

**Question for written answer E-009461/2011
to the Commission**
Rule 117
John Attard-Montalto (S&D)

Subject: Live-bird capture in autumn/winter, using traditional, manually operated clap-nets on a small scale, of four species listed as hutable (Annex II to the Birds Directive)

There were no pre-accession negotiations regarding the live capture of four species listed in Annex II to the Birds Directive (2009/147/EC¹) – turtle dove (*Streptopelia turtur*), quail (*Coturnix coturnix*), golden plover (*Pluvialis apricaria altifrons*) and song thrush (*Turdus philomelos*) – since this practice is not in contravention of the Birds Directive; in our opinion, under Article 8 of the Directive there was never any need to apply a derogation to allow this practice to continue once Malta had joined the EU. However, Malta still decided to apply a derogation in order to allow this traditional practice.

On 15 June 2011 the Malta Ornithology Committee recommended to the Maltese Prime Minister the opening, as usual, of a live-capture season from 1 September to 31 October for turtle dove and quail, and from 20 October to 10 January for golden plover and song thrush, as has been the case in recent years. The next day (pure coincidence?), the Commission sent a Letter of Formal Notice under Article 258 TFEU to the Maltese Government, informing it that ‘the Commission considers that in the case of the Maltese trapping derogations, not all the above-mentioned conditions (of derogation) have been met’.

1. Having kept silent for seven years, what has prompted the Commission to object now?
2. Other than the biased correspondence submitted by the anti-trapping and anti-hunting organisation BirdLife Malta, shouldn't the Commission have requested similar correspondence from other interested, affected parties – and at the very least from its partner, the Maltese Government – before commencing infringement procedures against Malta?
3. Is the Commission aware that this belatedly pathetic attempt to eradicate a deeply rooted socio-cultural Maltese tradition, at the behest of extremists, is having a life-threatening effect on up to 8 000 EU citizens (Maltese bird trappers and their suffering families), who regard this practice as a way of life they cannot do without, to the extent that there have been unexplained deaths?

¹ OJ L 20, 26.1.2010, p. 7.