

Meeting of the Malta Ornis Committee

Wednesday, May 31st 2023,

Time 4:30 PM

Location WBRU Office GOZO

Minutes

Participants:

Dr. Joseph Grech – Chairman

Mr. Jean Paul Portelli – Secretary

Mr. Nicholas Barbara – BirdLife Malta

Mr Anthony Caruana – Member nominated by Government

Mr Mark Gauci – Avifauna expert

Mr. Joseph Grech – Member nominated by Government

Mr Joe Perici Calascione – FKNK

Perit Andrew Psaila – FKNK

Dr. Gaynor Saliba – Member nominated by Government

Mr.Darrin Stevens – Representative of the Environment and Resources Authority

Mr. Mark Sultana – BirdLife Malta

Absent

Nil

1. **Approval of the agenda.**

1.1 All members approved the agenda of the Ornis board.

	In favour	Against	Abstention
FKNK	1		
BirdLife Malta	1		
Mr Anthony Caruana	1		
Mr Joseph Grech (not the chairman)	1		
Dr Gaynor Saliba	1		
ERA	1		
Chairman	1		
Total	7		

2. **Approval of the minutes of the previous meeting held on the 29th of March, 2023.**

Draft minutes circulated in advance of this meeting.

2.1 The minutes from the 29th March 2023 were approved by all members of the Ornis board.

	In favour	Against	Abstention
FKNK	1		
BirdLife Malta	1		
Mr Anthony Caruana	1		
Mr Joseph Grech (not the chairman)	1		
Dr Gaynor Saliba	1		
ERA	1		
Chairman	1		
Total	7		

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

There were not matters raised.

4. **Taxidermy collections.**

FKNK's proposal was submitted in conjunction with the Malta Taxidermy Federation

(DoItem 5). Item discussed during ad hoc workshops. Item subject to a vote.

4.1 The Ornithological Society made the following conclusions and remarks that resulted from the taxidermy collection discussion on 02/11/16 and 01/01/23.

4.2 In relation to the proposal to amend legislation in relation to taxidermy collections, a Working Group was set up including the Secretary and representatives of BLM, ERA, and FKNK attending, as well as a representative of the MTF, who were invited to present their case.

4.3 In general, it was agreed that some of the proposals by the MTF have been since adopted in law (vide [L.N. 107 of 2022](#)). In the case of applications for the transfer of registered stuffed birds that were submitted to WBRU by the 30th of September 2020 (and which had not been processed), no action shall be taken with respect to specimens listed in the pending application unless, it is evident that such specimens were obtained in violation of the concerned regulations.

4.4 The Working Group also noted that the list of stuffed birds presently held by WBRU should be updated as soon as possible, considering the transfers made throughout the years as well as relevant Court sentences. Moreover, issues linked with changes in addresses and inheritance should be taken into consideration, as this would also facilitate the implementation of the Conservation of Wild Birds Regulations (S.L. 549.42).

4.5 As to the proposals linked with non-EU listed species and/or species which were/are not protected by local or international law (e.g. CITES and the EU Trade in Species Regulation), there is an agreement such keeping would be legal, subject to legal assessment – since laws changed a number of times.

4.6 The need for an assessment on the feasibility of a tagging system was also reiterated.

4.7 The Working Group also agreed on the need for an information campaign on this matter to facilitate compliance by all concerned and ensure better awareness of legal requirements.

4.8 Finally, the Working Group noted that it should be cautious on 'additions' to the list of species found in possession of taxidermists or registered users, i.e. if additional non-registered birds are found in a collection once this is assessed by the relevant regulator, since the keeping of such species may be subject to past/current legislation and derogations to SL 549.42 and its earlier iterations.

4.9 FKNK suggested that before legal proceedings is taken against individuals there should be a clean sheet in which bird hunters can list all the birds that are in their possession so that there can be a better understanding of the types of stuffed birds that exist in Malta .

