

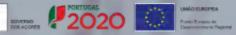


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Framework

This **code of conduct (CC)** aims to promote sustainable birdwatching tourism and is one of the deliverables of the Birdwatching Network Project, abbreviated ROA (*Rede de Observação de Aves*), implemented by the Seabird group of the Department of Oceanography and Fisheries, University of the Azores, Horta (DOP) and financially supported by the Regional Secretariat for the Environment (DRA). ROA's main goals are to propose measures for sustainable birdwatching tourism in the Azores, an activity that has been gaining momentum but is not yet regulated in the archipelago.

This **CC** aims to be concise and simple while still providing crucial and focused information on birdwatching practises. Its target-group is wide-ranging from the general public and tourists, to independent birdwatchers, local tourism operator companies and regional administration, including the Natural Parks of each island.

The code is organized in three main sections, the first focuses on the ornithological value of the Azores region and its potential for developing birdwatching tourism. The second focus is the impacts associated with birdwatching on the local fauna and habitats. This section also identifies the behaviours that birds are most likely to display when in stressful situations, and offers recommendations on how to avoid these impacts. The third section provides an overview of the legal aspects, including the current laws applicable to nature tourism as well as the protection and conservation of birds.

At the end of the document there are several annexes containing relevant information such as other codes and guides for birdwatching, that complement the information stated in this **CC**.





INTRODUCTION

SECTION I

Introduction

Naturalists have shown interest in the Azorean ornithological fauna since the 19th century, as illustrated by the many scientific expeditions visiting the archipelago to collect specimens¹: Morelet (1860), Godman (1870), Hartert & Ogilvie-Grant (1905). During the second half of the 20th century, David and Jane Bannerman, a couple of Scottish ornithologists, visited the archipelago and synthesized the then current knowledge on bird fauna in a large and complete publication (Bannerman & Bannerman 1966). A couple of decades later, Gérald Le Grand (1983) a French ornithologist also published a detailed list of bird species² from the Azores.

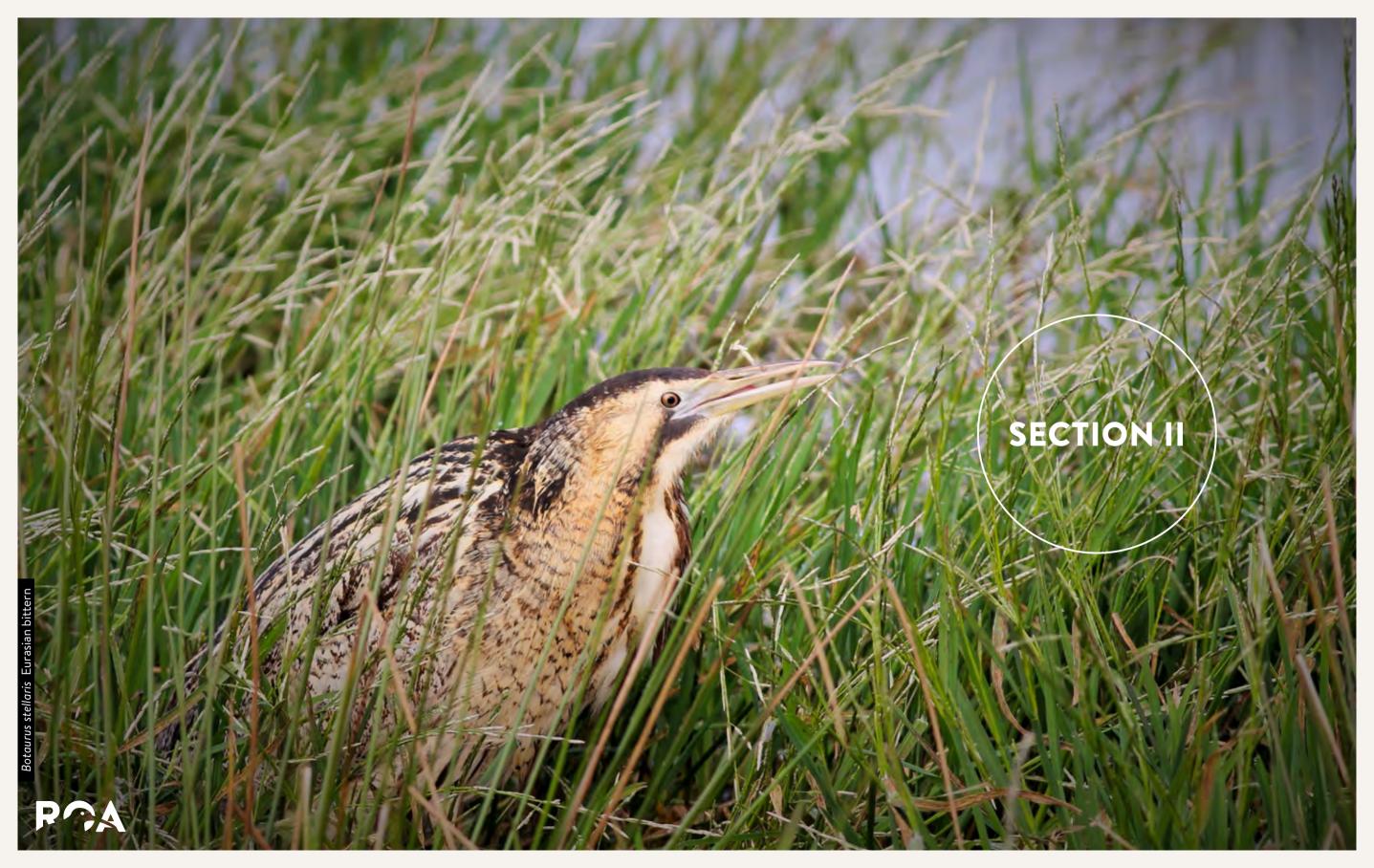
Recently, several naturalists and ornithologists, both foreign and nationals (e.g. Dominic Mitchell, Peter Alfrey, Bosse Carlsson, Staffan Rodebrand, Gerbrand Michielsen, Carlos Pereira, among others) have brought back a new vigour and momentum to the Azorean ornithology scene, by creating bird observation websites and actively disseminating information of rare sightings in the Azores in ornithological journals. It's due to these efforts that the current number of species sighted in the Azores is kept up to date. So far a total of 414 species and sub-species have been recorded (Barcelos et al. 2015). Due to the combination of these efforts the Azores is currently considered as one of the best spots in Europe to observe species from both the nearctic³ and palearctic⁴ regions (Azores Bird Club. 2015). The occurrence of these vagrant and rare species is higher during the autumn when strong winds and storms blow them away from their usual migration routes.

