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ORAL QUESTION (0-35/78)

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with debate pursuant to Rule 47 of the Rules of Procedure
by Mr JAHN, Mr VAN AERSEN, Mr SCHYNS, Mr VERHAEGEN and
Mr McDONALD

to the Council of the European Communities

Subject: Imminent prospect of the Commission's proposal
for a directive on bird conservation not being
adopted

The failure of the Council of Environment Ministers on 12 December 1977 to reach agreement on the proposal from the Commission for a directive on bird conservation was repeated at its meeting of 30 May 1978. This means that implementation of the urgently needed measures on bird protection provided for in the directive will be further delayed if not jeopardized altogether, even though the European Parliament called on the Council in its resolution of 14 June 1977¹ to adopt the directive and bring it into effect as soon as possible, and at all events, in conformity with the obligation it entered into in the 1973 environmental action programme, within nine months of it having been submitted, i.e. by September 1977 at the latest.

In view of this regrettable state of affairs the Council is asked to answer the following questions:

¹ OJ No. C 163, 11.7.1977, p.28
English Edition

1. Is it true that the deliberations in the Council of Environment Ministers of 12 December 1977 closed with only two French reservations, viz.
 - (a) the demand that the skylark and the corn bunting be included in the list of game species (Annex II),
 - (b) the refusal to authorize trade in more than 10 species of bird (Annex III)?

2. Is there any accuracy in press reports that at the meeting of 30 May eight Member States put to France a far-reaching compromise proposal, the contents of which can be summarized as follows:
 - (a) The lark may be hunted with a rifle in France and Italy;
 - (b) Trade in 7 bird species must be authorized throughout the Community;
 - (c) In the case of 26 other species, the Member States may, on certain conditions and providing they observe a monitoring procedure involving the Commission, deviate from the general ban on trade, in respect of their own territory;
 - (d) The Commission will carry out studies into the biological status of 9 of the 26 species concerned and, in the light of the findings, the Council, acting on a proposal from the Commission, will take appropriate measures to prohibit trade in these species?

3. Is the Council aware that the directive is an important milestone for bird conservation throughout the Community, particularly when it is remembered that it contains major improvements, on which agreement was reached in the Council, viz.
 - a basis for Community action to protect bird habitats,
 - establishment of common principles for hunting and, in particular, reduction of the number of game species from the present figure of 120 to 72,
 - reduction of the number of species authorized for trade from the present figure of 120 to 33,
 - outright ban on the use of all non-selective methods of killing and capture, i.e. means of large-scale capture and extermination,
 - the beginnings of coordination of research into bird species?

4. How does it feel it can account for the failure, due to secondary problems to adopt a directive that settles such important basic questions or, alternatively, the delay in its adoption due to comparatively minor differences of opinion?
5. Is it prepared to give appropriate instructions to the Permanent Representatives Committee to ensure early adoption of the directive on the basis of a reasonable compromise?
6. In view of the serious delays so far, is it ready, in conformity with the request of the European Parliament, to reduce the period for the incorporation of the directive into national law to one year from the date of notification of the directive, it being imperative that swift action be taken to protect those species of bird threatened with extermination or further decimation?
7. If not, can it give valid reasons for retaining the comparatively long period of two years?