- 4.10 FNKN also pointed out that there should be some type of amendments which allows for species whatever they may be that have died of natural causes or accidental causes to be staffed. FKNK also has issues which labelling them as roadkill, as they feel this does not accurately represent how the species passed away.
- 4.11 ERA suggested there should be another meeting to go over what was discussed regarding roadkill in the previous working group.
- 4.12 The chairperson cautioned against retroactively applying fines because that is unconstitutional.
- 4.13 The Ornis Committee noted the above considerations and referred these points to the Wild Birds Regulation Unit.

No vote was not taken due to the fact that the Ornis group would like to make a working group with the WBRU before any vote is taken.

5. **Salvage permit/road kill.**

Proposal submitted by MTF (Doc Item 7). Item brought forward from previous meeting. Item subject to a vote.

- 4.1 Postponed until the next meeting.
- 4.2 A vote was not taken due to the fact that the Ornis Committee would like to discuss this matter at a Working Group with WBRU present before any vote is taken.

6. **EURING.**

Proposal submitted by FKNK (Doc Item 8). Proposed legal amendment (Doc Item 7.4) was drafted by the Secretary and circulated to the Committee as a basis for discussion.

- 6.1 FKNK brought up the fact that they spoke to the Ombudsman about the EURING being the sole distributor of ringing permits and according to the FKNK the Ombudsman concluded that this is discriminatory.

- 6.2 FKNK pointed out that a ringing scheme in Maltese laws should replace EURING.
- 6.3 Bird life pointed out that they do not want to prohibit anyone from getting a ringing licence under their program with Euring. It is wrong to think that Bird Life wants a monopoly. BirdLife Malta also pointed out that anyone can apply for a Euring licence.
- 6.4 Birdlife Malta pointed out that the only three countries, Germany, Netherlands and Spain that have more than one ringing scheme, are pushing towards a single ringing scheme instead of multiple ringing schemes. The advantage of Euring is that they have a much bigger European database.
- 6.5 The chairperson pointed out that the Ornithologists should find out what the Euring does and use that as the definition in the law. He also went on to say that we cannot prioritize one group over another.
- 6.6 A vote was not taken due to the fact that the Ornithologists Committee would like to discuss this in a working group with the WBRU present before any vote is taken.

7. Proposed new Schedule XI – internal ring sizes.

Documents circulated in advance of the meeting (Doc Items 7.5A – 7.5C).

Item to be discussed after review of internal ring sizes by CITES Office and feedback from ERA. (Item subject to a vote)

- 7.1 A vote was not taken due to the fact that the Ornithologists Committee would like to discuss this in a working group with the WBRU present before any vote is taken.

8. Sampling of Maltese Italian sparrows for transport to Sweden. Proposed by Alex Lewrence (Document Item 12 A-12E)

- 8.1 Reference is made to the proposed research on *Passer hispaniolensis* in Malta and to the discussions held during the meeting of the Ornithologists Committee of the 31/05/2023. The Committee has decided that a revised proposal should be submitted to the Committee, including only blood sampling

(for genetic analyses abroad) with a sampling size of up to ten (10) adults and up to ten (10) pulli/fledglings

8.2 The chairman stated that if Alex Lowrence agrees to the proposal of point 7.1, the Ornis Committee will take a vote on the item.

9. **Spring hunting season of 2023 – to invite Head of WBRU, Malta Police Rep (suggest Insp. Elliot Magro) and Gozo Police Rep (suggest Supt. Hersey)**

9.1 Head WBRU made a presentation of the report in relation to the spring hunting season of 2023.

Summary report on the outcome of the 2023 Spring Hunting season for Turtle-dove and Quail

1.1 Introduction

This summary includes an overview of the number of special licenses issued, the number of Turtle-dove and Quail caught, the number of Turtle-dove and Quail observed on migration, enforcement deployment and spot-checks on individual licensees, illegalities detected, and court action taken. The full report will be forwarded to the European Commission and will be made available on the website of the Wild Birds Regulation Unit (WBRU) under the sub-heading ‘Reports and Statistics’.

1.2 Parameters of the Spring Hunting Season

The Wild Birds Regulation Unit received 7,961 applications for a spring hunting special licence. Upon verification, 7 of these applications were considered invalid and thus rejected. A total of 7,954 licences were subsequently issued: 6,634 to applicants resident in Malta and 1,320 to applicants resident in Gozo. A total of 86 licences (75 in Malta and 11 in Gozo) remained unclaimed throughout the season, leaving a total of 7,868 active licences.