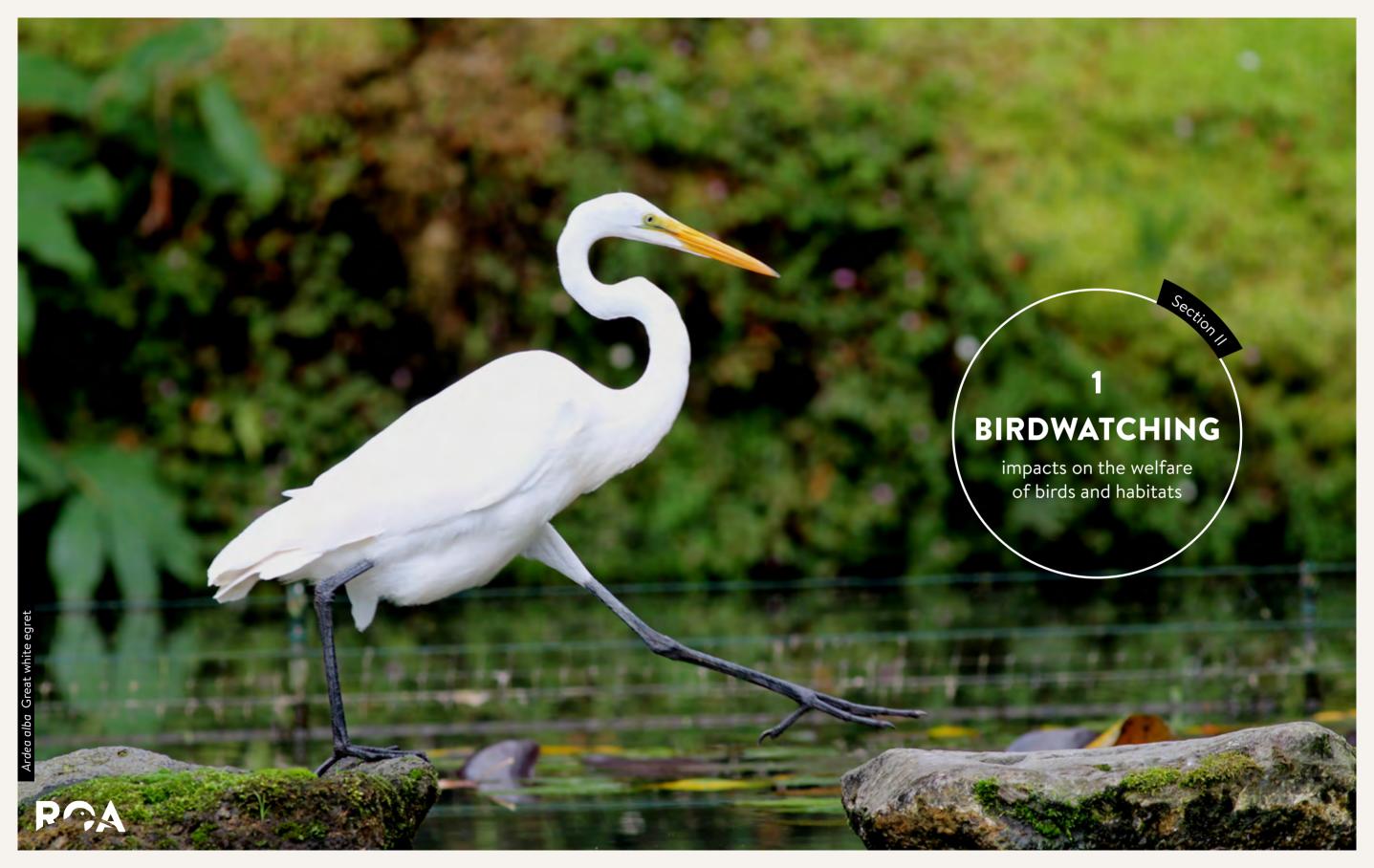
The observation of such rare birds attracts a large number of birdwatchers to the Azores every year. However, the two Azorean endemics⁵, the Azores bullfinch *Pyrrhula murina*, one of the most endangered birds of Europe with a distribution restricted to São Miguel Island, and the Monteiro's stormpetrel *Hydrobates monteiroi*, whose breeding has only been confirmed from Graciosa island, also attract an influx of birdwatchers to these islands each year.

