

Meeting of the Malta Ornis Committee

18th May 2016, WBRU, 1630 - 1945

Minutes

Attending members:

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

Absent: Ms Emeline Fenech – Member nominated by Government

Other contributors present: Mr Richard Lia, Wild Birds Regulation Unit

(1) Adoption of the agenda

1.1 The agenda was adopted.

(2) Approval of the minutes

2.1 Minutes of the meeting held on 20/04/2016 were approved, subject to corrections to 4.2 (ref to KSU & FKKNK), 4.3 (attribution of text to Sergei Golovkin), 4.4 (correction to statement by Mark Sultana); addition of 4.5 (adding Nicholas Barbara's remarks), 4.6 (adding Sergei Golovkin's response) and 4.8 (adding Nicholas Barbara's query re publication of spring hunting report and response to that); corrections to 5.2 (number of officers deployed), 5.3 (removal of the word "alleged"), addition of 5.4 (Mark Sultana's question and Insp. Colin Sheldon's response) and 5.5 (reference to WBRU role in surveillance); deletion of 5.7, addition and correction to 7.6 (reference to bird callers) and addition of 9.8 (BLM response).

(3) Matters arising and matters to report

3.1 The Chairman made reference to notification by the Secretary that approved minutes of Ornis meetings are now available online, noting that this was in line with the previous discussion on the publication of the minutes.

(4) Assessment of the conservation status of seven finch species

4.1 Chairman noted that Birdlife (Malta) requested written clearance from Attorney General, that the Ornis committee can consider/discuss a derogation in 2016 despite proceedings before European Court of Justice proceedings. Birdlife (Malta) furthermore asked the Chairman “to refrain from placing the finch derogation on the agenda of the Ornis Committee, given a further consideration of this derogation may escalate matters further at the European Court of Justice”.

4.2 In response to this request, Chairman explained his position. Ornis is a technical advisory committee with a competence that does not extend to legal aspects. Therefore involving the AG would compromise the autonomy of Ornis recommendations to government. That's because the AG is, by definition, a government agent; hence Ornis would effectively be asking a government agent to influence its recommendation to government. Also Ornis can only recommend. It is then up to government to consult its legal, EU, and other agencies on whether or not to accept Ornis recommendations.

4.3 Nicholas Barbara stated that he disagreed with the chairman's view on this manner. It is in the interest of all committee members who would be voting on this matter, to know all possible consequences of whether a decision to go ahead with this derogation might escalate matters further with the EC. It should be in the interest of all members to have all information at hand before taking a vote. He also made reference to past meetings of the Committee held several years ago where AG's opinion was routinely sought on several occasions. Chairman replied that he is not in a position to comment on any past Ornis practices.

4.4 Sergei Golovkin clarified further that the Committee's legal remit is defined in Regulation 10 of the Conservation of Wild Birds Regulations, and this remit clearly includes consideration of, and making recommendations concerning any derogations. Thus the Committee is fully autonomous in this respect and fully in line with its legal remit to consider this derogation without the need for any “clearance” from any other entity. Moreover, it must be noted that AG Office advises the government, and legally represents government's defence in CJEU proceedings concerning this case.

4.5 The Chairman invited Mr Richard Lia to present the assessment conducted by WBRU.

4.6 Richard Lia explained that, as was also done in previous years, WBRU reviewed all latest available scientific literature on the population status of the seven finch species. Based on the most recent population estimates, namely Article 12 reports for the 2008–2012 reporting period, the <1% annual mortality rate of the reference populations was also re-calculated. The update on the population status focused on the changes in the short-term and long-term trends of the seven finch species on the basis of Article 12 reports, including surrogate data for Czech Republic and Greece, as published by the European Environment Agency (EEA, 2014) for the period 2008–2012 and the latest EBCC (2015) update.

4.7 It has been shown that in the Article 12 reports, although a number of Member States have reported a decrease in some of the finch populations, such magnitude change is not actually reflected in the number of breeding pairs that was reported ten years earlier in Birds in Europe II (BirdLife International, 2004). Therefore despite a reported decline, the number of breeding pairs as reported in Article 12 reports is actually higher than those reported ten years earlier. This was also the case in terms of reported increases, since the corresponding number of pairs in Birds in Europe II was either exactly the same or indeed higher than those in Article 12 reports. The values for the number of breeding pairs in 2004 was thus revised using an online percentages calculator to provide a more realistic number of breeding pairs based on the percentage changes as reported by each Member State in the current Article 12 reports. The resulting analysis showed that in the short-term trend, the EU populations of Chaffinch, Linnet, Goldfinch, Hawfinch, Serin and Siskin are stable, whereas the Greenfinch population is increasing at all levels of the population (minimum and maximum pairs and their geomean).

