

# The Status of Birds of Prey and Owls in Hungary

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## SUMMARY OF LEGAL PROTECTION OF BIRDS OF PREY IN HUNGARY

All species of birds of prey occurring in Hungary are protected by law. Many years ago this was not the case; instead, their killing was encouraged. However, their role in nature is now better understood and legal protection has been improving continuously since that time. Much credit is due to János Salamon Petényi (1799-1855), founder of Hungarian scientific ornithology. He undertook significant conservation activity in the 1830s, even though legal protection for birds was not existent at that time.

The first legislation dealing with birds of prey was enacted in 1883 when the Hunting Act (Act No. 20) was passed. Under this law all species of vultures, eagles, falcons, kites, kestrels, the Goshawk *Accipiter gentilis* and Eagle Owl *Bubo bubo* could be shot even during the close season (1st Feb.- 15th Aug.) when hunting activities are restricted during the breeding season of a number of species (including mammals).

In 1891 the 2nd International Congress on Ornithology was held in Budapest. This important event made the government aware of their obligations for the conservation of birds. Following the Congress, on the initiative of Ottó Herman, the Hungarian Centre for Ornithology was founded in 1893. This was the beginning of nature conservation in Hungary. Since then the ornithological yearbook *Aquila* has been regularly published.

In 1901 the Minister of Agriculture declared 132 bird species to be protected (24 55 Ministerial Decree). Although no diurnal birds of prey were included in this decree, six owl species became protected: the Barn Owl *Tyto alba*, Short-eared Owl *Asio flammeus*, Little Owl *Athene noctua*, Tengmalm's Owl *Aegolius funereus*, Pygmy Owl *Glaucidium passerinum* and Scops Owl *Otus scops*.

In the following year an international convention was signed by European political leaders in Paris. This convention included two lists, one of useful birds

and another of harmful birds. Unfortunately, nearly all bird of prey species were listed as harmful with the exception of the Red-footed Falcon *Falco vespertinus*, Kestrel *Falco tinnunculus* and Lesser Kestrel *Falco naumanni*. It is interesting to note that the convention did not mention the Black *Aegypius monachus*, Griffon *Gyps fulvus* and Egyptian *Neophron pectoratus* Vultures nor any buzzard species. The convention did not consider these either useful or harmful. In Hungary this convention was ratified by Act No. 1. in 1906. Following this, the Minister of Agriculture declared the Red-footed Falcon, Kestrel and Lesser Kestrel to be protected by Ministerial Decree No. 80644/1906. Another decree enacted in 1906 also ordered primary schools to annually celebrate a "Day of Birds and Trees" to promote the conservation of birds among young people.

In 1925 another hunting decree declared all owl species protected throughout the year. Agricultural Ministerial Decree No. 38 500, enacted 1 August 1933, issued a year-round hunting ban on the Common Buzzard *Buteo buteo*. According to this decree the Black and the Griffon Vultures, Short-toed Eagle *Circaetus gallicus*, Honey Buzzard *Pernis apivorus*, Golden Eagle *Aquila chrysaetos*, White-tailed Eagle *Haliaeetus albicilla* and Osprey *Pandion haliaeetus* were permitted to be shot only with a permit from the ministry of agriculture; moreover, the White-tailed Eagle and Osprey could be shot only at fishponds. This order was extended in 1939 to the Egyptian Vulture and all eagle species.

In 1933 a hunting ban was also introduced for the Saker Falcon *Falco cherrug* and Peregrine Falcon *Falco peregrinus*) from 26 March to 15 June. In 1939 this period was widened from 1 March to 31 August. In 1940 it was further extended from 1 February to 30 September. Finally in 1945 it was forbidden to hunt these species throughout the year. Despite this protection, in 1949 hunting regulations still allowed for the shooting of the Sparrowhawk *Accipiter nisus*, Goshawk *Accipiter gentilis*, Black Kite *Milvus migrans*, Marsh Harrier *Circus aeruginosus* and Hen Harrier *Circus cyaneus*. However, from this time on it was forbidden to shoot the Long-legged Buzzard *Buteo rufinus*, Rough-legged Buzzard *Buteo lagopus*, Levant Sparrowhawk *Accipiter brevipes*, Red Kite *Milvus milvus*, Merlin *Falco columbarius* and Hobby *Falco subbuteo*.

