

BirdLife Photography Code of Ethics

Purpose of this Code

This Code sets out the standard of behaviour that BirdLife Photography members should apply in the pursuit of bird photography.

In accepting membership of BirdLife Photography, each member agrees to uphold the highest ethical standards by endorsement of and compliance with this Code.

In compiling these ethical guidelines, the BirdLife Photography Committee has applied the internationally-recognized "Precautionary Principle".

In accordance with this Principle, if in doubt, we will base our Code on the need to minimise risk to birds, even if the case for action is not fully proven.

General Ethical Behaviour

The welfare of birds, and their habitat, must always come before the capture of the photograph.

It is important for bird photographers to act with the interests of birds in mind. This will require, at times, foregoing possible photographic opportunities in order to minimise impacts on birds.

Photographers should keep an appropriate distance from birds at all times, keep well back from sensitive areas, avoid harassing, flushing or pursuing birds in the pursuit of photographic opportunities, and should not alter the environment to clear the path for the photograph.

Bird photographers must at all times comply with applicable laws in the relevant State or Territory.

Members should also be aware of and comply with the **BirdLife Australia Ethical Birdwatching Guidelines** which are available at: <https://birdlife.org.au/documents/POL-Ethical-Birding-Guidelines.pdf>. Members should apply this BirdLife Photography Code of Ethics for their photography, to the extent that it differs from the BirdLife guidelines.

Nesting Bird Photography

Nesting is a time of great risk and stress for birds. Photographers must take great care to avoid disturbing birds in, at or near nests. Photographers should also be aware that their presence risks drawing attention to the nest by predators, as well as other people who may be less concerned about their impact on the nesting birds.

Photographs depicting nests with eggs or chicks in the nest will NOT be accepted for publication on any BirdLife Photography site, whether a parent bird is present or not, and whether the eggs or young are visible or not.

- **This principle applies irrespective of the distance between the photographer and the nest, even if birds seem comfortable with human presence (e.g. a nest on a verandah, or next to a public path).**

Photographs of fledglings are ACCEPTED but great care must still be taken to ensure that the fledglings are not exposed to the elements or predators, that parents are not driven off by the photographer's behaviour, and that the time to capture an image is brief.

For the purposes of this Code, a fledgling is any young bird which has left the nest permanently. This includes birds which have already acquired structured feathers and are ready to attempt flight, but which remain dependent on their parents for a time. It also includes species which leave the nest very quickly after hatching, usually as downy chicks, whether or not in the company of their parents.

When submitting images of fledglings, photographers may be asked to provide comments describing how they took steps to comply with this Code.

Beach-nesting birds, in particular, are highly vulnerable to disturbance and predation, and it is strongly recommended that photographers avoid approaching endangered beach breeders such as the Hooded Plover for photography during the breeding season. All relevant regulations and local signs should be obeyed. The attention of members is drawn to the BirdLife Australia document *BirdLife Australia's Guidelines for Photographing Beach-nesting Birds* available [here](#).

Birds with nesting materials or food

Photographs of birds with nesting materials or food (which may be intended for young) are ACCEPTED, provided the photographer has checked to ensure that the nest is not in the immediate vicinity and that every effort has been taken to ensure the presence of the photographer has no impact on the nesting behaviour of the birds in question. When submitting images of birds with nesting materials or food, photographers may be asked to provide comments describing how they took steps to comply with this Code.

Birds in hollows

Some 70% of Australian bird species use hollows for roosting, nesting or both. Some species such as parrots and cockatoos will inspect hollows outside the nesting period. Therefore, birds in or at hollows will generally be ACCEPTED. However, if the photographer is aware that there is a chance that the birds have eggs or chicks, the photographer should vacate the area immediately without capturing a photograph. Photographs of parent birds feeding chicks in a hollow log, at the entrance of a hollow tree limb or artificial nest box, are NOT accepted. When submitting images of birds at or in hollows, photographers may be asked to provide comments describing how they took steps to comply with this Code.