4.8 In terms of long-term trend at EU level, all seven finch species have been shown to be Stable at all three levels of their population (min/max/geomean), the Siskin being the only exception since it increased in the number of minimum pairs.

4.9 The same methodology (i.e. review of the 2004 baseline population) was used to determine the short-term trends at ring recovery (reference population) level. It was shown that whilst the Goldfinch and Siskin increased, the Linnet, Hawfinch, Serin, Chaffinch, Greenfinch were stable.

4.10 In terms of long-term trends at ring recovery (reference population) level, it was shown that the Chaffinch, Linnet, Greenfinch, Hawfinch, Serin were stable at all three levels of the population (min/max/geomean) whereas the Goldfinch and Siskin increased.

4.11 A detailed assessment of the conservation status of each species and a comparison of the trends at EU level with those at ring recoveries level, as well as the trends reported by EBCC (2015) at pan-European as well as at EU level with those reported by Member States in their Article 12 reports was presented. For each of the seven finch species considered in this analysis, the resulting “small numbers” calculation was considerably below the 1% threshold for non-huntable species as specified in paragraph 3.5.34 of the Guidance Document on Sustainable Hunting. The <1% figure is based on a much smaller subset of the total breeding population of the respective species within the territory of the European Union, since only those European countries (Member States) from which there are ring recoveries in Malta form part of the reference population, with the exception of the Hawfinch. In the absence of ring recoveries pertaining to the latter species, the reference population of the Hawfinch is based on ring recoveries in Italy from other Member States, divided by three to take into account the three principal flyways that may be utilised by this species.

4.12 The resulting national bag limits are therefore considerably lower than <1% of the total annual mortality of the EU reference population of each finch species as they also take into account the average bag limits over a seven-year period (2002–2008), which in turn are all considerably below the <1% threshold. The bag limits have been partitioned restrictively with those Member States that are known to have applied derogations for live-finch capturing or hunting of these finch species (EC, 2011), namely Austria (Linnet, Goldfinch, Siskin, Chaffinch and Hawfinch), Spain (Linnet, Goldfinch, Siskin, Chaffinch, Serin and Greenfinch) and Italy (Chaffinch).

4.13 A direct comparison between the <1% mortality (calculated on the basis of the minimum EU breeding population size and lowest recruitment rate), the harvest record (average of Carnet de Chasse data over a seven-year period: 2002–2008) and the national bag limit for each of the seven species was also presented.

4.14 Mark Sultana requested clarifications regarding definition of “long-term” and “short-term” trends. Richard Lia explained that reference to trends follows classification by Birdlife International whereby “long-term” implies a trend in the population of breeding pairs since 1980, whilst “short-term” implies trend since 2001.

4.15 Chairman asked for further clarifications regarding methodology used to estimate national bag limits, particularly the formula used to reduce the 1% annual mortality of the population. Richard Lia explained that the overarching guiding principle was a precautionary one. Therefore even though the Hunting Guide recommends estimates based on mean population sizes, WBRU opted to base its estimates solely on the minimum population size. Moreover, only reference populations within the EU were taken into account, although from a legal point of view one could have also considered reference populations outside the EU. Furthermore, the resulting 1% mortality rates were further partitioned with other states as a precautionary measure. Additionally, the resulting estimates were reduced further to be below the average 2002–2008 bags reported in Carnet de Chasse, and this reduction was made on the basis of a consistent formula. This process is explained in detail in the report.

4.16 Mark Sultana asked when the full report on the outcome of the 2015 finch live-capturing derogation will be available. Sergei Golovkin replied that the full report has already been published online and a link was circulated to Ornis a week before.

4.17 Chairman asked whether the Committee has any other reactions related to this assessment, and whether it is in a position to make recommendation to government concerning application of finch live-capturing derogation in 2016.

4.18 Stephen Saliba asked regarding enforcement measures undertaken by WBRU to ensure that the activity does not negatively impact protected habitats. He specifically referred to instances where sites situated on protected habitats were registered by WBRU and which were later revoked following reports. In view of this he enquired whether an exercise was carried out to ensure that such instances do not resurface.

