

## Meeting of the Malta Ornis Committee

21<sup>st</sup> January 2015, Hexagon House, MEPA, 1600 - 1730

### Minutes

#### Attending members:

Prof Mark Anthony Falzon – Chairman  
Mr Sergei Golovkin - Secretary  
Mr Nicholas Barbara – Birdlife (Malta)  
Mr Lino Farrugia – FKNK (joined meeting during discussion on item 2)  
Mr Joe Perici Calascione – FKNK (joined meeting during discussion on item 2)  
Mr Mark Gauci – Avifauna Expert  
Mr Gwido Baldacchino - Member nominated by Government  
Mr Marco Falzon – Member nominated by Government  
Mr Frank Vassallo – Hunting and Trapping Expert (joined meeting during discussion on item 2)  
Mr Stephen Saliba – MEPA

**Excused:** Ms Emeline Fenech – Member nominated by Government; Mr. Geoffrey Saliba - Birdlife (Malta)

### 1. Adoption of the agenda

1.1 The agenda was adopted, subject to slight change in the order of the items (proposed research derogation to be discussed before matters arising out of the previous meeting).

### 2. Adoption of the minutes of the meetings held on 10<sup>th</sup> and 15<sup>th</sup> December 2014

2.1 Minutes were adopted subject to corrections made by Birdlife (Malta), FKNK and the Chairman.

### 3. Request for a derogation from the provisions of Regulation 4 (d) and (e) for the fulfilment of clause 9 (e) - research and teaching - of the Conservation of Wild Birds Regulations: Measuring of egg morphology and intraspecific cross fostering of eggs, and live sampling of blood from nestlings of the Zitting Cisticola, *Cisticola juncidis*

3.1 Chairman referred to the request, submitted by researchers Ms Marie Claire Gatt and Dr Benjamin Metzger, to apply derogation to permit live sampling of blood from nestlings of Zitting Cisticola as part of a research project on blood parasitism. The project description was circulated to Committee members by the Secretary. The researchers propose to carry out field sampling work between February and July 2015. Sampling will involve up to 100 eggs and up to 150 fledglings. Sampling methodology has been well elaborated with reference to relevant literature and risks appear to be small.

3.2 Sergei Golovkin referred to the relevant legal provisions concerning Ornis recommendations on derogations and explained the legal procedure. He said that the WBRU does not object to this proposed research project, and, subject to Committee's

recommendation, will prepare necessary permit conditions. Such conditions will, amongst other, include a condition which shall oblige the licensees to immediately report any incidents of mortality that may occur as a result of sampling, in which case sampling work will be terminated.

3.3 Mark Gauci asked whether the WBRU would provide a report on the outcome of this research project, if approved. Sergei Golovkin said that reporting will be part of permit conditions, and should the Committee request a copy of the report that will be submitted by the researcher, it will be provided.

3.4 Chairman asked whether a vote should be taken with regards to this proposal, given that it concerns recommendation for a derogation.

3.5 Lino Farrugia said the FKNK disagrees with this proposed derogation for obvious reasons. He added that he wished that all proposals for derogations application would be so easy to be accepted for recommendation at the Ornis Committee level and even though he did not ask for a vote, at this stage the Chairman thought it best that a vote be taken.

3.6 The proposed derogation was recommended for approval with four votes in favour, one against and one abstention.

#### **4. Matters arising and matters to report**

4.1 Chairman referred to the draft memorandum to Minister concerning Ornis discussion in relation to taxidermy regulations proposal. He emphasized that these are not formal Ornis recommendations, since no vote was taken on the subject, and since the Committee did not reach consensus on certain key issues. The aim of the memo is therefore to inform the Minister regarding the salient points raised during the discussion.

4.2 Members were asked to comment on the draft that was circulated in advance of the meeting. Sergei Golovkin provided written comments on behalf of the WBRU. The Chairman went through the comments made and it was agreed that as most of these comments involve clarifications on the position originally made by the WBRU, these will be reflected in the memorandum.