The observation of seabirds is especially interesting in the Azores archipelago. Here we find the world's largest population of Cory's shearwater Calonectris borealis and the second largest European population of the Roseate tern Sterna dougallii. Endemic terrestrial sub-species⁶ also provide additional value for birdwatchers in the Azores. The archipelago holds several sub-species of Passeriformes⁷, among them are three sub-species of Goldcrest, such as the Regulus regulus azoricus only occurring on the island of São Miguel, R. r. sanctaemariae on Santa Maria, and R. r. inermis with the widest distribution of the three, found on the islands of Flores, Faial, Terceira, São Jorge and Pico. Other endemics include

a sub-species of Galliforme⁸, the quail Coturnix coturnix conturbans, an Accipitriforme⁹, the buzzard sub-species Buteo buteo rothschildi, and a Columbiforme¹⁰, the Azorean woodpigeon Columba palumbus azorica.

The Azores archipelago's unique ornithological interest has been discovered and rediscovered for centuries by generations of naturalists. The archipelago holds high potential for the development of birdwatching tourism. As such, it is important to ensure the preservation of its species richness, adopting and promoting practices that minimize the impacts on wild birds and their habitats.





SECTION II

Birdwatching: impacts on the welfare of birds and habitats

Birdwatching is a popular activity practiced by millions of people around the world. There are several reasons why it attracts so much interest. Many birdwatchers are interested in the natural history of the different species and/or bird photography. Others, informally called 'twitchers', focus on seeing as many species as possible, often travelling the world in the process, they enjoy keeping records for each year as well as the places they go.

Within this universe of birdwatchers individuals often have different perspectives on the potential impact their activity has on the birds' wellbeing. Although knowledge and awareness of the sensitivity of birds is growing, there are still those who are unaware of the impacts and adopt attitudes that can cause high levels of stress and disturbance to the birds.

For example, reckless approaches by unaware observers to nesting areas can cause high levels of stress and breeding failure. Birds probably sense humans as predators. Therefore approaching breeding colonies without care can cause adults to abandon their nests either temporarily or permanently, exposing their eggs and chicks to adverse meteorological conditions and predators. In more serious cases the camouflaged eggs and chicks as well as the sometimes well hidden nests of ground nesting species, such as waders and terns, can also be destroyed by inadvertent trampling.

Nest-burrowing species, such as the **Cory's shearwaters**, are equally sensitive to disturbance. Visits to their breeding sites located in soft ground can cause nest burrows to collapse. These losses are particularly harmful to the long-term breeding success of **Cory's shearwaters** since they are only capable of producing one egg per year and will not re-lay until the following year.

Birdwatchers that disturb roosting areas can also stress birds and reduce their chances of survival. This is especially the case for migratory species that often use strategic locations to rest or feed after or during their migrations. If these birds are unable to rest and recover or feed due to repeated disturbance they will not be able to store enough energy to complete their journeys. For example, approaches that encroach on the comfort limits of birds, or use methods that incite the flight of birds for observation, such as 'flushing'', can force them to remain alert and waste their energy in unnecessary flight, consequently reducing both the time they need to rest and forage.