4.19 Sergei Golovkin responded to Stephen Saliba's request by explaining that the process leading up to registration of live-capturing sites was enacted following MEPA's suggestions in 2014. This process was explained extensively during several Ornis meetings in 2014 and this was reflected in the minutes of several meetings held between May and October 2014. The process was also outlined in detail in the reports on the outcome of finch live-capturing derogations in 2014 and 2015 which are available online. Legislation enacted in July 2014 ensured that no live-capturing stations could be registered within zones containing protected habitats within Natura 2000 sites and in scheduled areas outside of Natura 2000 sites, unless such stations were located on cultivated agricultural land officially registered with Department of Agriculture before end of July 2014. This requirement was over and above other conditions and restrictions that also applied. During registration process conducted in July 2014, WBRU ensured that only those sites that fulfilled these conditions through a rigorous screening process were actually registered. Following initial registration, a post-vetting exercise was also conducted. Any errors in registration that came to light during this exercise were rectified through revocation of registration. On several occasions, dubious sites were physically inspected and where it was confirmed that the sites in question were not registered correctly, such registration was revoked. In May 2015¹, Sergei Golovkin provided the Committee with a detailed account of action taken in respect of reports of trapping on protected habitats.

4.20 Sergei Golovkin further emphasized that WBRU is only responsible for ensuring adherence to the provisions of legislation that falls under the Unit's remit, such as in this case legislation

¹ Sergei Golovkin's email dated 20/05/2015 sent in reply to Stephen Saliba's request, copied to Ornis members provided the following information: *"Before and during the 2014 live-capturing derogation, the WBRU received around 100 reports concerning live-capturing sites allegedly situated on protected habitats in breach of relevant regulations. These included around 60 reports from NGOs and around 40 reports from individual members of the public (including from live-capturers). Due to these reports being received in a variety of formats (e.g. verbally, via telephone, via email, via paper-based written correspondence, sometimes indicating specific map locations in various map formats and sometimes containing only a vague description of the area), it was not feasible for the WBRU to maintain a single detailed log of all reports. However all such reports were investigated by the WBRU. In around 20 of the cases where upon performing of the necessary checks it transpired that any allegedly active sites were not registered with the WBRU, such reports were referred to the ALE for necessary inspection (see example of report of suspected active sites that resulted from WBRU inspection near airport and in the area near Mizieb). Around 12 reports which alleged environmental and planning irregularities (e.g. alleged construction of new hides, clearing of protected vegetation etc) were referred for necessary investigation and enforcement action to MEPA (for ease of reference see attached summary of MEPA's investigation). Furthermore, the WBRU carried out its own investigations and inspections, particularly in cases where breaches of registration process were being alleged. In all, the WBRU inspected around 28 sites in various locations. In cases where the inspections resulted in the detection of any mistakes in the registration process, inspection reports were compiled (see for example the attached report pertaining to inspected and subsequently revoked registrations at Majjistral Park). In parallel, following digitalisation of registered trapping site plans and the availability of GIS information, a post-vetting verification exercise was carried out for all registered sites, including those reported. As a result of this process, registration for a total of 198 clap-net pairs were revoked either because upon further examination the location did not meet the protected area criteria specified in the Framework Regulations (S.L. 504.124) or because the licensee had exceeded the permitted limit of two stations/four clap-net pairs. 73% (n=144) were intended exclusively for finch live-capturing whereas 27% (n=54) were intended to be used for finches as well as Golden Plover/Song-Thrush. A map showing location of such revoked sites is attached. In addition, the WBRU received several requests for revocation of registered trapping sites on the grounds of alleged disputes between third parties and alleged third party property rights. In such cases, the WBRU examined the legality of registration issued to these sites. Since as a result of these investigations it transpired that all such sites were registered correctly in accordance with legislation, the WBRU did not uphold the request for revocation which was explicitly granted without prejudice to any third party rights."*

concerning registration of live-capturing sites. This is assured through a systematic process that involved physical screening of site plans, digitalisation of registered plans and development of bespoke GIS system used for enforcement, a system of spot checks and inspections, and through investigations conducted in response to reports of suspected breaches.