The next legal protection was provided by a governmental decree "On The Protection of Birds" 59/1954 (09.09.), which declared almost all bird species occurring in Hungary to be protected. This decree did not specifically list the protected birds but instead listed the exceptions. The non-protected species were those still considered harmful, such as the Sparrowhawk, Goshawk, Black Kite, Marsh Harrier and Hen Harrier. This meant that all but the five above-mentioned species were protected by law and, in the case of the Kestrel, Lesser Kestrel and Red-footed Falcon their 1906 protected status was elevated. This decree also removed the conservation of birds of prey from the legislation governing hunting activities. The same decree introduced a new category of "strictly protected" and listed the following species as such: Honey Buzzard, Osprey, Red-footed Falcon, Saker Falcon, Peregrine Falcon, Short-Toed Eagle, Red Kite, Lesser Spotted Eagle *Aquila pomarina*, Greater Spotted Eagle *Aquila clanga*, Imperial Eagle *Aquila heliaca*, Golden Eagle, Booted Eagle *Hieraetus*

*pennatus*, White-Tailed Eagle, and the Eagle Owl. Despite the decree on the protection of birds, from 1958 to 1968 the Rough-legged Buzzard was once again listed among the species that could be hunted throughout the year.

In 1972 the Revolution's Labour-Peasant Government declared almost all bird species protected (Act 05.01). This legal instrument specifically identified each species and their protection and special restrictions, if any. Under this act all birds of prey became protected, but the Sparrowhawk, Goshawk and Marsh Harrier were permitted to be hunted at pheasant and domestic fowl breeding facilities. Thus, in comparison with the decree in 1954, the Black Kite and Hen Harrier became legally protected for the first time.

In 1975 a significant step toward a more effective protection of birds was made by assigning theoretical natural values (National Nature Conservation Office, 3/1975 T.k. 21) to birds protected by law. Accordingly, strictly protected species were given either a 50,000 HUF value (in 2004 this sum would equal USD\$250) (Golden Eagle, White-Tailed Eagle, Imperial Eagle, Saker Falcon, Eleonora's Falcon, Peregrine Falcon) or 30,000 HUF (= USD \$150) (Levant Sparrowhawk, Red Kite, Short-toed Eagle, Lesser Spotted Eagle, Greater Spotted Eagle, Booted Eagle, Montagu's Harrier *Circus pygargus*, Osprey, Eagle Owl), while the more common species were listed in the 1,000 HUF category (Common Buzzard, Rough-Legged Buzzard, Marsh Harrier, Merlin, Little Owl, Tengmalm's Owl, Long-eared Owl, Tawny Owl).

The 1/1982 legal act (15.03.) by the National Nature Conservation Office issued full and year-round protection for the Sparrowhawk and Marsh Harrier. The shooting of Goshawks was restricted to facilities for the breeding of pheasant and wildfowl, to the fenced post-release area and a 500m radius around them, between 1 July and 31 October. The same was reinforced by the 7/1988 ministerial decree (01.10.) of the Ministry of Environment and Water.

This order declared the following species strictly protected: Levant Sparrowhawk, Red Kite, Short-toed Eagle, White-tailed Eagle, Montagu's Harrier, Lesser Spotted Eagle, Imperial Eagle, Golden Eagle, Booted Eagle, Osprey, Saker Falcon, Peregrine Falcon. Among owls only the Eagle Owl became strictly protected.

