

Meeting of the Malta Ornis Committee

Tuesday, 27th February 2018, WBRU, MESDC, Sta Venera
1630 - 1745

Minutes

Participants:

Magistrate (retd.) Dr Dennis Montebello – 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 Joseph Tabone - Member nominated by Government
Mr Marco Falzon – Member nominated by Government
Mr Horace Micallef - Member nominated by Government
Mr Mark Gauci – Avifauna Expert
Mr Darrin Stevens – Representative of the Environment and Resources Authority

Excused: Mr Frank Vassallo– Hunting and trapping expert

(1) Approval of the agenda

1.1 Agenda was approved

(2) Matters arising and matters to report

2.1 There were no matters arising.

(3) Approval of the minutes

3.1 The Chairman referred to written submissions made by FKKNK and BLM on the draft minutes and reiterated that submissions on the minutes should be limited to matters of factual correction, omission of important points or substantive clarifications. These submissions should be made verbally or in writing during each meeting prior to adoption of the minutes.

3.2 Nicholas Barbara reiterated BLM's view that certain details of BLM's submission to Ornis, particularly those concerning carnet de chasse data, were not sufficiently elaborated in the minutes. Lino Farrugia said that although he has comments on the draft minutes, such as for example omission of FKKNK's argument that turtle dove and quail migration is highly variable from one year to the next, he refrained from submitting them in writing in line with the procedure adopted by the Chairman.

3.3 Sergei Golovkin clarified that only two submissions made by the members on the minutes qualified as factual correction (reference to BLM not proposing any dates of the season) and rectification of an omission (inclusion of argumentation concerning "winter quail"). These were duly included in the revised version of the minutes.

3.4 Minutes of the previous meeting were approved, subject to factual corrections highlighted by FKKNK and BLM.

(4) Consideration of the parameters of spring hunting derogation for Quail

4.1 The Chair recapitulated the proposals concerning dates of the spring hunting season discussed during last meeting. These were: (a) 10-30 April (FKNK); (b) mid-March – first week of April (ERA); 6-26 April (WBRU) and 30 March -20 April (Chair). He proposed to subject these four options to a vote to establish which proposal gains majority approval. Mark Sultana pointed out that the Committee should not only consider the number of votes in favour of each proposal, but also the number of votes against. Thus a proposal that gets majority backing may also turn out to attract the most opposing votes. He suggested to address this issue by subjecting each proposal to a separate vote. Lino Farrugia agreed with this suggestion.

4.2 Darrin Stevens requested clarifications on the rationale behind some of the proposals made as discussed during previous meeting. The Secretary clarified accordingly.

4.3 Marco Falzon recalled that he initially asked to postpone the vote on the options presented since members needed more time to assess the data presented and submissions made. Upon considering these submissions, he wishes to propose another option for the season to span between 5th and 25th April because in his assessment these dates provide the optimum quail hunting opportunities whilst avoiding turtle dove migration peaks associated with late April. His proposal was supported also by Horace Micallef and Joseph Tabone.

4.4 In reaction to this suggestion, the Chairman noted that this proposal is very close to the dates suggested by WBRU. He asked whether there would be any objection to substituting WBRU's original proposal with that of Marco Falzon. Sergei Golovkin said that WBRU agrees with this suggestion. The Chairman also withdrew his proposal for 30 March – 20 April, given that this option was not discussed and did not attract support from other members. The Committee noted and agreed with this suggestion.

4.5 The remaining three proposals were subjected to a vote, with the following outcome:

- a. 10 – 30 April: One vote in favour (FKNK) and six abstentions;
- b. 15 March – 4 April: One vote in favour (ERA), one vote against (FKNK) and five abstentions;
- c. 5 – 25 April: Four votes in favour (FKNK and three independent experts) and three abstentions.

4.6 The motion to recommend to the Minister the application of spring hunting derogation for quail between 5 and 25 April has therefore been passed.

4.7 Subsequent to the passing of the motion on the dates, the Committee discussed bag limits. It was noted that the 5,000 national bag limit for quail represents the maximum allowed by the framework law. This threshold was calculated in line with applicable policy guidance on the application of Article 9 derogations which requires that the number of specimens taken under derogation should not be greater than 1% of annual mortality rate of reference populations.

4.8 Lino Farrugia reiterated his previous suggestion to remove the seasonal bag limit per hunter completely, to eliminate any hypothetical incentive for non-reporting. He noted that imposition of this bag limit is not practiced in other countries, which may have daily or national bag limits. Control of the national and daily bag limit ensures necessary proportionality and therefore a seasonal bag limit per hunter is totally unnecessary. In response to this suggestion, Sergei Golovkin reiterated that the requirement for daily, individual and national bag limits is stipulated in the framework law as part of the package negotiated with the EC post-ECJ judgement. He emphasized that WBRU has no technical grounds for proposing a revision to the framework law in this regard, since the uptake of daily and individual bag limits to date was low. Moreover, these bag limits have been increased last year on FKNK's suggestion and are reasonable. He also noted that any perceived incentive to misreport game

caught is mitigated by hunters' legal obligations, enforcement through spot checks, and a deterrent of sanctions in case of non-compliance.

4.9 Mark Gauci suggested that the Committee should ideally have more scientific data on migration of the turtle dove and quail during March. The fact that the migration study has always been carried out during periods of derogations is a limiting factor, since migration data outside of these periods has not been adequately captured. He proposed that the Committee should recommend to the government that in future, migration study should be carried out from at least mid-March until the end of April. In response to this suggestion, Sergei Golovkin observed that whilst he would agree in principle with having a more comprehensive dataset, this would effectively double the cost of the study and WBRU does not have the necessary budget to carry this through. He noted that any potential benefits of having migration data over a longer period must be weighed against financial feasibility of extending the study. Whilst noting WBRU's concern over financial feasibility, the Committee nonetheless unanimously approved Mark Gauci's suggestion to recommend to the government to extend the period of the study annually, to cover at least between 15 March and 15 May, so as to enable a more informed decision on spring hunting.

(5) Any other business

5.1 The Committee agreed to reconvene on 4th April, to receive updates on the uptake of special licences, and to discuss enforcement arrangements. Nicholas Barbara suggested inviting Inspector of the ALE as well as a representative of Gozo police for the next session.

5.2 The meeting was adjourned at 1745 hrs.