In addition to these direct impacts, reckless approaches and attitudes will equally impact the habitat of the species, for example, by reducing the vegetation cover, increasing soil erosion, introducing non-native species or increasing rubbish and pollution within the visited areas.



Responsible observation: recognizing signs of disturbance

Different bird species react differently to human disturbance and different individuals of the same species can respond differently to any given disturbance. The degree of disturbance is also dependent upon a variety of factors, such as the way the birds are approached, the degree of habituation by the individual bird or the phenology of the species, with the breeding season being the most sensitive period for most species.

In general though, there are a few common behaviours that most birds display while in a stressful situation. These include an increase in vigilance, easily distinguished by the constant turning of the head towards the disturbance source, or a change of course (when in flight) away from the disturbance. These behaviours usually indicate that the comfort level for those individuals has been crossed. Other possible signs, more commonly seen during the breeding season, are mocking behaviour such as swooping towards the source of disturbance, e.g. terns, screeching vocalizations or warning calls, or aggressive and agitated demeanours.

There are also species of birds that despite portraying an external apparently neutral reaction to the approaches of human observers still suffer physiological stress and alterations, such as increased heartbeat or the production of stress hormones. This is very common in the case of several penguin species but also some species of terns.

Being able to identify stress signals in birds and reduce reckless approaches will ultimately improve the observation quality, as well as increase the opportunity to register complex and unique behaviours.



Code of Conduct recommendations

The recommendations found throughout this code take into account other codes published by several other institutions, both national and international (Annex 3).



Recommendations for birdwatching on land

- Respect the current legislation and regulations regarding the access to protected areas such as Natural Parks and Special Protection Areas (SPAs);
- > Support the protection of important bird habitat;
- > Respect private property and always get an authorization from the landowner to enter their property and to observe birds in the same area;
- > Stay within the defined and marked trails; otherwise, keep habitat disturbance to a minimum;
- > Avoid using any kind of lures to attract birds (e.g. tape recorders), particularly within the breeding season, to avoid aggressive territorial displays;
- > Flushing shouldn't be conducted under any circumstance;
- > Limit the use of the flash, in photographic cameras or video, and don't use high-powered flashlights to observe nocturnal birds (e.g. Long-eared owl) or birds that come to land at night (e.g. Macaronesian shearwater or Cory's shearwater). The use of these equipment's can cause disorientation;

- > Never approach Roseate or Common tern colonies at distances that cause the birds to take flight. Reckless approaches to nesting areas may lead to nest/egg abandonment, or to trampling of the eggs or chicks that are well camouflaged against the vegetation. We recommend a minimum distance of 200 m;
- > Don't approach any nest. In the case that you accidentally find one, leave the vicinity and keep your distance;
- > Be aware that **Cory's shearwaters** build their nests in burrows, under rock or loose gravel soil, and sometimes at local beaches. When going to these areas be extra careful not to collapse any nests or dislodge any rocks, so not block the nest cavity;
- > If you find a chick alone in the nest, do not approach it, move it or try to touch it. Its normal for the parents of some species (e.g. Cory's shearwater, Bulwer's petrel and other storm petrels) to leave the chick alone in the nest while gathering food at sea;
- Always use hides, shelters and observation towers whenever available (e.g. Lagoa Branca in Flores, Pedro Miguel marsh on Faial);
- > Try to use clothing with cryptic¹² colours to better blend in with the environment. There is a higher probability of not causing stress or behavioural changes and it can even extend the observation period if you are properly camouflaged;

- > Stay in the observation site as little time as possible, except if you are well hidden/camouflaged or at a distance that is not causing any behavioural changes in the birds;
- > Use binoculars and telescopes to increase observation quality and distance to the birds, thus minimizing impact;
- > When you are observing birds from a moving vehicle, pay attention to the speed. Higher speeds will disturb and scare the birds away, minimizing the probability of observation and creating unnecessary stress;
- > If you are a ranger or a nature guide, make sure that everyone in your tour group is aware of, and understand the Code of Conduct. Be aware of how many people you take in a tour, too many people may cause higher disturbances and stress to the birds. We recommend a maximum of 10 people per guide;
- > Practice common courtesy in contacts with other people; your exemplary behaviour will generate goodwill with birders and non-birders alike;
- > Respect the interests, rights, and skills of fellow birders, as well as people participating in other legitimate outdoor activities. When you come across a place where other individuals/groups are already conducting their observations, make sure you approach them carefully and silently in order not to scare the birds. Be equally careful and respectful if you are driving by a place where other individuals/groups are already conducting their observations;

