceptions for Sweden were not taken into consideration during calculating these statistics.

ETC/BD observation: The numbers of the species in the section 2 were corrected considering the information about the occasional and extinct species and the exceptions for Sweden.

9170

*Swedish authorities have proposed to consider the habitat 9170 as **marginal** in Continental biogeographical region - Few presumed sites with this habitat, not fully examined if the habitat actually exists in SE.*

ETC/BD observation: The habitat will be considered **present** till this issue will be further examined.

*Swedish authorities have proposed to consider the following habitats as **marginal**:*

3220 in Boreal biogeographical region - The habitat is connected to alpine structures and occurs mainly in Alpine region. In Boreal region it occurs only along the border as alpine structures occurs in spots but the border is not as detailed.

4060, 4080 and 6150 in Boreal biogeographical region - Occur within the Boreal region due to the occurrences of scattered mountains and/or plateaus above the treeline even within this region. This is because isolated mountains and plateaus were not included in the Alpine region when deciding the border between the Alpine and Boreal biogeographical regions.

8110 and 8120 in Boreal biogeographical region - Occur within the Boreal region due to the occurrences of scattered mountains even within this region. This is because isolated mountains were not included in the Alpine region when deciding the border between the Alpine and Boreal biogeographical regions.

ETC/BD observation: Marginal habitats that occur on the edge of its natural range, may have limit environmental conditions and do not contain the typical species spectrum for that geographic region.

The above mentioned habitats are typically linked with alpine biogeographical region as they occur mainly in mountain areas. All are anyway listed in Natura 2000 Reference list and noted in the ecological characteristic of several sites with representativity 'B – good representativity' and higher. The explanation provided by Sweden does not seem sufficient to consider the above mentioned habitats as marginal. They will be maintained as **present** in the Boreal region in Sweden.

3150 in Alpine biogeographical region - The habitat occurs mainly in continental and boreal region in SE. Known areas of the habitat in Alpine region are limited to two small sites in the very north.

ETC/BD observation: The habitat is present in one Natura 2000 site with representativity 'B – good representativity'. The Swedish explanation together with this information does not fully correspond to what is understood as marginal habitat (see above). The habitat will be maintained as **present** in the Alpine region in Sweden.