

**Meeting of the Malta Ornis Committee  
(Video Conference)**

**Wednesday, 18<sup>th</sup> August 2021  
1330 – 1420**

**Minutes**

**Participants:**

Dr Joseph Grech – Chairman  
Mr Richard Lia – Secretary  
Mr Lino Farrugia – FKKN  
Mr Mark Gauci – Avifauna expert  
Mr Horace Micallef – Member nominated by Government  
Mr Lucas Micallef – Hunting and live-capturing expert  
Mr Joe Perici Calascione – FKKN  
Mr Darrin Stevens – Representative of the Environment and Resources Authority  
Mr Mark Sultana – BirdLife (Malta)

**Excused:**

Mr Nicholas Barbara – BirdLife (Malta)

**Absent:**

Mr George Borg – Member nominated by Government

**1. Approval of the agenda.**

1.1 The agenda was approved.

**2. Matters arising and matters to report.**

2.1 There were no additional matters to report.

**3. Approval of the minutes of the meeting held on 14/07/2021.**

3.1 The minutes of the meeting held on 17 July will be approved during the meeting scheduled for September, together with the minutes of this meeting.

**4. Conservation of Wild Birds (Declaration of the Autumn Hunting Season for Turtle Dove) Regulations, 2021**

*Draft Legal Notice circulated in advance of the meeting. Item subject to a vote.*

4.1 The Secretary provided an update on the outcome of the workshops on the Turtle-dove's Adaptive Harvest Management Mechanism (AHMM) held between the European Commission, Member States and stakeholders (BirdLife partners and hunting organisations). The European Commission requested those Member States that permit hunting of Turtle-dove along its Central-Eastern flyway to, inter alia, reduce the average autumn bag (as reported by

Member States during the Article 12 report for the 2013-2018 reporting cycle) by at least 50%. The Commission confirmed that although scientific data for the Central-Eastern flyway shows that hunting may continue along this flyway, hunting should only be permitted subject to a significant reduction of the Member States' 2013–2018 average bag, real-time (immediate) reporting through a game reporting system and adequate enforcement mechanisms in place. The Secretary explained that the conditions set out by the European Commission, and thus the parameters of the autumn hunting season for this species, apply to all Member States that hunt Turtle-dove across the Central-Eastern flyway in autumn and not solely to Malta.

4.2 Following the 02 July AHMM workshop (Nature Directives Expert Group meeting), the criteria set out by the European Commission on hunting of Turtle-dove in autumn were communicated to the Maltese authorities on 15 July, as follows:

- *Take the necessary measures to limit the annual bag to a maximum 50% of the [autumn] average off-take between 2013–2018.*
- *Consider setting individual bag limits.*
- *Implement the mandatory [real-time] game reporting system of every single bird bagged.*
- *Ensure the necessary verification in the field by the authorities of reported bag data.*
- *Ensure controls strategically planned and effectively implemented.*
- *Have an appropriate enforcement system in place (official warnings, administrative and/or criminal proceedings, deterrent and dissuasive sanctions, etc.).*
- *Make reports on inspections publicly available.*
- *Seriously tackle illegal killing of birds.*
- *Collect the necessary data (population size, survival, harvest, age structure of hunting bags).*
- *Take the necessary measures to ensure that habitat is managed across the country according to the ecological requirement of the species.*

4.3 During the workshops, the Commission had also confirmed that the 50% reduction is not, strictly speaking, grounded in science but should be considered as a precautionary measure. In fact, during these workshops, the Commission had even floated the idea of setting a 75% reduction of the average autumn bag (2013–2018) across the flyway. Although the Commission also confirmed that autumn hunting in Malta has a negligible effect on the population, Malta is nonetheless opting for a stricter precautionary approach and thus will reduce the quota by more than 75%, as shown in the table below - especially considering that, since 2016, when the season was limited to September only with a bag limit of 7,000, hunters reported just over 100 Turtle-doves each autumn season.

Bag data pertaining to the Turtle Dove for the autumn period 2013–2018, including average and bag reduction.

<b>Year</b>	<b>Autumn</b>
2013	7,434
2014	2,483
2015	3,695
2016	123
2017	101
2018	152
Average	2,331
50% of autumn bag	1,166
<i>National bag limit (September)</i>	<i>500</i>
Equivalent to a reduction of:	78.6%

