

In this context, the attention of the Honourable Member is drawn to the report by the Council ('Competitiveness') of 3 March 2003 to the Spring European Council, which, amongst other things, states that:

Systematic and comprehensive impact assessment of proposed Community legislation, as well as consultation of business and all other interested parties, must be carried out by the Commission and, subsequently, taken into account at the decision-making level, to ensure that a balanced approach is maintained in the EU framework and that European enterprises remain competitive and operate on a level playing field in the global economy;

A coordinated approach to entrepreneurship policy, providing a comprehensive response to the needs of entrepreneurs, such as eliminating barriers to business creation, development and growth and balancing the risks and rewards, is required;

Effective involvement and consultation of small businesses in the policy-making process must be ensured.

As to the tax treatment of research spending in current and future Member States, as well as the impact of taxation on the credit worthiness of SMEs and research bodies, the Council does not have the necessary information to respond to the questions put by the Honourable Member. The Council invites the Honourable Parliamentarian to address directly the Member states, the acceding states and other third countries in this regard.

Concerning the new capital adequacy framework ('Basel II') being negotiated in the framework of the Basel Committee with a view to replacing the 1988 Basel accord, the Council is aware of the potential implications for the SME sector. In the negotiating process and the preparatory work done in this respect, every effort will be made to ensure that 'Basel II' should have no negative effects on SME lending. In this respect, however, the Honourable Member is advised to refer the question to the Commission which has observer status in the negotiations.

(2003/C 280 E/082)

WRITTEN QUESTION E-0650/03

by Erik Meijer (GUE/NGL) to the Commission

(5 March 2003)

Subject: Massive plundering of lapwings' eggs from fields in the Netherlands province of Friesland

1. Is the Commission aware of the existence in the Dutch province of Friesland of the old custom of searching fields during the month of March for the eggs of the lapwing, which nests there, collecting these eggs and presenting the first one found to the Queen's Commissioner (the provincial governor) and sometimes also to the local mayor?
2. Does the Commission know, also, that the existence and fame of this custom will again lead, in the period from 1 March to 8 April, to tens of thousands of people collecting as many eggs as they can find, often searching the same meadows several times on the same day, disturbing the other birds that live in the places where the lapwings nest?
3. Is the Commission aware that in Friesland there are 8 500 legal holders of egg collecting permits, each of whom can collect 15 eggs, giving a total of 127 500, and that according to scientific research it is the first clutch of eggs — the very one that is plundered by the egg collectors — that yields the fledglings most likely to survive?
4. Does the Commission consider this practice, which does not exist in other regions of the Netherlands, to be compatible with Council Directive 79/409/EEC⁽¹⁾ of 2 April 1979 on the conservation of wild birds, Article 5 of which strictly forbids the collecting of birds' eggs in the wild, unless it is necessary, for example to combat disease or to reintroduce birds threatened with extinction?

5. Should the possibility provided by the new Dutch flora and fauna law for provinces to authorise the collecting of lapwings' eggs, a possibility not used by the other eleven Dutch provinces, be abolished on grounds of incompatibility with the directive on the conservation of wild birds?

(¹) OJ L 103, 25.4.1979, p. 1.

(2003/C 280 E/083)

WRITTEN QUESTION E-0651/03

by Erik Meijer (GUE/NGL) to the Commission

(5 March 2003)

Subject: Failure to act on requests to take action against mass collecting of lapwings' eggs in the Dutch province of Friesland

1. Is the Commission aware that the Association of Friesian Bird Protection Patrols (Bond van Friese Vogelbeschermingswachten (BFVW)), which has asked it not to forbid the current practice of collecting lapwings' eggs in the Dutch province of Friesland, is not a nature protection organisation, but an association of lapwings' egg collectors, and that all the major nature and environmental protection organisations oppose the collecting of lapwings' eggs?

2. Is the Commission also aware that there is no question of strict controls on egg collecting, the controls consisting simply in the issuing by the BFVW of a collector's permit to any resident of Friesland who asks for one?

3. Is the Commission aware that the right to collect eggs in Friesland cannot be regarded as a reward for people who conserve birds' nests and protect them as much as possible when agricultural work is being done, since this also happens extensively in Dutch provinces where this right does not exist?

4. What action is the Commission taking on complaint No 4931 filed with the Directorate-General for the Environment by the organisation Faunabescherming in 1999, which concerned the continuing mass collection of lapwings' eggs in Friesland?

5. What have been the results of the Commission's inquiry, announced in Written Answer P-0134/02 (¹) on 25 February 2002, undertaken in the context of preparing infringement proceedings before the Court of Justice, and of its examination of the Netherlands authorities' reaction thereto?

6. When will the proceedings that have been initiated reach their conclusion? Is it clear whether the EU will allow this violation of the directive on the conservation of wild birds, which has already been going on for 24 years, to continue?

(¹) OJ C 205 E, 29.8.2002, p. 76.

**Joint answer
to Written Questions E-0650/03 and E-0651/03
given by Mrs Wallström on behalf of the Commission**

(4 April 2003)

The Commission is aware of the traditional taking of lapwing eggs from the wild in the province of Friesland in the Netherlands.

Lapwing, as any other European naturally occurring bird species, falls under the scope of Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds (hereafter referred to as the Directive).

Article 5 of the Directive strictly forbids inter alia, the taking of eggs from the wild. Exceptions to this general prohibition may only be granted under the strict derogation system set out in Article 9 of the Directive, provided that there is no other satisfactory solution, only for one of a limited number of reasons.