For our Science and Conservation gallery, images of nests are ACCEPTED ONCE NESTING HAS BEEN COMPLETED. The photographer must include confirmation that the parents and chicks have vacated the immediate area prior to the photo being captured.

Additional requirements for nesting birds

Photographers must NOT, in relation to nesting birds:

- handle the nest or the young birds (also, this is likely to be illegal in many locations in Australia)
- damage, trample or otherwise modify vegetation that results in exposing a nest

- startle a bird as that may cause it to accidentally break or eject the eggs or cause the premature eruption of young from the nest
- be in the vicinity of nests in early mornings, dusk or inclement weather when any desertion by a parent may result in the eggs/young becoming cold
- use flash on a nesting bird, and
- show undue attention to an otherwise well-camouflaged nest (e.g. birds nesting on the beach or in dense foliage), which may attract predators or human interest.

Bird Call Playback

The use of bird call and bird identification apps on mobile phones means that virtually every bird watcher and bird photographer now has a means of using call playback to attract birds.

The issues underlying the impacts of using bird call playback for observing and photographing birds are diverse and continue to be debated, due to a paucity of relevant research. However, while the level of harm and impact might still be open to debate, a key consideration is that the point of bird call playback is to disturb the normal behaviour of birds and call them out into the open.

BirdLife Photography considers there is a sound argument for applying the Precautionary Principle to the use of call playback.

Therefore BirdLife Photography members should NOT:

- **use bird call playback for attracting birds for observation or photography**
- **engage in photographing birds that have been attracted by a third-party using call playback, or**
- **encourage third parties to use call playback to attract birds on the member's behalf.**

Photographers submitting photos to the digital image library must confirm that bird call playback has NOT been used to attract birds for observation or photographic purposes.

We do not want to discourage use of call playback for identification purposes (that is, to compare calls heard in the field with recorded calls). However, we recommend that playing calls for this purpose is brief, undertaken at low volumes, and if possible takes place at a location where it will not impact on the bird in question. If convenient, earphones could be used in the field.

The **BirdLife Australia Ethical Birdwatching Guidelines** states:

“It is important to recognise that call playback can distress target birds and other species and may disrupt feeding or breeding activity. As a rule, BirdLife Australia does not support the use of call playback for the purposes of recreational bird observation or photography.”

Many reserves in Australia prohibit use of call playback, as do national parks and reserves in a number of other countries, for example the USA. Australian universities and research centres, along with The Australian Bat and Bird Banding Scheme prohibit call playback, unless authorized by an Animal Ethics committee.

BirdLife Photography will continue to monitor publications and recommendations in this area of research to ensure that our policies remain updated and in the best interests of birds.

Use of Flash for Bird Photography

The impact of flash photography on birds is a complex issue. While there is little evidence that flash causes any permanent physical damage to animal and bird eyes, its impact on bird behaviour does not appear to be well researched. Commentators suggest it may affect different bird species differently, and its impact will also depend on factors such as the power of the flash, proximity to the bird, ambient light, and the number of times the flash is used. Given the limited range of flash in the field, it may be difficult to separate the effects of flash from other sources of disturbance, including the proximity of the photographer or the noise of the shutter.

Many commentators agree that using flash on flying birds such as owls at night could have a temporary impact on the ability of the bird to manoeuvre safely and to find prey.

It is recommended that BirdLife Photography members use flash sparingly in general bird photography, whether as a fill flash or as a primary light source. The behaviour of the bird should be observed and the photographer should move on if the bird shows signs of being startled or distressed. Out of an abundance of caution photographs of nocturnal raptors taken with flash after dark will NOT BE ACCEPTED for publication.

Use of Drones for Bird Photography

BirdLife Photography members should not use drones for capturing photographs of birds and photographs from drones are NOT ACCEPTED for publication.

