

Meeting of the Malta Ornis Committee

24th January 2014, Ghammieri, 1630 - 1800

Minutes

Attending members:

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

1. Introductory discussion: new members, suggestions for internal committee procedures

- 1.1 Mark Anthony Falzon introduced himself and invited a round of introductions amongst Committee members. Mr Saviour Balzan and Mr Stephen Saliba were welcomed as new members representing Birdlife (Malta) and MEPA respectively.
- 1.2 On the initiative of the Chair, the Committee requested the Secretary to convey a note of appreciation to Dr Louis Cassar, the previous Chairman, for his excellent stewardship of the Committee during his tenure.
- 1.3 As regards internal Committee procedures, the Chairman said that he understood that procedures adopted during 2013 seemed to have worked well, and there appears to be no objective need to modify any procedure at this point in time. The Chairman expressed his wish that wherever possible, the Committee should try to decide by consensus; however it is also clear that this may not always be feasible and that much as one would prefer not to resort to taking a vote, this may sometimes be unavoidable. He stressed the need for confidentiality of internal Committee proceedings, which is necessary to ensure that members are not inhibited from speaking up and to ensure that the Committee fulfils its functions in the most effective manner possible.
- 1.4 Chairman's remarks were also echoed in a brief intervention by the Secretary, who highlighted the statutory role of the Committee as a technical and scientific advisory organ. The Secretary said that whilst it is clear that there will be agenda items on which consensus may not be possible; however even in such situations of disagreement, the Committee's discussion of the issues at hand from various angles would still be of great value to the government's decision making process.

2. Items of agenda brought forward from the previous year

2.1 The Chairman invited the Secretary to provide a brief overview of the agenda items brought forward from the previous year's Committee work.

2.2. The Secretary explained that these items may be broadly divided in two categories: (i) recurrent items that form part of the Committee's agenda every year; and (ii) items on which a discussion was initiated during previous year/s, but which are still to be brought to conclusion.

2.3 As regards the first category, i.e. recurrent items, the Secretary mentioned the following:

- **Reports of autumn 2012 and 2013 live capturing derogations, as well as report on enforcement situation during autumn 2013 hunting season** – the Wild Birds Regulation Unit is presently analysing data and compiling the above reports, which will subsequently be shared with the Ornis committee members. At this point Lino Farrugia and Joe Perici Calascione asked whether these reports should be discussed at Ornis, given that these are government reports to the European Commission. They also mentioned that the government seems to have accepted to compile these reports which go beyond the formal EU Birds Directive Article 9 reporting requirements. The Secretary explained that these reports are indeed over and above formal reporting requirements under the Birds Directive; however since these have been requested by the Commission as part of infringement proceedings, the government has to compile them. The government sees no reason why these reports should not be shared with and if necessary discussed at Ornis, particularly so since an Ornis member (Birdlife Malta) has previously requested information regarding enforcement statistics and overall enforcement situation during autumn hunting and trapping seasons. Lino Farrugia and Joe Perici Calascione mentioned that in the past such reports were never shared with Ornis or made public, with the exception of enforcement statistics. The FKNK representatives further stated that in a meeting with the EU Environment Commissioner, Mr. Potocnik had confirmed that whilst the Commission would review any relative report submitted by interested third parties, the Commission's partner is the Government of Malta on whose report the Commission would finally decide upon. The FKNK thus emphasized their belief that derogation reports that have to be drawn-up by the Member State for the Commission should stay a matter between the State and the Commission, as has always been the situation with Malta.
- **Spring hunting derogation** – this item opens up into a series of interrelated discussions concerning determination of spring quotas on the basis of the previous autumn bags; consideration of conservation status of the species concerned; coordination of enforcement; monitoring and reporting. The Secretary explained that the Wild Birds Regulation Unit is presently in the process of initiating *Carnet de Chasse* collection and data extraction exercise, which exercise is expected to be concluded by the end of February. In parallel, the Unit is reviewing an assessment of the conservation status of Turtle Dove and Quail. As soon as these processes are complete, the above items will be placed on Ornis Agenda. At this point the Chairman suggested that one of the key issues is the issue of timeliness. In the past, decisions concerning hunting seasons were almost invariably announced only a few days in advance of the opening of the seasons and this is unfair on the hunters because last-minute guessing games are scarcely consonant with the notion of a "hunting season" as a cultural practice (which also includes anticipation and so on). The Secretary assured the Committee that his Unit is doing its utmost to ensure that a decision regarding the derogation can be taken earlier than was the case in previous years.
- **Autumn 2014 hunting season** – this is a recurrent item that in the past was discussed rather late in summer. In line with the outcome of previous year's Committee decisions in this

respect it would make much more sense to initiate discussions regarding the autumn season much earlier, possibly around May or June.

