EN
E-000987/2026
Answer given by Ms Roswall
on behalf of the European Commission
(24.4.2026)

Article 5 of the Birds Directive[1] requires Member States to establish the general system of protection prohibiting, among other actions, the deliberate killing or capture by any method of individuals of all wild birds in the EU, including the red kite (*Milvus milvus*). Also, the red kite is listed in Annex I of the Directive, which means that it must be subject to special conservation measures concerning their habitat, and Member States must classify special protection areas for its conservation. The Commission considers that the new data on illegal killing of red kites and other birds of prey provided by the LIFE EUROKITE project under the EU programme for the environment and climate action[2] are important and must be given the necessary attention by the competent authorities in the affected Member States, who are primarily responsible for the correct implementation of the Directive.

The Commission actively promotes cooperation, monitoring and data collection on bird protection among Member States, mainly through dialogue with national authorities, including in the framework of the Nature Directives Expert Group and its Task Force on the Recovery of Birds.

In 2023, the Commission published a review of good practices on prevention in relation to combatting the illegal killing, taking of and trade in birds in the EU[3]. On 31 March 2026, the Commission adopted the guidance document on the general system of protection of bird species under Articles 5 and 9 of the Directive[4]. This interpretative guidance clarifies legal provisions and compiles the applicable case law of the Court of Justice of the European Union, to assist Member States in their implementation and enforcement actions.

[1] 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. 7–25.
[2] https://www.life-eurokite.eu/.
[3] https://op.europa.eu/en/publication-detail/-/publication/3287d532-fdd4-11ed-a05c-01aa75ed71a1.
[4] https://ec.europa.eu/commission/presscorner/detail/en/ip_26_760.