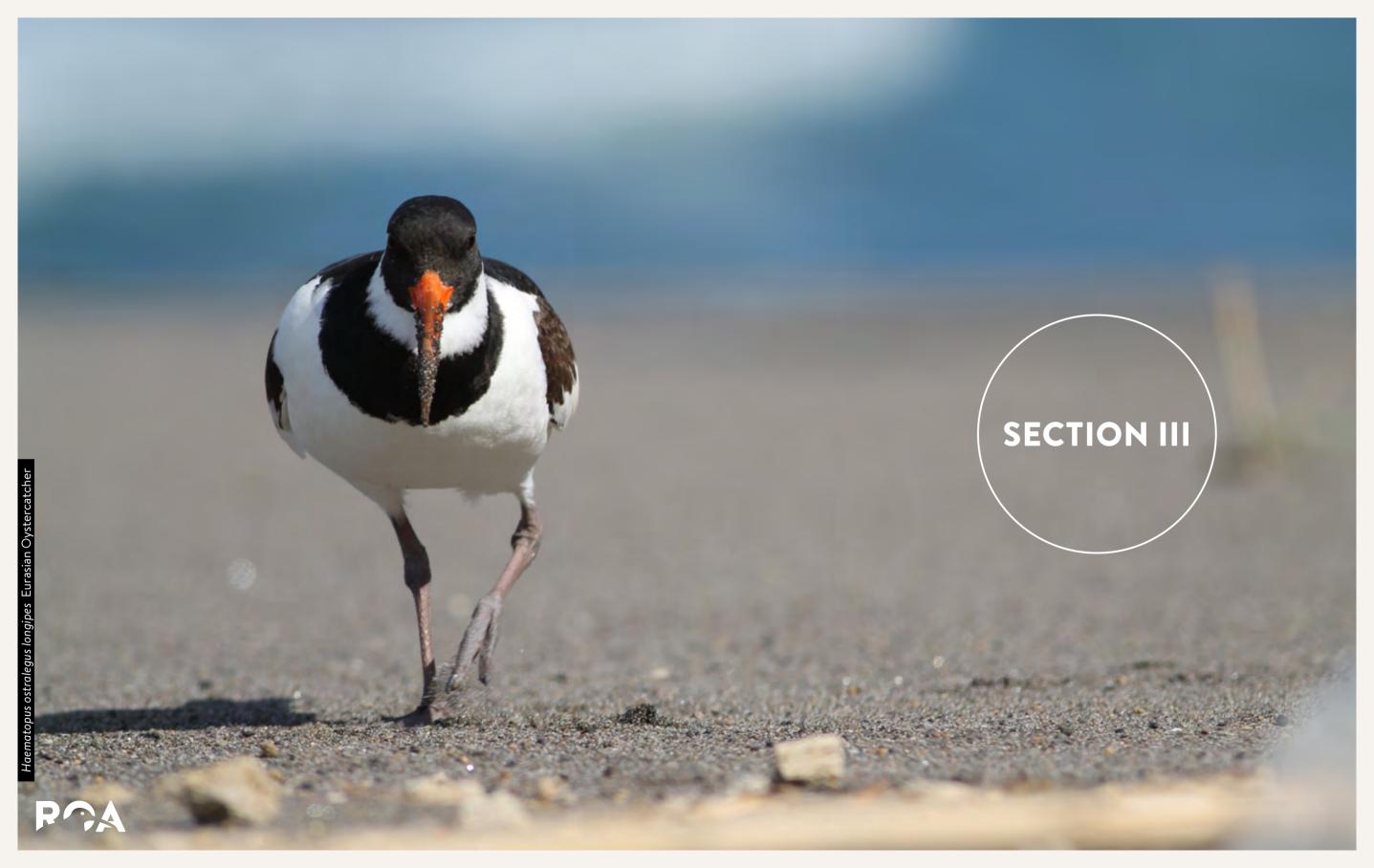
- > If you witness unethical birding behaviour, assess the situation and intervene if you think it prudent. When interceding, inform the person(s) of the inappropriate action and attempt within reason, to have it stopped. If the behaviour continues, document it and notify appropriate individuals or organizations;
- > With the exception of guide-dogs, pets shouldn't be brought along to birdwatching trips;
- > Don't litter or leave trash/food in the areas you visit. Trash will attract opportunistic and predatory species (e.g. rats) that can increase rates of predation upon smaller and more sensitive species (e.g. Roseate and Common tern);
- > Educate the local community about the local birds and their habitats, as well as about potential economic benefits that this activity may bring if conducted in a sustainable way;
- > Support local nature organizations in the development of conservation actions;
- > Everyone involved in the birdwatching activity should promote the wellbeing of the birds and their habitats, acting as ambassadors for birdwatching in the Azores archipelago.



