

Meeting of the Malta Ornis Committee

**Wednesday, 25th April 2018, WBRU, MESDC, Sta Venera
1630 - 1745**

Minutes

Participants:

Magistrate (retd.) Dr Denis Montebello – Chairman
Mr Richard Lia – Secretary
Mr Nicholas Barbara – Birdlife (Malta)
Mr Joe Perici Calascione – FKNK
Mr Joseph Tabone – Member nominated by Government
Mr Marco Falzon – Member nominated by Government
Mr Horace Micallef – Member nominated by Government
Mr Frank Vassallo – Hunting and live-capturing expert
Mr Mark Gauci – Avifauna expert
Ms Maria Attard – Representative of the Environment and Resources Authority

Excused: Mr Mark Sultana – Birdlife (Malta); Mr Lino Farrugia – FKNK

1. Approval of the agenda

1.1 Agenda was approved.

2. Matters arising and matters to report

- 2.1 The Committee thanked outgoing Secretary, Sergei Golovkin, and congratulated Richard Lia for his appointment as the new Secretary of the Ornis Committee.
- 2.2 Reference to BirdLife Malta's request to shift enforcement responsibilities from WBRU to ERA was made. Chairman suggested discussing this issue at the next meeting.

3. Approval of the minutes of the meeting held on 27/02/2018

- 3.1 ERA submitted an amendment to the draft minutes to reflect the Committee's agreement on the dates of the spring migration study, specifically to cover the period 15 March to 15 May.
- 3.2 Minutes of the previous meeting were approved, as amended.

4. Spring hunting season 2018

- 4.1. Chairman noted that it would be preferable to discuss enforcement during spring hunting season with Inspector Sheldon. The Secretary informed members that Insp. Sheldon was unavailable due to overseas duties. The issue of deterrent and pro-active enforcement to avoid illegalities was raised. Mark Gauci stated that the fact that spring hunting season overlapped with Turtle-dove migration rendered enforcement more difficult considering the long-standing tradition of hunting of this species in Malta.

- 4.2. The Secretary presented an overview of the spring hunting migration pattern of Turtle-dove. An influx of this species was recorded on 19 April by the independent study, where a total of 253 specimens were observed (raw count). Joe Perici Calascione stated that migration is unpredictable and that in previous years there used to be an influx of Turtle-doves on 23rd April. Mark Gauci specified that hunting for Quail differs from Turtle-dove. The Chairman remarked that if the Quail season did not overlap with Turtle-dove migration the outcome and issues related to enforcement would never have been known. Frank Vassallo stated that there was a very high influx of harriers (*Circus* spp.) with very little irregularities.
- 4.3. The Chairman reiterated his previous stance that no meaningful discussion would ensue without the presence of ALE during the meeting. He stated that Ornis cannot function if there is no reassurance on enforcement, and noted that enforcement may be weak.
- 4.4. Joe Perici Calascione stated that apprehension requires unequivocal evidence that an illegality has occurred. He recommended the setting up of an Environmental Monitoring Board composed of FKNK, BirdLife Malta, Police and Government representatives. The Secretary referred to the two ad hoc meetings to oversee the spring hunting season that were held on 3rd and 11th April composed of the Parliamentary Secretary, FKNK, BirdLife Malta, Police and WBRU representatives. Joe Perici Calascione specified that hot spots need to be targeted. He also maintained that there needs to be an understanding of the human element—it is very difficult to ‘force’ hunters to refrain from targeting the Turtle-dove given the long-standing tradition and that if BirdLife Malta had to accept a very limited hunting season for both species the illegalities would stop. Nicholas Barbara reiterated that spring hunting is unsustainable. Mark Gauci remarked that there is a possibility that hunting of Turtle-dove in autumn might stop. Joe Perici Calascione referred to the Turtle-dove situation in the UK, maintaining that although it is not huntable, it is nonetheless facing one of the most marked declines in Europe. Nicholas Barbara stated that the problem of Turtle-dove in the UK is due to hunting in Spain and that it is very difficult to control the extent of targeting of this species—Turtle-doves were targeted when the season for this species was not open, let alone during an open season. Mark Gauci stated that the decline of Turtle-dove is a serious issue. Joe Perici Calascione remarked that Member States should address the use of chemicals as this is confirmed to be one of the major factors leading to the decline in Turtle-dove populations.
- 4.5. The Secretary provided an update on the spring hunting season and presented members with an overview of the number of Quail reported caught as well as a comparison between bag data and migration study data. It was shown that whilst there was a relatively good correlation between hunting data and migration data for the first week of the season, the number of Quail reported during the last week of the season was inversely proportional to the migration study data, with a spike in reporting during the last day of the season, where a total of 197 Quail were reported as opposed to just three Quail observed by the study. It was further noted that the total number of Quail reported during the last day of the season exceeded the total number of Quail reported during the entire spring hunting season of 2017.
- 4.6. The Secretary also provided an overview of the total number of special licences that were issued, minimum enforcement deployment, the number of inspections, spot-checks and road-checks that were carried out and a case-by-case account of the illegalities that were detected. In total, 6,754 licences were issued to eligible hunters in possession of a valid licence to hunt birds on land (5,583 in Malta and 1,171 in Gozo). A total of 7,283 inspections were conducted, comprising of 5,924 field inspections (4,405 in Malta and 1,519 in Gozo), 692 spot-checks on individual hunters (514 in Malta and 178 in Gozo), five night patrols (4 in Malta and 1 in Gozo) and 667 road checks in Malta. A total of 39 offences were detected (27 in Malta and 12 in Gozo). Out of these, 14 cases have been referred to Court, another 14 cases are still under investigation, whereas the remaining 11 illegalities were carried out by individuals who remained unidentified. The Committee was informed that full details of the outcome of the spring hunting season will be finalised and sent to the European Commission within one month from the closure of the season.