4.21 Sergei Golovkin also stressed that the Environment and Resources Authority (ERA) is the competent authority for the protection of habitats, and therefore there is absolutely nothing that should stop ERA from exercising its functions and taking any enforcement action that the Authority may deem fit in response to any suspected breaches. Indeed on several occasions WBRU referred to MEPA reports of alleged illegal depositing of soil on protected habitats and similar suspected breaches of environmental and planning legislation, however it is unclear as to whether any action was taken by the former MEPA in respect of these reports. WBRU is willing to continue its collaboration with ERA on enforcement and is even willing to share site registration system for enforcement purposes, subject to an internal MoU. If any person undertakes any action that impacts negatively upon any protected habitat, it is ERA's responsibility to take action. Such enforcement should occur regardless of whether any particular site is registered with WBRU or otherwise.

4.23 Chairman noted this explanation and said that it is important that there is a systemic process for addressing such issue.

4.24 Sergei Golovkin confirmed that such a systemic process is indeed in place, however in this process different authorities play different roles in line with their respective remit. The system for screening of sites was in place, and was the best possible in the circumstances. The process also included post-registration checks and any flaws that were detected during these ex-post checks were rectified through revocation of registration – indeed following these ex-post checks, registration of around 200 site plans registration was revoked.

4.25 Nicholas Barbara asked whether following site registration in 2014 any new sites were being registered. Sergei Golovkin replied that last year WBRU processed about two hundred requests for changes in initial registration. As was previously reported to the Committee, such requests were processed on account of personal circumstances of a general license holder, such as changes or disputes over land title and similar issues. In such cases the Unit considered registration of alternative sites instead of the previously registered ones, provided such alternative sites met all the prerequisites stipulated in legislation (e.g. not on protected habitats or within prohibited zones; live-capturing sites must have existed prior to end of December 2012, not more than two live capturing stations can be registered per person etc). Compliance with the above requirements was assured through screening using the same system as in 2014. In practical terms these changes involved either modifications to an already registered site plan, or substitution of one registered site with another.

4.26 Chairman asked whether the Committee has any further reactions and whether it is in a position to adopt a recommendation.

4.27 Stephen Saliba said he needs further time to discuss with his superiors at ERA before finalising ERA's position on this derogation.

4.28 Lino Farrugia objected to further delaying recommendations, given that the issue raised by Stephen Saliba concerns cooperation between the authorities and has nothing to do with the principle of the derogation itself.

4.29 Chairman said that the Committee should allow adequate time for all members to finalise their position. He would have no objections if recommendations are considered at the next sitting.

(5) Consideration of potential 2016 live-capturing derogation for Golden Plover and Song Thrush

5.1 The Chairman referred to the materials presented by WBRU during last sitting (report on the outcome of 2015 derogation and updated assessment of the conservation status of the species concerned) and asked whether the Committee has any reactions to these reports before proceeding with a recommendation.

5.2 Joe Perici Calascione said the FKNK considers that the individual bag limit of six birds does not make any scientific sense and is potentially counter-productive. This bag limit does not seem to serve any purpose, since at the end it is the national bag limit that is the main parameter of the derogation. Moreover, this bag limit is discriminatory, since probability of catch in any particular site is extremely specific to its location, and therefore live-capturers who have an advantageous location are penalised unnecessarily. FKNK therefore calls for the removal of this bag limit.

5.3 Sergei Golovkin responded to FKNK's proposal by referring to the fact that the present framework regulations concerning live-capturing derogation for Golden Plover and Song Thrush were enacted following consultations with European Commission in September 2012, following Malta's response to Commission's Reasoned Opinion as part of infringement procedure. This procedure is still open and whilst FKNK's proposal does have some technical rationale, it would not be advisable to amend the terms of the regulations that were agreed with the Commission since this would be perceived as a move towards intensification of live-capturing effort and a weakening of proportionality. Moreover, according to reports of past derogations, very few live-capturers actually reported reaching their bag limit of six birds, and this fact in itself further militates against increasing or removal of individual bag limit.

5.4 Nicholas Barbara raised the questions whether ERA had similarly any concerns on enforcement of trapping site locations since the derogation for trapping of finches is applied during the same period and with the same registration process with WBRU. ERA however did not raise any concern on this derogation.

5.5 Noting that the discussion on this item was exhausted, Chairman proposed a vote on a motion to recommend to government the application of Golden Plover and Song Thrush live-capturing derogation in 2016, subject to the same parameters as in 2015. This motion was approved with five votes in favour (Chairman, ERA, FKNK and two government-appointed members) and one vote against (BLM).