Recommendations for birdwatching at sea

- > Reduce the speed of the vessel (< 4 knots) when in proximity of seabirds resting or feeding at the surface. Approaches should always be made with the vessel windward¹³ from the birds;
- > Try to maintain a minimum distance of 50 m when observing birds. This distance can vary according to the species, for example species like Cory's shearwater are more tolerant to closer approaches than other Procellariiformes (e.g storm-petrels);
- > Try to maintain a minimum distance of 200 m and a slow approach speed (< 2 knots) while observing tern colonies. Be aware that reckless approaches can lead to panic and nest abandonment;
- > Never intentionally cause a *flushing* event of seabirds that are rafting or gathered in the coastline;
- > Do not litter, particularly do not throw plastic or cigarette butts to the sea. Many species of seabird mistake trash for potential prey and their ingestion is often lethal, leading to blockage of the birds airways or to malnutrition;

- > Make sure that everyone in the group are aware of, and understand the **Code of Conduct**:
- > Promote this **CC** and its recommendations even when whale-watching. Its frequent to observe interaction between cetaceans and seabirds, particularly during feeding activities;
- > Everyone involved in the birdwatching activity should promote the wellbeing of the birds and their habitats, acting as ambassadors of birdwatching in the Azores archipelago.





SECTION III

Legislation

All species of wild breeding birds and resident birds in the Azores, including their eggs, chicks, nests and habitats, are protected under the Bird Directive n° 2009/147/CE, of the European Parliament and European Union Council, of 30th November 2009.

Within the present **CC** we must refer to Article 5.° of the Birds Directive where the following prohibitions are stated:

- a) deliberate killing or capture by any method;
- **b)** deliberate destruction of, or damage to, their nests and eggs or removal of their nests;
- c) taking their eggs in the wild and keeping these eggs even if empty;
- **d)** deliberate disturbance of birds particularly during the period of breeding and rearing, in so far as disturbance would be significant in regard to the objectives of this Directive;
- e) keeping bird species for which hunting and capture is prohibited.

The regional decree n° 15/2012/A, which consists in the legal bounds of nature conservation and biodiversity applied to the Autonomous Region of Azores, takes into account additional measures, including Article 80, which refers to the prohibition of any action, even unintentional, towards species during breeding season that cause any type of disturbance such as:

- a) noise emission;
- b) trampling;
- **c)** excessive numbers of people, vehicles or vessels approaching.

The regional decree 15/2012/A also includes information on the consequences of failing to fulfil the law. For more information on the regional decree 15/2012/A use the following link: http://www.azores.gov.pt/JO/References/2012/DLR_15_2012.pdf.

Final remarks

This is the first document of its kind to be published for the Azores archipelago. It is not meant to be a regulation that binds the user to a set of laws. On the contrary, it should be taken as a document to be voluntarily read and reflected upon, raising awareness of birdwatchers to behaviours and actions that will lead to a sustainable practice of the birdwatching activity in the region. However, it is important to note that noncompliance with some **CC** rules violates regional legislation.

Azorean birds face a set of threats that make them particularly sensitive, such as habitat destruction and fragmentation or the introduction of non-native species. In the whole archipelago five species are classified as "Vulnerable" according to the Red Book of Vertebrates of Portugal: Macaronesia shearwater,

Band-rumped storm-petrel, Monteiro's storm-petrel, Roseate and Common tern. A further three species are classified as "In danger", Bulwer's petrel, Manx shearwater and the Azores bullfinch. At the moment there aren't any studies that quantify the consequences of inappropriate or reckless conduct into the wellbeing or state of those birds. Nevertheless the increasing interest for the activity and the lack of regulations to prevent reckless conduct will most likely increase the impacts on these bird populations. The result may be dramatic if these practices lead to long-term decreases in survival and productivity.

The overall rationale exposed in this **CC** should be taken to heart not only by active practicing birdwatchers, but also by everyone who uses or shares the habitat with the birds. For example, tourist operators dedicated to whale-watching should also be aware of the birds' presence and be sensitive to their safe approach limits, respecting their feeding and resting periods (check **recommendations for good practices at sea**, section III).

Lastly this **CC** can serve as a basis for the development of future management and regulation tools to contribute to the sustainability of the birdwatching activity. The adoption of sustainable practices for the birdwatching activity will ensure the preservation of the species and their habitats. It will also contribute to the economic growth of this activity in the Azores, as well as safeguarding our biodiversity for generations to come.