During the season, hunters were legally required to carry their spring hunting licence and general licence at all times whilst hunting. They were also required to immediately report Quail and/or Turtle-dove caught by calling on 8000 2020, or by using the Game Reporting MT app. Hunters were also required to abide by the time restrictions. The national bag limit of 2,400 Quail and 1,500 Turtle-dove was monitored in real-time by WBRU.

1.3 Migration Study

During the period 15 March to 15 May 2023, a total of 116 Quail were recorded by Ecoserv Ltd. The highest influx was recorded on 13 and 21 April (seven birds observed on each of these days), with other peaks observed on other dates as shown in the table below.

Date	Common Quail Daily Count
15/03/2023	3
16/03/2023	0
17/03/2023	1
18/03/2023	1
19/03/2023	0
20/03/2023	0
21/03/2023	1
22/03/2023	1
23/03/2023	3
24/03/2023	1
25/03/2023	4
26/03/2023	0
27/03/2023	3
28/03/2023	4
29/03/2023	1
30/03/2023	3
31/03/2023	2
01/04/2023	0
02/04/2023	4
03/04/2023	1
04/04/2023	1
05/04/2023	2
06/04/2023	4
07/04/2023	3
08/04/2023	4
09/04/2023	2
10/04/2023	3
11/04/2023	2
12/04/2023	1
13/04/2023	7
14/04/2023	0
15/04/2023	3
16/04/2023	3
17/04/2023	5
18/04/2023	1
19/04/2023	1
20/04/2023	2
21/04/2023	7
22/04/2023	4
23/04/2023	3
24/04/2023	3
25/04/2023	5
26/04/2023	3

Date	Common Quail Daily Count
27/04/2023	1
28/04/2023	2
29/04/2023	2
30/04/2023	4
01/05/2023	0
02/05/2023	0
03/05/2023	0
04/05/2023	0
05/05/2023	0
06/05/2023	0
07/05/2023	1
08/05/2023	0
09/05/2023	0
10/05/2023	0
11/05/2023	0
12/05/2023	0
13/05/2023	1
14/05/2023	1
15/05/2023	2
Total counts (10 Apr – 30 Apr)	62
Total counts (15 Mar – 15 May)	116

During the period 15 March to 15 May 2023, a total of 608 Turtle-doves were recorded by Ecoserv Ltd. The highest influx was recorded on 20 and 23 April (57 birds observed on each of these days) with other peaks as shown in the table below. .

Date	Turtle-dove Daily Count
15/03/2023	0
16/03/2023	0
17/03/2023	0
18/03/2023	0
19/03/2023	0
20/03/2023	0
21/03/2023	2
22/03/2023	0
23/03/2023	0
24/03/2023	0
25/03/2023	0
26/03/2023	0
27/03/2023	0
28/03/2023	1
29/03/2023	2
30/03/2023	0
31/03/2023	0

Date	Turtle-dove Daily Count
01/04/2023	0
02/04/2023	4
03/04/2023	1
04/04/2023	1
05/04/2023	1
06/04/2023	2
07/04/2023	4
08/04/2023	1
09/04/2023	4
10/04/2023	9
11/04/2023	10
12/04/2023	7
13/04/2023	5
14/04/2023	5
15/04/2023	9
16/04/2023	20
17/04/2023	14
18/04/2023	18
19/04/2023	40
20/04/2023	57
21/04/2023	22
22/04/2023	15
23/04/2023	57
24/04/2023	17
25/04/2023	27
26/04/2023	23
27/04/2023	24
28/04/2023	20
29/04/2023	24
30/04/2023	17
01/05/2023	17
02/05/2023	7
03/05/2023	6
04/05/2023	14
05/05/2023	8
06/05/2023	7
07/05/2023	14
08/05/2023	17
09/05/2023	4
10/05/2023	12
11/05/2023	3
12/05/2023	9
13/05/2023	5
14/05/2023	13
15/05/2023	6
Total counts (18 – 30 April)	361
Total counts (15 Mar – 15 May)	608