6. Research proposal concerning Blue Rock Thrush (*Monticola solitarius*)

6.1 Chairman said that pursuant to previous Ornis discussion on this item (meeting on 20/04/16), the Committee asked the Secretary to contact the proposer and request him to provide a brief resume of experience in ornithology generally and the handling of wild birds in particular, for each of the researchers involved in the project. The proposer was also requested to provide details of collaborating research institution, which, on proposer's request, was to be treated in full confidentiality.

6.2 Chairman noted that the proposer complied with this request, and provided the information requested. The proposer motivated his request to keep the name of the institution confidential by his lack of trust in some of the members of the Committee. Upon making necessary enquiries, Chairman confirmed that the collaborating institution is a reputable one and has considerable background in ornithological research. He invited the Committee to consider this information and make its recommendations.

6.3 Lino Farrugia objected to the proposed discussion, reiterating FKNK's concerns over lack of consistency in the Committee's treatment of such research proposals. FKNK previously pointed out that in the past, similar requests were approved through written procedure, without comparable level of scrutiny which is now being afforded to the present case "simply because it does not come from Birdlife Malta". Therefore he reiterated that the "creation of a two-weights, two-measures situation is highly undesirable". Birdlife Malta's attitude towards this request is "unacceptable" because it "has nothing to do with the project itself", but with organisation's perceived "monopoly" over scientific research, and with objections against "creation of another association". Since FKNK has already cast its vote in favour of approving this proposal, FKNK requests that the Chairman refrains from holding further discussions on this agenda item, and only proceed to take the vote of the other Committee Members who also hold voting powers.

6.3 Mark Sultana said he is very uncomfortable over the fact that the proposer requested to withhold the name of the institute from the Committee, which is a crucial piece of information that directly reflects on the viability of the research proposal itself. If the proposer does not trust the Committee, how can the Committee consider and trust the proposal itself? He therefore suggested that the Chairman should write to the institute in question to confirm that the institute endorses the proposal as submitted.

6.4 Mark Sultana furthermore stated that he does not believe that the proposer has the required credentials in ornithological research, although on some occasions Birdlife Malta agreed with some of the conclusions of his *other* published research.²

6.5 Mark Sultana also added that Birdlife Malta has serious reservations over multiple aspects of the proposal itself, including over overall poor quality of the proposal, as well as the unclear and contradictory aims of the proposed research that seems to lack scientific value and justification. Birdlife Malta furthermore objects to the fact that the proposed methodology relies on capture of birds by unlicensed persons (i.e. persons not in possession of bird ringers' license), and to the methodology itself which appears to be "replete with mistakes and technical errors". As an example of such technical errors, he mentioned the fact that the proposal targets only adult birds and not juveniles, whilst it is "well known fact" that dispersion involves both adults and juveniles; the fact that the proposed study of dispersion relies on geolocators which lack the required accuracy to measure dispersal within the small geographical range instead of other more appropriate methods such as colour ringing and observation, for instance. The proposal also lacks citations of appropriate scientific literature, such as for instance where reference is made to studies regarding effects of geolocators on birds of certain size. Birdlife Malta therefore believes that this project should not be approved.

6.6 Sergei Golovkin reacted to Mark Sultana's statement by pointing out inconsistency in the argument that BLM "agrees" with some aspects of proposer's research (such as critique of spring hunting derogation mentioned in scientific paper circulated by Mark Sultana), whilst at the same questions his credentials as a researcher. Mark Sultana responded to Sergei Golovkin by stating that Birdlife Malta has been consistent since it examines the proposal on its own merits.

6.7 Sergei Golovkin further reiterated that the Committee has a duty to assess the proposal purely on own merits, irrespective of whether the project is being carried out in conjunction with any foreign or local entity or not, and that the Committee does not seem to have the required scientific expertise to challenge scientific validity of any proposed research results. Indeed research aims were not questioned in the past when similar proposals were brought for consideration by the Committee. Moreover, in legal terms one does not need to be a licensed ringer in order to perform such research, since the activity requires derogation in its own right.