Glossary

- ¹ **Specimen:** an individual animal, plant, piece of a mineral, etc. used as an example of its species or type for scientific study or display.
- ² **Species:** group of individuals who share a set of common characteristics that make them able to reproduce amongst themselves, producing fertile offspring.
- ³ **Nearctic:** biogeographic region that includes North America.
- ⁴ Palearctic: biogeographic region that includes Europe, North Africa, northern and central Arabian Peninsula and all Asia north of the Himalayas.
- ⁵ **Endemic:** animal or plant species that occurs exclusively in a certain geographical area.
- ⁶ **Subspecies:** group of individuals that, due to environmental constraints such as geographical barriers, evolved to be different from the main species but still maintain the capability to produce fertile offspring amongst themselves and with the main species as well. The differentiation can be seen at a morphological or genetic level.
- ⁷ Passeriformes: order of the Class Aves to which belong bird species such as the house sparrow, blackbird, European goldfinch, etc.

- ⁸ Galliformes: order of the Class Aves to which species such as the chicken or the common quail belongs.
- ⁹ **Accipitriformes:** order of the Class Aves to which species of daytime raptors, such as the Azorean common buzzard belongs.
- ¹⁰ **Columbiformes:** order of the Class Aves to which species such as the rock dove or common wood pigeon belongs
- ¹¹ **Flushing:** technique used by birders and birdwatcher's to intentionally induce the flight of birds in a resting or feeding activity on land/sea, usually using some sort of device that will create a loud and sudden sound, such as a loud sounding horn.
- ¹² **Cryptic:** something that is easily camouflaged with the surrounding environment.
- ¹³ **Windward:** is the direction upwind (toward where the wind is coming from) from the point of reference.



What to do in a SOS situation

If you find a dead, sick or injured bird please call the 24h toll-free number from the Regional Environment Directorate.

Alternatively if you are in the islands of Corvo, Pico or São Miguel you can call the Wild Birds Rescue and Recovery Centres. If you witness any disturbing situation regarding the welfare of birds and habitats please contact the National Republican Guard.

SOS Birds

800 292 800 (24h toll-free number) Environment Regional Directorate

Corvo Wild Birds Rescue and Recovery Centre

Largo do Maranhão 9980-050 Vila Nova do Corvo, Phone: +351 292 596 051 Email: parque.natural.corvo@azores.gov.pt

Pico Wild Birds Rescue and Recovery Centre

Parque Florestal de Santa Luzia, Estrada Regional, s/n, Santa Luzia 9940-128 S. Roque, Phone: +351 292 644 278 Email: parque.natural.pico@azores.qov.pt

São Miguel Wild Birds Rescue and Recovery Centre

Quinta de São Gonçalo 9500-343 Ponta Delgada, Phone: +351 296 654 173 Email: parque.natural.smiquel@azores.gov.pt

National Republican Guard (GNR)

Comando Territorial dos Açores Ponta Delgada, Ilha de São Miguel, Phone: +351 296 306 580 http://www.gnr.pt

ANNEX 2

Reporting bird observations

Observations of ringed birds can be reported to the Portuguese Ringing Centre and to the Seabird Group of the University of the Azores.

Portuguese Ringing Centre, Instituto da Conservação da Natureza e das Florestas

Av. da República, 16 1050-191 Lisboa Coordinator: Vítor Encarnação E-mail: vitor.encarnacao@icnf.pt

Seabird Group,

Department of Oceanography and Fisheries, University of the Azores, Rua Prof. Dr. Frederico Machado 4 9901-862 Horta E-mail: projectoroa@gmail.com Telefone: + 351 292 200 400

You may report your observations of rare and vagrant species to the following email addresses: avesdosacores@gmail.com and azoresbs@hotmail.co.uk.

However, before advertising the presence of a rare bird, evaluate the potential of disturbance to the bird, its surroundings, and other people in the area, and proceed only if access can be controlled, disturbance minimized, and permission has been obtained from private landowners.

Complementary Codes of Conduct

The following codes complement the information provided in this code. Their contents vary, from more general to more specialized codes, from focusing on a group of species or on geographic regions. These contents are available in digital formats and can be downloaded at the following links:

American Birding Association Code of Birding Ethics

http://listing.aba.org/ethics/ American Birding Association

Birdwatchers' code

http://www.bto.org/sites/default/files/u10/downloads/taking-part/health/bwc.pdf
Royal Society for the Protection of Birds

Code of Practice for Visitors of Coastal/ Island Bird Colonies

http://www.birdwatchireland.ie/LinkClick. aspx?fileticket=qPke%2FWJkh%2BM%3D&tabid=1321 Irish Wildlife Trust and Bird Watch Ireland