- 4.4 The Secretary informed the Committee that all measures are in place to closely monitor/enforce the legal obligations pegged to hunting of Turtle-dove, including full enforcement deployment (including WBRU's Compliance Team) and systematic spot-checks on individual hunters, including road-blocks. Hunters will be legally required to immediately report each Turtle-dove hunted during September (as specified in the proposed legal notice circulated in advance of the meeting), not before leaving the hunting area. This will ensure instant verification / enforcement of the reporting obligations during spot-checks, and will thus facilitate close monitoring of the national bag limit in real-time.
- 4.5 Since the overall (national) bag limit will be monitored closely in real-time through the game reporting system—given that individual reports of bagged Turtle-doves are instantly registered into the database—the authorities will be in a position to close the autumn hunting season for Turtle-dove as soon as the quota of 500 is reached. Individual bag limits are not proposed to be set considering:
- the substantial reduction of the national quota from 7,000 (as at September 2020) to 500 (equivalent to 78.6% reduction of the average bag during autumn 2013–2018);
  - a legal obligation to *immediately* report each Turtle-dove caught; and
  - the enforcement efforts and inextricably linked sanctions in place to monitor autumn hunting, including the mandatory game reporting legal requirement.
- 4.6 The Secretary explained that the other criteria set out by the Commission are already being implemented, such as publication of enforcement reports related to autumn hunting seasons on the website of the Wild Birds Regulation Unit<sup>1</sup>.
- 4.7 Mark Sultana requested clarification on how the proposed bag limit of 500 Turtle-doves was calculated. The Secretary explained that the average number of Turtle-doves hunted in autumn between 2013 and 2018 amounts to 2,331 individuals and that although half this amount is 1,166, the national bag limit is proposed at 500 Turtle-doves as an additional precautionary measure, in line with the requirement of the European Commission, as explained above. The Secretary suggested splitting the vote into three sub-votes, as follows:
1. In-principle vote (whether an autumn hunting season for Turtle-dove should open).
  2. National bag limit of 500 Turtle-doves.
  3. Whether individual bag limits should be set.
- 4.8 Joe Perici Calascione agreed to an in-principle vote, adding that he has some reservations on how the figures were calculated by the European Commission to be implemented locally. Mark Sultana pointed out that instead of putting in place measures to ensure that this vulnerable species recovers, the legal notice is proposing an autumn hunting season to appease hunters, the majority of whom do not even fulfil their legal obligations to report game caught. Mark Sultana added that the proposed national bag limit is more than the average number of Turtle-doves declared during the last five years, which means that Malta will not effectively put in place measures to reduce the impact of hunting on this species, counter to the spirit of the European Commission. Mark Sultana stated that BirdLife Malta is not recommending the opening of an autumn hunting season for Turtle-dove.
- 4.9 Joe Perici Calascione disagreed with Mark Sultana's line of argument, especially when even considering that the European Commission had stated that the impact of hunting on Turtle-

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<sup>1</sup> Assessment of enforcement-related measures and outcome of the autumn/winter seasons are available at: <https://mgoz.gov.mt/en/Pages/WBRU/Reports-and-Statistics.aspx> under the Enforcement sub-heading.

dove in Malta during autumn has a negligible effect on the population. Joe Perici Calascione also stated that whilst Malta has to do its part to ensure sustainable hunting, he cannot understand why we should set a bag limit that is 78% less the average number of Turtle-doves hunted in autumn during period 2013–2018. Lino Farrugia stated that whilst FKNK appreciates the fact that Member States such as Malta, Greece and others did not concede to a reduction of the national bag limit to more than 50%, which is why FKNK has some reservations on the proposed national bag limit, FKNK is voting in favour of an autumn hunting season for this species. Lino Farrugia further pointed out that the setting of a bag limit of 500 Turtle-doves, or indeed 7,000 as has been the case between 2016 and 2020, does not infer that that amount will actually be caught. Lino Farrugia further stated that, taking into account the fact that the European Commission typically considers anything stated by BirdLife as gospel truth, the Commission deems the bag data submitted by the Member States as official otherwise it would not have used it as a baseline for setting a lower national bag limit. Lino Farrugia reiterated that the Commission is correct in stating that the amount of Turtle-doves hunted in Malta is so small to the extent that it is considered insignificant. Lino Farrugia also pointed out that that unlike Member States along the western flyway, countries along the Central-Eastern flyway have been allowed to continue to hunt Turtle-doves.

- 4.10 The Secretary pointed out that the decision by the European Commission to allow Member States to hunt Turtle-doves in autumn along the Central-Eastern flyway (Austria, Bulgaria, Cyprus, Greece, Italy, Malta and Romania) was based on scientific data pertaining to the population across the same flyway, not solely on reported bag data. The Secretary further clarified that it was the Commission’s prerogative and decision to set the baseline data for a reduced national bag limit on the number of Turtle-doves reported hunted in autumn during period 2013–2018 since this data corresponds to the latest Article 12 reporting cycle for that period.
- 4.11 Mark Sultana stated that a hunting season for Turtle-dove will open to appease the hunter, not to safeguard this species, adding that the bag limits are there to control the amount of birds caught notwithstanding the fact that the amount of Turtle-doves that can be hunted will be three times the amount of Turtle-doves declared by hunters in recent years. Lino Farrugia stated that he cannot comprehend BirdLife Malta’s stance considering that last year the national bag limit was 7,000 Turtle-doves. Joe Perici Calascione remarked that national bag limits serve as a capping on the maximum number of specimens that can be taken during open season. Mark Sultana concluded with reminding that only 2.7% of hunters participate in Carnet de Chasse making any proposed controls unrealistic.
- 4.12 The Secretary pointed out that contrary to previous autumn hunting seasons, hunters will now be legally required to immediately report Turtle-doves, not prior to leaving the hunting area, adding that this will ensure immediate on-site verification of reporting obligations during spot-checks, and will ensure close monitoring of the uptake of the national bag limit. The Secretary clarified that for autumn hunting, the legal requirement associated with immediate reporting only applies to Turtle-dove, not to the other huntable species listed in Schedule II of the Conservation of Wild Birds Regulations (S.L.549.42). The Secretary also pointed out that reporting of hunting effort<sup>2</sup> through the telephonic game reporting system (free-phone service) will also be mandatory during September.