4.3 Chairman will finalise draft accordingly and will present to Minister for his information.

4.4 Nicholas Barbara asked regarding whether there will be further discussion on this proposal and what will happen next. Sergei Golovkin replied that the Minister has already been informed regarding Ornis proceedings on this item to date, and is aware of the comments and reservations made. The Minister will furthermore receive the memorandum proposed by Chairman. The government is presently conducting further assessments and consultations with the various experts and entities such as MEPA.

4.5 Nicholas Barbara asked further as to who is coordinating these assessments and whether further drafts will be discussed at Ornis. Sergei Golovkin replied that the assessments are being coordinated by the WBRU. Nicholas Barbara expressed reservation that the WBRU may be biased. Sergei Golovkin replied that following completion of relevant assessments and consultations, the government will consider the proposal on the basis of all advice

received, including on the basis of the discussion that took place within Ornis. At this stage the government does not envisage reverting the draft back to Ornis, since discussion on this item seems to have been exhausted over the past 4 sessions and all parties have made their submissions. Following completion of further internal assessments the government will decide accordingly on a way forward.

## **5. Any other business**

5.1 The Chairman said that the following Ornis session should be dedicated to discussion regarding potential spring hunting derogation. He asked Sergei Golovkin to bring the Committee on the necessary timeframes and issues to be considered in this discussion.

5.2 Sergei Golovkin said that the WBRU shall be collecting hunting licenses between 2<sup>nd</sup> and 13<sup>th</sup> February, whilst late returns will continue to be accepted until 13<sup>th</sup> March, subject to €75 fine. WBRU is making preparatory arrangements to ensure extraction of Turtle Dove and Quail data until the end of February. Once this data has been extracted and verified, it will be presented to Ornis. In parallel, WBRU shall be conducting a review of the most recent scientific literature in order to update previous year's conservation status assessment for the species concerned. He invited the Committee members to share any relevant sources of data that can be included in this update. Once completed, the draft will be circulated to the Committee for discussion. Ornis will probably need to dedicate two sessions in early March to discuss spring hunting issue. Sergei Golovkin concluded with an appeal to have a serious and mature discussion on the substantive technical and scientific issues concerning this derogation, and to refrain from using the Committee for referendum campaigning.

5.3 Chairman asked regarding the referendum and how this may impact Ornis proceedings. Sergei Golovkin explained that the referendum will be held on 11<sup>th</sup> April. It is likely that the results will be officially announced on 13<sup>th</sup> April. If the referendum results in the abrogation of the Framework Regulations, following the official announcement of the results by the Electoral Commission and the relevant Presidential Decree, there will be no spring hunting season. If the Regulations remain in place, the season may be opened after official announcement of the referendum results by the Electoral Commission. However for logistical reasons, all necessary preparations to ensure that the season can be opened subject to referendum result, will have to take place in advance. These preparations will include the publication of the relevant legal notice, which will include a conditionality clause that will refer to results of the referendum. Once this legal notice is published, the WBRU will conduct special licensing process, also subject to referendum conditionality. Arrangements will also be made with regards to enforcement.

5.4 Lino Farrugia asked why is there the need for hunters to go through special license application process, given the uncertainty over the referendum. He asked also whether AG's advice has been sought. Sergei Golovkin confirmed that AG's advice has been received, and that the special licensing process is a requirement stipulated in the Framework Regulations. If the referendum will not result in the abrogation of the Framework Regulations, conditions of these Regulations will continue to apply.

5.5 Nicholas Barbara asked regarding the previously discussed proposal to ensure that the role of Ornis Secretary is not combined with the role of representation of WBRU and is limited to administrative duties only. It appears that this proposal was agreed to by the

Government, and yet the Government re-appointed the Committee in the same format as last year. Sergei Golovkin replied that the proposal to separate the role of the Secretary from the role of representation by the WBRU was indeed agreed to in principle, and the relevant legal amendment was drafted for Government's consideration. However upon further consideration, the Minister decided for this year to re-appoint the Committee in exactly the same format as last year.

5.6 The meeting was adjourned at 1730 hours.