During the 2023 Spring hunting season, a total of 606 Quail (reported by 271 separate individuals) and 1,500 Turtle-dove (reported by 452 separate individuals) were reported through the game reporting system. Hunters were also obliged to report ‘hunting effort’ after each hunting outing without any bagged game, through the Telephone Game Reporting System or the Game Reporting mobile app. Reporting ‘hunting effort’ is a legal obligation as provided for by Regulation 12(9) and paragraph 1(c) of Schedule IV of S.L. 549.42 as well as being explicitly stated in condition 10 of the special licence. In total there were 2,114 individuals that reported birds and/or hunting effort. This figure is comprised of 919 individuals that reported at least one bird caught and 1,195 individuals that reported hunting effort only (no birds caught). The daily reports are listed in the table below.

Date	Quail reported	Turtle-dove reported	Number of licensees practising hunting (hunting effort)
10-Apr	9	N/A	100
11-Apr	12	N/A	176
12-Apr	4	N/A	174
13-Apr	21	N/A	229
14-Apr	9	N/A	232
15-Apr	12	N/A	297
16-Apr	18	N/A	304
17-Apr	18	N/A	300
18-Apr	25	30	517
19-Apr	28	73	637
20-Apr	34	132	733
21-Apr	23	52	766
22-Apr	30	58	874
23-Apr	24	151	874
24-Apr	55	94	839
25-Apr	45	93	813
26-Apr	34	101	778
27-Apr	44	107	820
28-Apr	43	131	827
29-Apr	65	195	811
30-Apr	53	283	937
Total	606	1,500	

1.5 Enforcement deployed and illegalities detected

During the derogation period, between 10 April and 30 April 2023, there was a daily average of 47 officers deployed in Malta and a daily average of 10 officers in Gozo. Between 10 April and 30 April 2023 after 12pm, there was a daily average of 26 officers deployed in Malta and a daily average of five officers deployed in Gozo. In addition to this complement, throughout the spring hunting season, the Wild Birds Regulation Unit deployed three compliance officers

with daily deployment consisting of several teams patrolling the countryside from 6:00am till 12:30pm and three Environmental Rangers (Ambjent Malta) who conducted patrols in terrestrial Natura 2000 Sites, other protected and scheduled areas and public rural areas. These officers also report all crime detected directly to the EPU.

When the season was open, field officers from the Environment Protection Unit and Gozo police carried out 1,211 field inspections / patrols (1,011 in Malta and 200 in Gozo). In addition, these officers conducted 930 spot-checks on individual hunters (657 in Malta and 273 in Gozo). The Compliance Team of the Wild Birds Regulation Unit carried out 37 joint inspections with EPU at 11 locations which resulted in a total of 24 hours of compliance monitoring and inspections during the open season. This enforcement effort cumulatively amounts to **2,141 inspections and spot-checks** during the open season (10 April till 30 April 2023). This enforcement effort does not include efforts of District police, Rapid Intervention Unit or Mobile Squad carried out past EPU / Gozo police shifts or enforcement efforts carried out by Ambjent Malta's Environmental Rangers.

Following the closure of the derogation period, the statutory enforcement deployment was maintained until Sunday, 8 May with a minimum of three officers per 1,000 licences in line with Regulation 6(4) of S.L. 549.57. Between the 1 May and 8 May, police carried out 302 field inspections/patrols (274 in Malta and 28 in Gozo).

The statutory minimum deployment, as set out in sub-regulations 6(3) and 6(4) of S.L.549.57, is shown in Figure 1, which is an extract from the PowerPoint presentation delivered to the Executive Police before the spring hunting season opened.

In the course of these inspections and spot-checks, officers disclosed a total of 19 offences (all in Malta), consisting of 13 hunting offences which led to the issuing of 10 administrative fines and one court action, and 6 trapping offences which led to one court action. Legal action has been taken against 12 persons (11 for hunting offences and one trapping offence), all in Malta. No further action could be taken on the remaining cases due to lack of information on the possible culprits.