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<sup>2</sup> Hunters (all licence categories, including rabbit hunting) who do not manage to catch any one of the huntable species on any given day will be legally required to report hunting effort before leaving the hunting area. A text message will be sent to the recipient as confirmation of the report and will be used for verification/enforcement purposes during spot-checks. Reports on bag data will automatically feed into the hunting effort data and thus hunters who report any one of the huntable species will not be required to report hunting effort separately. By way of example, if 100 hunters are out in the field on any given day and only 20 report catching one of the huntable species, the other 80 hunters will be required to make use of the game reporting system to specify that they did not catch anything on that day. Thus, licensees will only be required to record hunting effort if they do

- 4.13 The Committee members proceeded with the first (in-principle) vote. The Committee voted in favour of a hunting season for Turtle-dove in September with four votes in favour (FKNK, ERA, Government representative and Chairman) and a vote against (BirdLife Malta).
- 4.14 The Committee also voted in favour of a national bag limit of 500 Turtle-doves with four votes in favour (FKNK, ERA, Government representative and Chairman) and a vote against (BirdLife Malta). For clarity's sake, the FKNK repeated that even though it is voting for a 500 national bag-limit, its previous mentioned reservation about the way this figure has been arrived at, should also be noted at this stage. The Chairman sought clarification to Mark Sultana's statement that BirdLife Malta voted against the bag limit so that this is not construed to mean a vote in favour of no bag limit. Mark Sultana clarified that BirdLife Malta are against this legal notice.
- 4.15 The Committee voted against the setting of individual bag limits with four votes against (FKNK, ERA, Government representative and Chairman). BirdLife Malta abstained. Lino Farrugia remarked that FKNK voted against individual bag limits in line with previous Committee decisions and also in view of the legal requirement on real-time (immediate) reporting of Turtle-doves.
- 4.16 Darrin Stevens stated that ERA voted in favour of an autumn hunting season with a national bag limit of 500 Turtle-doves:
- in view that the European Commission will allow autumn hunting along the Central-Eastern flyway;
  - since the national bag limit has been reduced; and,
  - on the premise and condition that the parameters of the season will be fully enforced and monitored.
- 4.17 Darrin Stevens asked the Secretary to clarify why the legal notice refers to regulation 27(3) of S.L.549.42 for non-compliance, as opposed to regulation 27(2). The Secretary explained that hunting of Turtle-dove following closure of the autumn season for this species, that is, either from 1<sup>st</sup> October onwards or once the national bag limit has been reached in September, is a breach of regulation 27(3). The Secretary explained that regulation 27(2) is linked to regulation 19, which in turn declares the autumn hunting season (hunting of birds on land) from 1<sup>st</sup> September to 31<sup>st</sup> January. Darrin Stevens took note and reiterated that enforcement is crucial, especially in relation to hunters' reporting obligations.
- 4.18 Mark Gauci requested further information on how the age structure of Turtle-doves will be collected especially considering that in some cases it is not straightforward to identify an adult Turtle-dove from a juvenile. Lucas Micallef explained that FKNK are working on a mobile app for research purposes, including recording of age structure, however, FKNK did not specify that it will be finalised for implementation this year. Lucas Micallef further clarified that all hunters are capable of distinguishing between adult and juvenile Turtle-doves. The Secretary explained that the Commission did not set a mandatory requirement for the collection of data on age structure. The Commission is encouraging Member States to collect such data but it also did not specify that such data should be collected solely by means of a mobile application. Lino Farrugia pointed out that although there is a contract for the mobile application, the system will not be in place by 1<sup>st</sup> September, adding that FKNK can request their members to voluntarily collect data on age structure using alternative means, such as via a text message service (SMS).

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not manage to catch anything. Recording of hunting effort does not apply to those who do not go out hunting on any given day. The term 'hunting effort' encompasses hunting and live-capturing and will also be a legal requirement during all derogation periods.

- 4.19 The Secretary remarked that the European Commission took note of the fact that the timing between the last workshop in July and the autumn hunting season is very limited to implement certain components of the new hunting season. Nonetheless, the Commission emphasised on the importance for Member States opting for an autumn hunting season in 2021 to have in place all key (mandatory) requirements before opening the season, as discussed above—a bag limit of not less than 50%, real-time reporting, enforcement and monitoring.
- 4.20 Mark Sultana asked FKNK whether the collection of data on age structure will be open to all hunters or whether it will be limited to FKNK members only. Lucas Micallef replied that all hunters would be able to make use of the mobile application, and not simply to report age structure, adding that an FKNK members' only section would of course also be operative.

**5. Any other business.**

- 5.1 The Committee agreed to reconvene on 15 September at 1600 hrs. The meeting was adjourned at 1420 hrs.