

**Question for written answer E-008250/2012
to the Commission**

Rule 117

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Subject: Serious infringement of the Birds Directive (2009/147/EC) and of the right of free movement of persons in the French *département* of Landes

In the French *département* of Landes, in south-west France, illegal trapping of thousands of Ortolan buntings (*Emberiza hortulana*) is practised on a large scale at the end of every summer. This bird species has a total European population of only 430 000-700 000 breeding pairs¹, is protected (being listed in Annex I of the Birds Directive (2009/147/EC)) and is included in the International Union for the Conservation of Nature (IUCN) Red List of endangered species.

The German organisation Committee Against Bird Slaughter (CABS) has just conducted its second anti-poaching camp in the area², exposing an intolerable situation, since the Ortolan bunting is trapped openly in the *département* with the tacit approval of the local authorities, which do little or nothing to prevent this lucrative criminal activity.

In nine days, eight Italian and German CABS volunteers located 679 traps set at 27 different trapping sites. They were able to free 80 Ortolan buntings used as decoys³. The traps, known in French as *matoles*, are small snap traps situated on cleared ground, where the migrating birds are lured by Ortolan buntings kept in cages as live decoys. The trapped Ortolan buntings are kept for months in small boxes and fattened up until December, when they are consumed or sold to restaurants for EUR 100-150 each.

In the Landes such poaching, considered a 'hunting tradition', is openly tolerated by the authorities, despite numerous complaints by environmental organisations⁴. This year CABS anti-poaching operations were countered by the trappers with shots from shotguns, slashing of car tyres and stalking. In addition, the Prefect of Landes, Claude Morel, ordered the volunteers in writing to leave the *département*. Under Directive 2009/147/EC traps are a prohibited trapping method and Ortolan buntings may not be hunted, possessed or sold.

Against this background, what action is the Commission prepared to take to put an end to this serious poaching problem? Does the Commission not believe that the French authorities have violated the fundamental right of all European citizens of free movement within the EU by ordering the CABS volunteers to leave the *département*, bearing in mind that they were engaged in ensuring the implementation of European laws for the protection of wild birds?

¹ BirdLife International, *Birds in the European Union: a status assessment*, Wageningen (Netherlands), 2004.

² The first CABS anti-poaching camp against Ortolan trapping was held in 2011.

³ Cf. CABS article <http://www.komitee.de/en/actions-and-projects/france/bird-trapping/south-france-ortolan-bunting/pr-ortolan-392012> and video <http://youtu.be/axqClqBln8Q>

⁴ <http://www.lpo.fr/communiqu%C3%A9/le-braconnage-du-bruant-ortolan-dans-les-landes-est-un-probl%C3%A8me-europ%C3%A9en>