The 8/1990 ministerial decree (30.04.) modified §34 of the 1/1982 (15.03.) decree. According to this modification: "It is obligatory to acquire a permit from the nature conservation authority to carry out forestry activities and tree logging in a 100m radius circle around the nests of Booted Eagle, Imperial Eagle, White-tailed Eagle, Golden Eagle, Lesser Spotted Eagle, Saker Falcon, Short-toed Eagle and Black Stork. For any actual economic loss originating from this ban on tree logging, the forestry company shall be reimbursed by the nature conservation authority."

The 12/1993 decree (31.03.) (by the Ministry of Environment and Spatial Development) modified the list of strictly protected birds of prey and their theoretical values. The Black Kite, Black Vulture, Eleonora's Falcon and Lesser Kestrel became strictly protected, as well as the Barn Owl, Little Owl, Snowy Owl *Nyctea scandiaca*, Ural Owl *Strix uralensis* and Short-eared Owl. The same was applied to the Red-footed Falcon, Lanner Falcon *Falco biarmicus* and Gyrfalcon *Falco rusticolus* in 1996.

The latest 13/2001 decree (09.05.) (by the Ministry of Environment) modified the categorisation of protected plant and animal species and also increased their theoretical values. Furthermore, it does not allow the shooting of Goshawks near fowl and pheasant farms or post-release facilities without a permit. Thus the Goshawk has finally received full legal protection. The decree also lists the Honey Buzzard, Long-legged Buzzard, Egyptian Vulture, Pallid Harrier *Circus macrourus*, Greater Spotted Eagle and Bonelli's Eagle *Hieraaetus fasciatus* as strictly protected.

## PRESENT RAPTOR CONSERVATION

The state nature conservancy has been considerably strengthened in Hungary during the last few decades. Since 1989 nature conservation has its own ministerial institution. In 2003 9.9% of the country's surface area is protected by law (Table 1).

**Table 1. Protected Areas in Hungary**

<i>Category of areal protection</i>	<i>Number</i>	<i>Area (ha)</i>
National parks	10	484 883
Landscape protection areas	36	309 817
Nature Conservation Areas of National Importance	142	25 927
Natural Monument of National Importance	1	–
Nature Conservation Areas of National Importance Protected by Specific Decrees	189	820 627
Nature Conservation Areas of Local Importance	1 225	36 700
<b>Total of protected natural areas</b>	<b>1 414</b>	<b>857 327</b>

In Hungary 383 bird species are known to occur. Out of these, 212 are breeding species. Thirty-four species of diurnal birds of prey occur, out of which 21 breed, 13 are winter visitors, migrants or rare vagrants. As to owls, 12 species occur, 9 breed and 3 are rare vagrants. Tables 2 and 3 list Hungarian birds of prey, their theoretical values and population status.

The Hungarian Ornithological and Nature Conservation Society (MME) was founded on 6 January 1974. At the very beginning a Raptor Conservation Committee was set up within the frame of the MME, and in 1976 the Raptor Conservation Group was formed. This group has about 300 members and a steering committee of elected regional representatives. Raptor conservation programmes are co-ordinated by the steering committee.

The objective of the raptor conservation group is to discern negative factors affecting raptor populations and to develop options to solve these problems. Programmes of outstanding importance are those on the Saker Falcon, Imperial Eagle, White-tailed Eagle, Red-footed Falcon, Barn Owl and Eagle Owl and the programme against electrocution on distribution powerlines. The MME has developed action plans for the above-mentioned species and a continuous monitoring of their populations. During the execution of these programmes, MME constantly co-operates with the authorities of the state nature conservancy. On the 8th of 1990 the International Imperial Eagle Working Group was formed together with Slovak colleagues, after which a common programme for the conservation of the species in the Carpathian Basin was established.

The future for birds of prey is encouraging in Hungary. The Nature Conservation Warden Service has been created and has been working effectively, which is a significant contribution to the active protection of birds of prey. However, for the successful implementation of conservation programmes, help by NGOs is indispensable.

