

WRITTEN QUESTION E-0676/06

by Pasqualina Napoletano (PSE) and Guido Sacconi (PSE)  
to the Commission

Subject: Keeping of wild animals in zoos

By virtue of the Italian Minister of the Environment's decree of 18 January 2006 amending Annex 4 to Legislative Decree No 73 of 21 March 2005 implementing Directive 1999/22/EC<sup>1</sup> relating to the keeping of wild animals in zoos (Italian Official Gazette No 26 of 1 February 2006) the Italian government deleted the date 17 November 2005 as the deadline by which the legal representative of zoos existing on the date of the entry into force of the law should have submitted an application for the issue of a licence.

This provision will mean the zoos will not have to comply with the obligation to submit the application for the issue of a licence and hence will make it impossible for them to obtain the licence from the Italian Minister for the Environment pursuant to Article 4, paragraph 1 of the Legislative Decree.

This annuls the effects of Article 4(1) of Directive 1999/22/EC relating to the keeping of wild animals in zoos, which states 'Member States shall adopt measures for licensing and inspection of existing and new zoos in order to ensure that the requirements of Article 3 are met'.

Despite the deadline of 9 April 2003 by which, according to Article 4(2) of the Directive zoos should 'have a licence', in Italy not only has not one single zoo complied with this rule, but as a result of the ministerial decree it is probable that no zoo will be operating with a licence in the future either.

Can the Commission say what steps it will take to ensure that the Italian government annuls the ministerial decree and, if it does not, whether the Commission will bring infringement proceedings for its failure to comply with the European directive in question?

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<sup>1</sup> OJ L 94, 9.4.1999, p. 24.