6.8 Sergei Golovkin pointed out that the WBRU also has some technical questions regarding some aspects of the proposal; however these questions can be ironed out at permitting stage, and, if

² At this point Mark Sultana circulated a copy of a scientific paper published by the proposer in a scientific journal. The paper concerns criticism of Malta's spring hunting derogation.

necessary, formalised through permit conditions. On the other hand, the Committee may wish to consider the proposal in principle, and may make reference to any specific technical conditions that may subsequently be imposed by WBRU to address the Committee's technical concerns. From a regulatory and legal point of view, what matters is whether the proposed research poses any significant risk to the species concerned or their habitats, which does not appear to be the case. Nicholas Barbara and Mark Sultana disagreed with this approach in view of the fact that derogations are indeed normally discussed in detail, including the conditions of the application. In this particular case, if the research proposal is weak or illogical it cannot be approved – and not simply approved in principle and the conditions of such research made or agreed after.

6.9 Sergei Golovkin also urged the Committee to keep in perspective a sense of proportion. The Committee has in the past approved derogations involving capture and keeping of thousands of specimens by thousands of licensees; yet in this case a proposal involving tracking of fewer than a dozen birds for scientific research is seen as a stumbling block. He cautioned against creating a precedent that would potentially create issues for other similar activities.

6.10 Chairman said that the number of the specimens involved does not seem to be relevant since some members have in-principle reservations on this proposal. Therefore since there is no agreement on the principle, technical issues cannot be addressed through permitting process.

6.11 Mark Gauci said that in his opinion, the biggest flaw in the proposal is the fact that it does not utilise licensed bird ringers and on this count alone the project is unacceptable. He said that the licensed bird ringers undergo years of training prior to being recommended for license. Moreover, the ringing scheme has a strict code of ethics which is enforced. Such training, coupled with all other rules and procedures in place ensures high degree of scientific rigour, as well as minimises any risks to the birds caught. Besides this problem, he fully subscribes to all other technical problems pointed out by Mark Sultana. Mark Gauci also insisted that he considers the proposal in its own merit and not because this was being filed by the proposer. Indeed cooperation with this proposer was sought just recently when the latter asked whether ringers could assist in extracting ticks that could be found on birds while ringing. There was no problem with collaborating on such matters from the Malta Ringing Scheme. Mark Gauci also pointed out about the dubious objective of the research proposal which states in its description that it would help highlight the problem of illegal hunting on the blue rock thrush. He referred to the fact that it is acknowledged from both FKNK and BirdLife sides that hunting of blue rock thrush is not a matter of concern.

6.12 Frank Vassallo reacted to Mark Gauci's intervention by stating that it is rumoured that methods deployed by bird ringers sometimes result in mortality or harm to the birds. Therefore one should not portray Birdlife Malta's ringing scheme as something that is perfectly safe for the birds, whilst at the same time ruling out research carried out by other persons who are not part of Birdlife's scheme. Such a stand would be discriminatory.

6.13 Mark Sultana rejected Frank Vassallo's claim of mortality of birds in the hands of licensed bird ringers as "unsubstantiated".

6.14 Marco Falzon questioned whether Birdlife Malta is justified in pedalling its "monopoly" over bird ringing and scientific research, and argued that he does not see any reason why a proposal by independent researchers should not be approved.

6.15 Stephen Saliba said he has reservations on the use of cage traps for the capture of the specimens since such traps may potentially result in the capture of other fauna. ERA would therefore need assurances that these methods would not harm other species. Moreover, any research activity in Natura 2000 sites needs to be screened for the requirement of an ERA permit. He concluded his intervention by stating that he is concerned with the scientific quality of the proposal.

6.16 Sergei Golovkin asked whether other persons authorised to carry out similar research, including licensed bird ringers, are also in possession of relevant ERA permits. Stephen Saliba replied that anyone carrying out activities in Natura 2000 sites is required to approach ERA with a method statement and the proposal evaluated accordingly . Mark Sultana added that whenever ringers need to carry out research in Natura 2000 sites such as on Filfla, ERA permits are always sought and obtained.

6.17 Chairman concluded the debate on this item by proposing a vote on whether to recommend to government that the proposer's request that a derogation be applied to allow the capture and geotagging of Blue Rock Thrushes should be approved. The vote resulted in a tie with three votes in favour (FKNK and two government-appointed representatives) and three against (Chairman, BLM and ERA). Subsequently, Chairman exercised a casting vote which resulted in the motion turned down. At this point in time the FKNK representatives left the meeting as a sign of protest "on the biased manner by which the Chairman had handled this agenda issue".

6.18 The Committee agreed to postpone discussion on outstanding agenda items to the next session, to be scheduled in approximately two weeks time.

6.19 The meeting was adjourned at 1945 hrs.