

Meeting of the Malta Ornis Committee

10th March 2015, Hexagon House, MEPA, 1700 - 1845

Minutes

Attending members:

Prof Mark Anthony Falzon – Chairman
Mr Sergei Golovkin - Secretary
Mr Nicholas Barbara – Birdlife (Malta)
Mr. Geoffrey Saliba - Birdlife (Malta)
Mr Joe Perici Calascione – FKNK
Mr Gwido Baldacchino - Member nominated by Government
Mr Marco Falzon – Member nominated by Government
Mr Frank Vassallo – Hunting and Trapping Expert
Mr Stephen Saliba – MEPA

Excused: Mr Lino Farrugia – FKNK; Mr Mark Gauci – Avifauna Expert

Absent: Ms Emeline Fenech – Member nominated by Government

Other contributors present: Mr Richard Lia, Manager of Policy Branch of WBRU

1. Birdlife (Malta)'s reaction to conservation status assessment and Carnet de Chasse figures

1.1 Chairman said the meeting was a continuation of the discussion initiated on 4th March with regards to the spring hunting derogation. He invited Birdlife (Malta) representatives to give their reaction to materials presented by WBRU during previous meeting.

1.2 Nicholas Barbara circulated two documents summarising Birdlife (Malta)'s reaction to conservation status assessment and Carnet de Chasse figures respectively.

1.3 Regarding conservation status assessment, Birdlife (Malta) positively noted that WBRU incorporated reference to sources previously suggested by Birdlife (Malta), and as a result the quality of the analysis was improved. However he also noted that the analysis contains information which is barely relevant to consideration of the conservation status of the species, such as for example, the assessment of the global status. On the other hand, certain relevant latest information appears to have been overlooked. For example Article 12 country reports which are now available on EU Commission's website have not been taken into consideration. These reports show, in the case of Quail, that the population in Hungary has been decreasing in the short term, whereas WBRU report lists it as stable. Likewise, for Turtle Dove, Article 12 reports for Poland and Austria also show short term decline. Moreover, the report presented by the WBRU incorrectly referred to population status of Quail within the EU territory, which has been on the decrease and was assessed as "depleted". Furthermore, there is no indication of the source of the data presented in the table listing populations of the species in various EU countries. The report also failed to mention that hunting may have been responsible for the low breeding records of the species concerned. In the light of these considerations, in Birdlife (Malta)'s opinion, WBRU's report failed to prove that the spring hunting derogation will not negatively impact populations of the species concerned and that the derogation is compliant with "judicious use" principle. A

precautionary principle should be applied to ensure that no further deterioration in the already negative population status occurs.

1.4 As regards migration study report and Carnet de Chasse data presented by the WBRU, Nicholas Barbara said that the data contained therein fails to support WBRU's assertion that the reported low bags were attributable to suspension of the hunting season and to poor migration. Birdlife (Malta) carried an analysis of the data presented, in particular contrasting the daily Carnet de Chasse reports with migration estimates resulting from the study. In the case of Turtle Dove, it is clear that the highest peaks in migration occurred prior to suspension of the season, and therefore the WBRU has no basis for claiming that low CdC reports were attributable to suspension. In the case of Quail, the situation is slightly different, in that the highest peaks occurred during the period of suspension, however if one were to subtract the estimated number of Quails migrating during the period of suspension from the overall count and apply the same proportion to last year's Carnet de Chasse reports, it is clear that the effect of the suspension of the season was not as great as the actual reduction in reports. For example if one were to eliminate observed Quail migration during the period of suspension, that would result in around 32% less quails available for hunting during the season in comparison with 2013, assuming the same magnitude of migration. However the discrepancy in CdC reports is more than 60%, and this is not explained at all. Moreover, some peaks in observed migration do not precisely correlate with peaks in CdC reports. This calls into question the integrity of the Carnet de Chasse data. Since Ornis is basing its recommendation on this data, but no proof of its integrity has been provided, there are no solid grounds for recommending the derogation. Moreover, no accurate comparison of the intensity of migration in 2014 can be made with 2008 and 2009 Thomaidis studies, since the methodologies were different. Hence there is no basis behind the claim that migration in 2014 was particularly poor.

1.5 Geoffrey Saliba added that the migration study report clearly shows that more Quails migrated during autumn than during spring, and this dismantles the hunters' argument that autumn is not a satisfactory alternative to spring.

1.6 Chairman said that one could not directly compare CdC catches with observed migration, since the fact that birds were observed at a particular location cannot automatically imply that these could have been hunted. Conversely, if no birds were observed at a particular location, one cannot infer that there were no birds available to hunt elsewhere at that point in time. This is noted in the report of the study itself. Hence one could not conclude that in those instances where reports do not correlate with observations, there was under-reporting. In some cases, the numbers of birds reported shot exceeds the numbers of birds observed, so would that be the case of over-reporting?