Ethical code for birdwatchers

http://www.spea.pt/fotos/editor2/codigo_etica_ birdwatching_spea.pdf Portuguese Society for the Study of Birds

Ethical Birding Guidelines

http://birdlife.org.au/documents/POL-Ethical-Birding-Guidelines.pdf Birdlife Australia

Scottish Marine Wildlife Watching Code: A Guide to Best Practice for Watching Marine Wildlife

http://www.marinecode.org/documents/guide-web.pdf Scottish Natural Heritage

Strictly for the birds: A code of conduct for birdwatchers and bird photographers in the Bailiwick of Guernsey

http://www.guernseybirds.org.gg/documents/ Code%20of%20conduct%20for%20Guernsey%20 birders%20and%20photographers.pdf La Société Guernesiaise

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Webgraphy

Aves dos Açores – Provides detailed information on the birds that occur in Azores and the best locations to observe them - http://azores.avesdeportugal.info

Birding Azores – Contains diverse and useful information for birding in Azores, including species checklist, references and bibliography (Note: Currently deactivated, last updated in August 2014) - http://www.birdingazores.com

Azores bird sightings – Information on the latest sighted species in the Azores - http://azoresbirdsightings.blogspot.pt/ Also includes a Facebook page "Azores bird sightings" - https://www.facebook.com/birding.azores?fref=ts.

Clube Observação de Aves do Faial – Includes sightings and pictures of birds observed at Faial island. Facebook group - https://www.facebook.com/groups/birdingfaial/?fref=ts

SIARAM sentir e interpretar o ambiente dos Açores –

Very comprehensive site on the Azores biodiversity. Includes descriptive fact sheets of seabird species breeding in the Azores and audio-visual material including the songs and calls of different species - http://siaram.azores.gov.pt/intro.html

MacaroAves – Webpage of the project MacaroAves, with a short description of the project and the best bird observations sites in Macaronesia - http://macaroaves.blogspot.pt/p/donde-observar.html

BirdWatching, turismo ornitológico em Portugal -

Provides information for Portugal about different bird species, routes, recent sightings, workshops and activities, amongst others - http://birdwatching.spea.pt/pt/

ICNF – Instituto de Conservação da Natureza e

Florestas – Provides information on Portuguese marine protected areas, conventions and access to the Portuguese Red Book of Vertebrates (endangered species) - http://www.icnf.pt/portal/naturaclas/patrinatur/especies

Atlas das Aves Marinhas de Portugal – Online publication available for download containing information relative to the distribution and abundance of seabirds and coastal bird species that can be found in Portuguese waters - http://www.atlasavesmarinhas.pt/

Lynx Edicions – Book publisher that specializes in ecology, distribution and other characteristics of different taxonomic groups. http://www.lynxeds.com/

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Cover picture

Ardea herodias Great blue heron

Transatlantic rare vagrant. Observed in the Azores in the autumn and after winter storms.

© Gerbrand Michielsen/ Gerby Birding



p. 5 Ardenna gravis Great shearwater

Gerby Birding

Can be observed at-sea every year, between late July and early September, while migrating south to the breeding colonies. © Gerbrand Michielsen/



Ardea alba Great white egret

Nearctic regular visitor to all the Azorean islands.

© Gerbrand Michielsen/ Gerby Birding



p. 13

Bubulcus ibis Cattle egret

Regular visitor to all the Azores islands. Can be observed throughout the year but is more abundant in the spring and autumn.

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Gavia immer Common loon

Regular vagrant; occurs in the Azores mainly in the winter.

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Sterna hirundo Common Tern

Azores breeding seabird. Present in the archipelago between March and November, Transatlantic migrant (Brazil, Argentina).

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p. 4 Numenius phaeopus Whimbrel

A regular visitor to all the Azorean islands.

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p. 8 Botaurus stellaris Eurasian bittern

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Rare Palearctic vagrant, to date has only been observed at Terceira and São Miguel islands. © Gerbrand Michielsen/



Regulus regulus azoricus Goldcrest

Europe's smallest bird Endemic subspecies from São Miguel island. Two other subspecies are described namely R r sanctamariae from Santa Maria island and Rr inermis present in the islands of Faial, Pico, São Jorge, Terceira and Flores.

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Motacilla cinerea Grey wagtail

An endemic sub-species that breeds in all the Azorean islands.

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Haematopus ostralegus longipes **Eurasian Oystercatcher**

Palearctic subspecies rarely observed in the Azores.

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Estrilda astrild Common waxbill

This exotic species, native to sub-Saharan Africa, was observed in the Azores for the first time in 1984. Presently breeds on Terceira and São Miguel islands.

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