


# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	1994/0061(COD) Procedure lapsed or withdrawn
Conservation of wild birds	
Subject 3.70.01 Protection of natural resources: fauna, flora, nature, wildlife, countryside; biodiversity	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ENVI Environment, Public Health and Consumer Protection	PPE <a href="#">JACKSON Caroline</a>	01/05/1999
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Environment</a>	<a href="#">1861</a>	22/06/1995
	<a href="#">Environment</a>	<a href="#">1832</a>	09/03/1995

Key events			
23/02/1994	Legislative proposal published	COM(1994)0039	Summary
18/04/1994	Committee referral announced in Parliament, 1st reading		
09/03/1995	Debate in Council	<a href="#">1832</a>	Summary
22/06/1995	Debate in Council	<a href="#">1861</a>	
19/12/1995	Vote in committee, 1st reading		Summary
19/12/1995	Committee report tabled for plenary, 1st reading	<a href="#">A4-0337/1995</a>	
14/02/1996	Debate in Parliament		Summary
15/02/1996	Decision by Parliament, 1st reading	T4-0058/1996	Summary
26/07/1999	Vote in committee, 1st reading		
26/07/1999	Committee report tabled for plenary confirming Parliament's position	<a href="#">A5-0004/1999</a>	
16/09/1999	Decision by Parliament, 1st reading	<a href="#">T5-0013/1999</a>	Summary
09/06/2000	End of procedure in Parliament		

09/06/2000	End of procedure in Parliament		
09/06/2000	End of procedure in Parliament		
09/01/2004	Additional information		Summary

### Technical information

Procedure reference	1994/0061(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (after Amsterdam) EC 175-p1; Rules of Procedure EP 163
Stage reached in procedure	Procedure lapsed or withdrawn

### Documentation gateway

Legislative proposal	<a href="#">COM(1994)0039</a> <a href="#">OJ C 100 09.04.1994, p. 0012</a>	23/02/1994	EC	Summary
Economic and Social Committee: opinion, report	<a href="#">CES1015/1994</a> <a href="#">OJ C 393 31.12.1994, p. 0093</a>	14/09/1994	ESC	
Document attached to the procedure	<a href="#">B4-0004/1995</a>	25/01/1995	EP	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A4-0337/1995</a> <a href="#">OJ C 032 05.02.1996, p. 0005</a>	19/12/1995	EP	
Text adopted by Parliament, 1st reading/single reading	T4-0058/1996 <a href="#">OJ C 065 04.03.1996, p. 0139-0151</a>	15/02/1996	EP	Summary
Reconsultation	SEC(1999)0581	28/04/1999	EC	
Committee final report tabled for plenary, 1st reading/single reading	<a href="#">A5-0004/1999</a> <a href="#">OJ C 054 25.02.2000, p. 0010</a>	26/07/1999	EP	
Text adopted by Parliament confirming position adopted at 1st reading	<a href="#">T5-0013/1999</a> <a href="#">OJ C 054 25.02.2000, p. 0055-0076</a>	16/09/1999	EP	Summary

### Additional information

European Commission	<a href="#">EUR-Lex</a>
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## Conservation of wild birds

The proposal for a directive aimed to amend Directive 79/409/EEC with a view to clarifying the interpretation of the concept of banning the hunting of migratory species during their period of reproduction and during their return to their rearing grounds. To this end, a new annex laid down the limits defining the discretion Member States had to determine the end of the hunting season. It was thus proposed that the hunting season would end: - for species whose conservation status was favourable and whose migration began before 20 February, at the latest within the 10-day period following the 10-day period when migratory passage began; - for species whose conservation status was favourable and whose migration began after 20 February, or for species whose conservation status was unfavourable and whose migration began before 20 February, at the latest within the same 10-day period as that during which migratory passage began; - for species whose conservation status was not favourable and whose migration began after 20 February, at the latest within the 10-day period preceding that during which migratory passage began. ?

## Conservation of wild birds

The Council was informed of progress on the proposal amending Directive 79/409/EEC on the conservation of wild birds. The purpose of the

proposal is to define the discretion Member States have to determine the dates during which migratory species can be hunted, with full regard for the principle of wise use. The Permanent Representatives Committee will continue examining this dossier, in the light of the opinion awaited from the European Parliament, with a view to a rapid conclusion.

## Conservation of wild birds

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The committee has adopted the report on the proposal for a Council Directive amending Directive 79/409/EEC on the conservation of wild birds. Rapporteur Mrs Maartje VAN PUTTEN (NL, PES) saw her most important amendment adopted: to put an end to the hunting season by 31 January in all Member States. The authorities in the Member States, including France and Greece, shall see in particular that the bird species to which hunting laws apply are not hunted during their period of reproduction and are adequately protected during their return to their rearing grounds. A large majority in the Committee did not share the Commission's view that, in accordance with the subsidiarity principle, the Member States are best placed to define the rules for the application of common principles on hunting. In their opinion, the application of these common principles can only be achieved through EU rules. The Committee completely also deleted the Commission's Annex VI, Criteria for determining the maximum duration of the hunting season. The rapporteur said this morning that the Commission's proposal would be completely uncontrollable in practice. Most Member States generally already specify 31 January as the latest date for closing the season. The French in particular have problems: in this Member State, there exists a powerful lobby against more precisely defined rules.

## Conservation of wild birds

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After the rapporteur, Mrs van Putten (PSE, N), had traced the historical background to this issue - according to which ornithologists had, since 1920, been calling for the close of the hunting season for migratory species - Commissioner Bjerregaard said that the Commission's proposal was aimed at resolving the problems associated with the interpretation of Article 7.4 of the Directive on the conservation of wild birds, which prohibited the hunting of migratory species during the reproduction season and during the return to their nesting sites. The Commission, according to Mrs Bjerregaard, was ready to accept Amendment No 4, which provided that the final version of the report on the implementation of the Directive should be forwarded to the Member States and to Parliament. She did not accept Amendments Nos 1-3, 5-7, 10 and 11, since Member States themselves were able to take account of all the different regional factors, in accordance with the principle of subsidiarity. As far as the other amendments were concerned, namely Nos 8, 12, 14, etc., the Commission was of the view that protecting certain species from hunting could be achieved by introducing measures designed to improve their habitat or by way of specific bans following bird inspections and habitat surveys.

## Conservation of wild birds

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In adopting by 223 votes to 162 and 13 abstentions the report by Mrs Maartje VAN PUTTEN (PSE, NL), the European Parliament opposed the amendment of Directive 79/409/EEC on the conservation of wild birds. The EP deleted the reference to the subsidiarity principle (on which the Commission's amendment proposal was based) and called for the close of the hunting season for migratory species by no later than 31 January. ?

## Conservation of wild birds

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As announced in Official Journal C 5 of 9 January 2004, the Commission decided to withdraw this proposal, which had become obsolete.