1.7 Chairman furthermore said, with reference to conservation status assessment that population change in the countries from which birds do not migrate over Malta does not seem to be relevant to the overall analysis. EU population of Turtle Dove has declined overall, with the largest decline registered in the UK. However Turtle Doves from the UK do not migrate over Malta and therefore Maltese hunting of these species does not affect their status in the UK.

1.8 Sergei Golovkin said that Ecoserv's study clearly lists methodological limitations. For example one limitation not mentioned so far is that observations were carried out in the mornings, whilst hunting and further migration occurred also in the evenings. Direct

comparison is not particularly useful, however the study is still very relevant since the overall broad trends can indeed be correlated. If there was a situation of systemic misreporting by the hunters, the trends would not correlate at all. The WBRU performed exactly the same exercise as Birdlife (Malta) to compare these trends. It is notable that in most cases there is a very strong correlation between the peaks and troughs, however as mentioned earlier, the precise magnitudes cannot be directly compared. Whilst noting that Thomaidis study methodology was slightly different from that of Ecoserv, particularly with regards to sampling effort used, nonetheless there are considerable similarities and the estimates provided by the two studies can be compared. Indeed Ecoserv's report presents this comparison and provides a graph comparing intensity of observed migration in 2014, 2009 and 2008. It is very clear from this comparison that 2014 migration of both species was indeed much lower than in 2009 and 2008. Unfortunately there is no data for other years, however we are departing from the fact that the Thomaidis data is the best available data that we have. If Birdlife (Malta) has any other data that would show that migration in 2014 was actually higher than in previous years, Birdlife is welcome to share it to support their claim. However in the absence of such other data, best available data stands and the conclusions drawn on its basis are valid.

1.9 With regards to veracity of CdC reports, Sergei Golovkin said that there appears to be no incentive for hunters to under-report in autumn since there are no individual bag limits. Moreover, even if one were to hypothetically assume that there is significant under-reporting, it would also be reasonable to assume that the incentive to under-report would have been constant throughout the different years. However then how can one explain that the numbers reported from one year to the next varied considerably? Moreover, supposing there is some hypothetical incentive to under-report, the authorities ensure that this would be more than offset by enforcement. In 2014 over 16,000 inspections were carried out, which is more than twice the number of inspections in 2013. Penalties have also been increased and therefore the level of deterrent against under-reporting has increased. So it would be reasonable to suppose that any hypothetical incentive to under-report in 2014 would have been reduced. In the face of these facts, can one reasonably claim that hunters reported fewer catches in 2014 than in 2013 because in 2014 they were more "deceitful" than in 2013?

1.10 Sergei Golovkin furthermore added that it is clear that the suspension of the season has had a very significant effect on reported catches. Major Quail and Turtle Dove migration peaks were missed as a result of suspension. If one were to deduct these "missed" peaks, and compare with Carnet de Chasse data for previous years, one should not stop at comparing only with 2013, but should also examine CdC data for other years. CdC reports for 2013 were relatively high, but reports for 2002, 2004, 2005, 2006, 2009, 2011 and 2012 were much lower than in 2013. For a more precise comparison, Birdlife Malta should not have compared 2014 with 2013, but should have taken the average for 2002 - 2014, and compared this average with 2014 figures, after subtracting a percentage to account for the effect of suspension of the season. It is evident that the variance in such case would be very close to the percentage of "missed migration" due to suspension.

1.11 Sergei Golovkin also referred to Birdlife (Malta)'s claim that the study revealed that the number of birds migrating over the Maltese Islands in the autumn is greater than the number of birds migrating in spring. This interpretation is not correct because one has to take into account the duration of observations, amongst other factors, when comparing the trends in spring and in autumn. One cannot compare Quail observations made during 9 weeks in autumn with observations made during 3 weeks in spring and conclude on the basis of global

figures that migration intensity in the autumn was higher than in spring. For a better comparison, one needs to work out the daily average¹.

1.12 Joe Perici Calascione said that Birdlife (Malta)'s argument seems to completely ignore the extent of improvement and evolution in the hunting situation in Malta. Hunting today is completely different from the manner in which it was practiced a decade ago. Hunters are becoming more responsible and there is a culture change process in progress. Hunters are subjected to restrictions and regulations which are amongst the toughest in Europe. Through their critique, Birdlife (Malta) has failed to prove that there is an adverse impact of the derogation on the population of the birds. A few thousand birds hunted in Malta are insignificant compared to 3-4 million birds hunted elsewhere in Europe. If the threat to conservation of these birds was as serious as Birdlife (Malta) claims, for sure the European Commission would have acted to restrict hunting of these species in other countries where they are shot on a large scale.