**Table 2. Diurnal Birds of Prey, their theoretical values and populations in Hungary in 2002**

<i>Species</i>	Pro- tected	Strictly pro- tected	Theo- retical value	Population and population trend, 2002			
			HUF	Number of breeding pairs	De- clining	Stable	In- creasing
<b>Honey Buzzard</b> ( <i>Pernis apivorus</i> )		X	100,000	500 – 650			↑
<b>Black Kite</b> ( <i>Milvus migrans</i> )		X	250,000	55 – 60	↓		
<b>Red Kite</b> ( <i>Milvus milvus</i> )		X	500,000	6 – 10			↑
<b>White-tailed Eagle</b> ( <i>Haliaeetus albicilla</i> )		X	1,000,000	97 – 105			↑
<b>Short-toed Eagle</b> ( <i>Circus gallicus</i> )		X	500,000	30 – 40	↓		
<b>Marsh Harrier</b> ( <i>Circus aeruginosus</i> )	X		50,000	5,200 – 6,700			↑
<b>Montagu's Harrier</b> ( <i>Circus pygargus</i> )		X	250,000	170-200			↑
<b>Goshawk</b> ( <i>Accipiter gentilis</i> )	X		50,000	2,000 – 3,000		↔	
<b>Sparrowhawk</b> ( <i>Accipiter nisus</i> )	X		50,000	1,300 – 2,000			↑
<b>Levant Sparrowhawk</b> ( <i>Accipiter brevipes</i> )		X	250,000	0 – 1	↓		
<b>Common Buzzard</b> ( <i>Buteo buteo</i> )	X		10,000	15,000 – 21,000			↑
<b>Long-legged Buzzard</b> ( <i>Buteo rufinus</i> )		X	100,000	4 – 7			↑
<b>Lesser Spotted Eagle</b> ( <i>Aquila pomarina</i> )		X	1,000,000	40 – 45	↓		
<b>Imperial Eagle</b> ( <i>Aquila heliaca</i> )		X	1,000,000	61 – 65			↑
<b>Golden Eagle</b> ( <i>Aquila chrysaetos</i> )		X	500,000	5			↑
<b>Booted Eagle</b> ( <i>Hieraetus pennatus</i> )		X	500,000	1 – 4	↓		
<b>Kestrel</b> ( <i>Falco tinnunculus</i> )	X		50,000	3,500 – 5,000			↑
<b>Red-footed Falcon</b> ( <i>Falco vespertinus</i> )		X	500,000	800 – 1,000	↓		
<b>Hobby</b> ( <i>Falco subbuteo</i> )	X		50,000	900 – 1,500			↑
<b>Saker Falcon</b> ( <i>Falco cherrug</i> )		X	1,000,000	145 – 150			↑
<b>Peregrine Falcon</b> ( <i>Falco peregrinus</i> )		X	500,000	7			↑

**Table 3. Owls, their Theoretical Values and Populations in Hungary in 2002**

Species	Pro- tected	Strictly pro- tected	Theo- retical value	Population and population trend, 2002			
			HUF	No. of breeding pairs	De- clining	Sta- ble	In- creasing
<b>Barn Owl</b> ( <i>Tyto alba</i> )		X	100,000	1.000 – 1.500			↑
<b>Scops Owl</b> ( <i>Otus scops</i> )	X		50,000	500 – 600			↑
<b>Eagle Owl</b> ( <i>Bubo bubo</i> )		X	250,000	30 - 32			↑
<b>Little Owl</b> ( <i>Athene noctua</i> )		X	100,00	1.800 – 2.500			↑
<b>Tawny Owl</b> ( <i>Strix aluco</i> )	X		50,000	5.000 – 8.000			↑
<b>Ural Owl</b> ( <i>Strix uralensis</i> )		X	100,000	100 – 200			↑
<b>Long-eared owl</b> ( <i>Asio otus</i> )	X		50,000	15.000 – 20.000		↔	
<b>Short-eared Owl</b> ( <i>Asio flammeus</i> )		X	250,000	100 – 200			↑
<b>Tengmalm's Owl</b> ( <i>Aegolius funereus</i> )	X		50,000	1 – 2			↑

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