- 4.7. The issue of non-reporting, under-reporting and over-reporting was discussed by the Committee. Nicholas Barbara maintained that removal of daily and seasonal bag limits would incentivise hunters who do not immediately report their catch by providing an unlimited amount to be caught. Joe Perici Calascione suggested to carry this discussion over to the next meeting with Inspector Sheldon since spot-checks and road-checks do not reflect under- or over-reporting. Mark Gauci raised the issue of setting up of a Wildlife Crime Unit whilst Nicholas Barbara reiterated that the main problem this year was the dates of the season.

5. Ombudsman case ES 0024

- 5.1. Contents of Ombudsman's letter dated 12 April 2018 (case ES 0024) were discussed by the Committee. The letter states that no response from the Committee was received following the Final Opinion dated 24 April 2017 and that a new investigation was opened regarding the imposition of bird ringing for the Blue Rock Thrush study, questioning why the ringing condition was decided by the Chairman and not by the Committee. The letter concludes that this issue should be finalised as soon as possible and that the study should proceed using geo-tagging without ringing.
- 5.2. The Chairman made reference to Ornis Committee meetings held on 18 October 2017 whereby the proponent of the study had indicated that, although this is not strictly necessary, bird ringing can be performed by his foreign partner in the project who has EURING-endorsed bird ringing licence. The Chairman stated that when the study was deliberated by the Ornis Committee he had specifically requested BirdLife Malta to abstain from taking any vote. The Committee noted that, contrary to what is claimed in Ombudsman's letter, the ringing condition was discussed by the members during a number of meetings, and agreed upon by the proponent of the study. It was not a condition imposed by the Chairman.
- 5.3. Frank Vassallo stated that there can be another form of ringing, not necessarily scientific rings supplied by BirdLife Malta. The Committee reiterated its previous decision and agreed that the study should incorporate scientific bird ringing as this is considered best practice. It was agreed that the Committee's position will be communicated to the Ombudsman, as follows:
1. The previous Ornis recommendation was put aside and the proposal was again put 'ab initio' before the Committee.
 2. BirdLife Malta was precluded from participating in the discussions, deliberations and decisions and was just given an observer status.
 3. The final recommendation was given after full agreement was reached by the Committee with the proponent of the study himself on all issues, including scientific ringing by a foreign bird ringer, and the Ornis recommendation was exactly that brokered with the proponent of the study.

6. Any other business

- 6.1. The Committee agreed to reconvene on 16th May and to invite Inspector Sheldon to discuss enforcement issues.
- 6.2. The meeting was adjourned at 1745 hrs.