1.13 Joe Perici Calascione also said that it is very clear that not only the extent of migration in 2014 was extremely poor, but the suspension of the season has taken the best part of that poor migration. Hunting opportunities for Turtle Dove and Quail were extremely poor. Moreover, Birdlife (Malta)'s argument seems to completely ignore the localised nature of autumn migration. Turtle Doves and Quails are present mostly in certain areas in the south-western part of the Maltese Islands, and many hunters simply do not have access to them. This is in stark contrast to spring, when migration is much more dispersed. As regards conservation status, hunters are the main stakeholders in whose interest it is to ensure that the population status is healthy. Hunters have no interest in decimating Turtle Dove and Quail populations, and the numbers shot in Malta are minuscule in comparison with the extent of hunting elsewhere in Europe. These numbers were calculated using scientific methodology that ensures that population status will not be affected. There is absolutely no evidence that hunting in Malta would negatively affect these populations. In their arguments, Birdlife (Malta) seems to also completely ignore the social aspect of hunting, and the relationship between man and nature. Hunters in Malta have contributed to biodiversity conservation on the Islands because they love nature and are directly interested in sustainability of their pastime.

1.14 With reference to Birdlife (Malta)'s reaction to the conservation status assessment, Richard Lia said that for the sake of completeness, the scientific assessment report considered latest available scientific literature with regards to the conservation status of both species at the global, pan-European and EU levels. The analysis also delved into conservation status at the level of reference populations which are proven to migrate over the Maltese Islands through ring recoveries from other EU Member States. Whilst there has been a further decline in the long term trend of Turtle Dove by a further 3% over the previous update carried out in 2014 to a total of 77% decline since 1980, the short term trend assessment indicates a marginal improvement of 9% over the last year's update, with an overall decline

¹ These calculations were not presented during the meeting, however it may be worth reproducing them here: According to the report, it is estimated that a total 7,956 Turtle Doves and 45,683 Quails migrated over the Maltese Islands during the months of September and October 2014 (9 weeks, 61 days). During three weeks in April 2014 (19 days), when an identical study was also conducted, some 24,922 Turtle Doves and 37,773 Quails were observed. If one were to compare the intensity of migration on the basis of a daily average, this would work out at an average of 130 Turtle Doves and 749 Quails estimated to migrate daily in the autumn, and 1,312 Turtle Doves and 1,988 Quails estimated to have migrated daily in spring. Thus the average daily intensity of migration in the autumn was 10 times lower than in spring for Turtle Dove, and 2.6 times lower for Quail. This indicates that the extent of migratory influx during spring is higher than the migration in autumn.

in the short-term trend of 21% since 1990. The assessment was mainly based on EBCC 2014 data, and on Birdlife International data.

1.15 in reaction to the assessment presented, Nicholas Barbara emphasized the importance of a long term decline, as opposed to short term increase.

1.16 Richard Lia continued to explain that Article 12 country reports were not particularly useful for this assessment, since the reports for reference population countries did not indicate magnitude of the change in short or long term status. It must also be noted that ring recoveries from Hungary were minuscule (8%) in comparison with recoveries from Italy (92%), and therefore even if there was a short term decline reported in Hungary's Article 12 report this does not imply that the overall decline was significant and likewise one could not ascertain to what extent this decline may be offset by the increase in Italy. On the other hand on the basis of EBCC and Birdlife International data concerning change in the trends, one could definitely conclude that the change did not in any manner approach a threshold of 10% that would have triggered status re-classification.

1.17 Chairman asked whether WBRU feels that the derogation can be recommended on the basis of its assessment of conservation status. Sergei Golovkin replied that the assessment performed indicates that there were no significant changes since 2014 analysis that would warrant a wholesale re-evaluation of the conclusions previously reached. Notwithstanding this, the WBRU has no remit to recommend or otherwise this derogation; its remit is limited to presenting the facts and the assessment, and it is up to Ornis to consider any recommendations.

1.18 Chairman asked the members whether they had further reactions to materials presented. There were no further reactions, and the Chair invited the Committee to consider a vote. He asked whether the vote should be on the principle of application of the derogation, or whether the Committee can also recommend specific parameters.

1.19 Sergei Golovkin said the WBRU is not suggesting any departure from the parameters of the previous season, except for the dates, which are dictated by the referendum logistics. He said that the earliest date when the season can open is 14th April.

1.20 Chairman called for a vote on whether to recommend the opening of the season subject to the same conditions as last year.

1.21 Three members voted in favour of the derogation (FKNK and two Government-appointed members), one voted against (Birdlife Malta) and two abstained (Chairman and MEPA).

1.22 Chairman explained that the reason for his abstention was the need for his role to be impartial and equidistant from the arguments in favour or against the derogation, so as to create conditions for the debate and not influence its outcomes.

1.23 Prompted by the Secretary to also explain the reasons behind MEPA's abstention in this vote, Stephen Saliba said that he was representing MEPA on behalf of the Director of Environment and therefore was following the direction that was given by his superiors.

2. Any other business

2.1 Chairman said that the next meeting should focus on enforcement during April, irrespective of whether there will be a hunting season or not. He will invite ALE Inspector to be present for the discussion.

2.2 Nicholas Barbara said that Birdlife (Malta) wishes to also discuss the study on the extent of illegal killing of birds in Malta.

2.3 It was agreed that the next meeting will take place on Thursday 2nd April at 1600 at the Hexagon House.

2.4 The meeting was adjourned at 1845 hours.