

GOVERNMENT REJECTS NGO CLAIMS OVER FINCH TRAPPING

Dismisses allegations of "ignoring AG advice"

Reference is made to claims published in the local media which allege that the Attorney General has "warned" the government that the finch live-capturing derogation "ran counter to the spirit and purpose of the Birds Directive and that in the event of infringement proceedings Malta's legal arguments were inherently weak." These claims also allege that the government has "ignored" Attorney General's advice, and appointed a private law firm to lead Malta's defence.

Government categorically denies such claims which amount to pure speculation, apparently designed as a last ditch attempt at influencing the proceedings of the European Court of Justice, which shall hold an oral hearing on this case tomorrow.

Attorney General's advice to the government in this and other cases of infringement proceedings is confidential and is protected by legal and professional privilege. Furthermore, government confirms that Attorney General officially represents Malta's defence in the legal proceedings. **As is normal practice in other similar complex proceedings (for example spring hunting case in 2009), Attorney General is assisted by other technical and legal experts appointed by the government.**

Attorney General's Office has never advised the government that the case is "legally indefensible", let alone that it "will be thrown out of the Court", as is being alleged.

Moreover, Government categorically refutes all other claims made by Birdlife Malta in this morning's press conference. These claims have previously been fully rebutted in detailed published technical reports, press statements, as well as in submissions made to the European Commission and the European Court of Justice.

The government shall continue to defend Malta's right to apply derogations in full accordance with EU, international and national law, and has provided all necessary legal, technical and scientific evidence to substantiate its case.