2.4 As regards the second category of agenda items, namely items brought forward from 2013, the Secretary outlined the following:

- **Regulations concerning taxidermy and importation of birds** were discussed in December 2013 whereby a number of deficiencies and loopholes in the present legal regime were highlighted. The Committee requested the Wild Birds Regulation Unit to assess the situation from a legal point of view and to present proposals for a reform of this area. This assessment is presently being carried out and it is envisaged that a proposal may be put forward for Committee's consideration by early March. At this point Saviour Balzan remarked that in his reading this implies that the government is planning "to open up" on the issue of taxidermy. The Secretary clarified that this is certainly not the case as the purpose behind the review exercise is to objectively address deficiencies and to regulate this sector in a more efficient manner.
- **Procedure for handling of injured birds** was the subject of discussion at several Ornis meetings in 2013. This discussion will have to be brought to a conclusion with the view to providing concrete recommendations to government.
- **A proposal for a national strategy for the eradication of illegal killing, trapping and trade in wild birds** was presented to Ornis in October 2013. A working group was formed to develop the strategy, however progress on the strategy has been slow. The Secretary highlighted the importance of having such a strategy for this sector since curtailing illegal killing of birds is one of the highest priorities of the government in this area. The Secretary mentioned that Birdlife (Malta) has previously expressed reservations on the scope of this strategy, requesting information on whether there are any plans to re-introduce finch trapping. On this point it was subsequently clarified in 2013 that the scope of the strategy is to focus on practices that are illegal at any point in time and that there is a lot of work to be done in priority areas such as eradication of illegal persecution of raptors for example.
- **Potential application of derogation to permit live-capturing of finches.** The Secretary recalled that at its sitting on 22nd August 2013 the Committee received a proposal from the FKNC concerning application of this derogation. The Committee subsequently requested the Wild Birds Regulation Unit to assess the proposal from a legal, technical and conservation points of view and to refer back the results of this assessment for further consideration and discussion at the Committee. This assessment is presently being conducted. Once completed, the matter will be referred to Ornis.

3. Envisaged agenda for 2014, including any suggestions and/or initiatives

3.1 The Secretary said that apart from the abovementioned agenda items, other items may be placed on the agenda from time to time. At any point in time Committee members are free to suggest any agenda items they wish to discuss.

3.2 Saviour Balzan and Nicholas Barbara said that Birdlife (Malta) wishes to propose the following additional agenda items:

- **Verification mechanisms concerning reporting bag statistics** – this arises out of the previously discussed Birdlife (Malta)'s proposal concerning a tagging mechanism for bagged turtle dove and quail. Although the Committee had previously disagreed with this proposal, it

had decided to assess verification methods from time to time and to discuss ways of improving the present system. The Secretary took note of the suggestion to discuss verification mechanisms, and shall provide an overview of the mechanisms currently in place during the next Ornis session. The FKNK representatives said that BirdLife Malta's proposals in this regard had been dismissed by the Committee not just on one occasion but twice. The FKNK thus do not see the need to discuss such proposals any further and added that this was the position also because the best, non-expensive and most effective verification method is already in place.

- In the context of forthcoming discussions concerning autumn season, Birdlife (Malta) would like to have a further discussion regarding the “**curfew**” which was modified by government in 2013.
- **Rabbit hunting** – in 2013 Birdlife (Malta) made several proposals in respect of rabbit hunting insofar as this may have an impact on enforcement of conservation of wild birds regulations. Birdlife would wish to have this item feature again on the 2014 agenda.
- **Role of the ALE** and coordination of enforcement.

3.3 The Chair suggested that he would wish to have a discussion concerning **roosting sites** for a number of resident or wintering species, including sparrows, wagtails, etc. There has been a spate of “tree pruning” exercises which affected these sites and this warrants discussion at the Committee in view of the ecological impact of such practices. In relation to this suggestion Mr Saviour Balzan proposed that the Committee should take into account various local studies made on this matter and should not seek to “reinvent the wheel”. The Secretary suggested that MEPA may have a significant role in this discussion as it is responsible for trees regulations and policy concerning landscaping.

4. Date of the next meeting

The next Committee meeting will take place on **Tuesday 18th February between 1600 and 1800** at the same boardroom at Ghammieri.

The meeting was adjourned at 1800 hrs.