Attracting Birds to Water Resources

Providing watering points for birds is often beneficial for birds and photographs of birds at artificial watering points are ACCEPTED. Members are encouraged to read the Birdlife Australia document – ‘Providing Water for Birds’, which can be accessed from the Birds in Backyards website [here](#).

Feeding Wild Birds

This issue remains controversial and has both supporting and opposing arguments. However, for the most part bird feeding is widespread, at least tolerated as a common human behaviour, and in some countries is actively encouraged by birding and conservation organisations. The key to feeding wild birds when native foods are available, is a nutritious diet, the adoption of a sensible non-dependent regime for feeding birds and hygienic presentation of the food items. Photographs of birds frequenting feeding stations are ACCEPTED, but live baiting of birds (i.e. use of live vertebrate or invertebrate bait to attract birds) is NOT acceptable and may contravene Australian laws.

Members are encouraged to read the Birdlife Australia document – ‘Guidelines for Wild Bird Feeding’, which can be accessed from the Birds in Backyards website [here](#).

Sharing of rare bird sightings

Birdlife Photography members need to consider the consequences of attracting large numbers of birders to sensitive areas and rare sightings before making an observation public. Birds can easily be disturbed by a sudden increase in human presence.

The location of nesting sites of rare or threatened species should only be divulged to relevant conservation authorities and submitted to [Birddata](#) where such records are quarantined. If using eBird you can apply the 'Hide Checklist' function online.

Photographers must not act contrary to applicable laws

A substantial proportion of bird photography is undertaken in national parks and reserves. Commonwealth, State and Territory, and local government rules apply. Native bird species are protected by law throughout Australia regardless of whether they occur in national parks, reserves, or local government administered areas or private land, unless otherwise stated by Commonwealth, State or Territory fauna/flora agencies.

It is the responsibility of the photographer to ensure that he/she is aware of the laws and regulations which apply to the regions in which they undertake bird photography. Licences may be required for particular types of activities. Information on relevant rules are generally available from government departments' and conservation authorities' websites.

The kinds of activities often engaged in by bird photographers, which are currently prohibited in some or all government reserves and parks in Australia include:

- taking ('take' often defined to include 'interfering') or harassing (call playback is a form of harassment) native wildlife
- taking photographs, sounds or filming birds for commercial gain
- use a radio, tape recorder or other sound or amplifier system in a way that may cause unreasonable disturbance to an animal (eg call playback)
- disturbing or interfering with nests
- walking or driving off designated tracks or roads
- altering native vegetation (eg to get a clearer photo of bird)
- erecting structures (eg permanent bird hides), and
- feeding wildlife (eg using food to attract birds).

If in doubt, you should make an enquiry with the local agency in charge of the area you wish to visit prior to engaging in any of the acts listed above.

COMPLIANCE WITH BIRDLIFE PHOTOGRAPHY'S ETHICAL POLICIES BY MEMBERS

Photos submitted to the BirdLife Photography digital image library must be taken in accordance with this Code of Ethics.

Whilst we rely on member self-regulation of these ethical principles, each member is required to check a box on the Submit Photos page confirming that they have read, understood and complied with the ethical policies of BirdLife Photography in regard to the submission of their photo to the digital image library. BirdLife Photography reserves the right to take appropriate action against members who knowingly breach this Code, which may include cancellation of membership.

Glossary

For the purpose of this BirdLife Photography policy statement, '**nesting birds**' is defined in terms of birds at a specific location where the birds are engaged in nest building, through egg-laying, incubation and rearing of the chicks until the last young bird has left the nest permanently.

The technique of **bird call playback** involves the use of any device, either analogue or digital, that plays a part or full repertoire of bird song and is used to attract birds for observation or photography. Bird song recordings, whether obtained as a commercial product or recorded by an individual to a device for private use, once played to birds in the field, are regarded as call playback.

If you have any questions or comments please email them to: photography@birdlife.org.au