The ten administrative fines were issued to hunters in possession of a spring hunting special licence and thus, this shows that 0.13% of the total number of persons with active spring hunting special licences (7,868 licences) have breached their special licence conditions and fined administratively. These fines are in the process of being settled at WBRU office.

Additionally, court action has been initiated against an individual holding a spring hunting special licence who was caught carrying a firearm that was not in its case while within less than 150 metres from an inhabited area during open season. This shows that 0.01% of the total number of persons in possession of a spring hunting special licence (7,868 licences) have breached their special licence conditions and will be charged in court.

Enforcement data shows that between administrative fines and court action, 11 persons have breached their special licence conditions, which translates to 0.14% of all active spring hunting special licences (7,868 licences).

The offences detected during the spring hunting season subject to legal action (court or administrative fine) are listed below.

ADMINISTRATIVE FINES – HUNTING		
Admin fines issued	Date of offence	Hunting Illegalities
2	28/04/2023, 30/04/2023	Magazine capable of holding more than two cartridges
1	13/04/2023	Use/possession of bird-caller for quail
7	13/04/2023, 18/04/2023, 20/04/2023, two fines on 23/04/2023 and two fines on 26/04/2023	Carrying of loaded/unloaded firearm that is not in its case within 200m from any town or village or other inhabited area
10	TOTAL	
COURT ACTION – HUNTING OFFENCES DURING OPEN SEASON		
Court Action	Date of offence	Hunting Illegalities
1	27/04/2023	Hunting less than 150m from an inhabited area
1	TOTAL	
UNKNOWN CULPRIT – HUNTING OFFENCES DURING CLOSED SEASON		
Court Action	Date of offence	Hunting Illegalities
1	20/04/2023	Unattended / abandoned bird caller
1	03/05/2023	Hunting of Turtle-dove during closed season
2	TOTAL	
COURT ACTION – TRAPPING OFFENCES DURING CLOSED SEASON		
Court Action	Date of offence	Trapping Illegalities
1	22/04/2023	Trapping for Turtle doves
1	TOTAL	

UNKNOWN CULPRIT - TRAPPING OFFENCES DURING CLOSED SEASON	
Unknown Culprit	Trapping Illegalities
3	Active and unattended trapping sites (Target species not identified since no birds were found on site)
2	Unattended / abandoned cage trap
5	TOTAL

Table 1: Offences detected during the 2023 Spring Hunting Season

1.6 Illegally shot birds

During the spring hunting season (10–30 April), 23 protected birds were confirmed illegally shot by the Government-appointed veterinarian, as listed below.

Species	Count per Species
Cattle Egret	1
Collared Dove	2
Common Cuckoo	1
Common Kestrel	4
Eurasian Golden Oriole	2
Eurasian Hoopoe	1
Eurasian Marsh Harrier	2
Eurasian Stone-curlew	1
European Bee-eater	2
European Honey-buzzard	1
European Roller	1
Lesser Kestrel	1
Montagu's Harrier	1
Red-footed Falcon	1
Yellow-legged Gull	2
Total	23

Of the 23 illegally shot birds, 21 birds were retrieved in Malta whilst the remaining 2 birds were retrieved in Gozo.

1.7 Malta's reporting obligations

As agreed with the European Commission, the full report on the outcome of the 2023 spring hunting season will be submitted within one month from termination of the migration study period, that is, by mid-June 2023. The 2023 report will also be made available online on the website of the Wild Birds Regulation Unit.

Upcoming rabbit hunting season opening on 1st June 2023 – to invite WBRU rep, Malta Police Rep and Gozo Police Rep.

1. BLM asked for details on the conditions for the upcoming season – number of active licences, data to be presented on rabbits declared caught over the past five seasons, and how the above entities shall be enforcing the season. If possible, a brief to the committee on the areas where rabbit hunting can be practiced would be desired.
2. The head of the WBRU pointed out that after getting legal advice, he was told that Ornis does not have jurisdiction over rabbit hunting (which is regulated via separate legislation, through S.L. 549.90). The item was not discussed.

10. Any other business

NB: All items marked as “subject to a vote” may also be subject to sub-votes.