

## Meeting of the Malta Ornis Committee

Wednesday, 10<sup>th</sup> October 2018, WBRU, MESDC, Sta Venera  
1630 - 1830

### Minutes

#### Participants:

Dr Joseph Grech – Chairman  
Mr Richard Lia – Secretary  
Mr Nicholas Barbara – BirdLife (Malta)  
Mr Mark Sultana – BirdLife (Malta)  
Mr Lino Farrugia – FKKN  
Mr Mark Gauci – Avifauna Expert  
Mr Joe Perici Calascione – FKKN  
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  
Ms Maria Attard – Representative of the Environment and Resources Authority

#### 1. Approval of the agenda

1.1 The agenda was approved.

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

2.1 The Secretary, on behalf of the Committee, thanked outgoing Chairman Dr Montebello for his services during his term and welcomed Dr Grech as the new Chairman of the Malta Ornis Committee.

2.2 Although initially there were no matters to report, it was agreed that the discussion on the setting up of a Wildlife Crime Unit (part of the discussion during agenda item 3) is included in this section. Lino Farrugia remarked that although, in principle, FKKN are not against the setting up a Wildlife Crime Unit, and whilst also reiterating that CABS or BirdLife should not form part of such Unit, he stated that the letter to the Minister recommending the setting up of such Unit should not have been sent since a vote had not been taken during the meeting of 22 August. Mark Sultana pointed out that BirdLife Malta do not want to, and will not, form part of the Wildlife Crime Unit as that would hinder their right to criticise the functioning of such Unit.

2.3 The Secretary tabled a copy of the previously circulated Committee's letter to the Minister recommending the setting up of a Wildlife Crime Unit. The Chairman outlined three important issues that ensue from this letter:

1. There is a need to set up a Wildlife Crime Unit
2. Current enforcement effort is not deemed sufficient
3. A proper *modus operandi* should be established

2.4 The Committee agreed to include this item on the next agenda. The Chairman pointed out that the Minister should be informed that the *modus operandi* of the Wildlife Crime Unit will be

discussed by the Committee during its next sitting. Mark Sultana pointed out that all correspondence by the Committee should be circulated to the members beforehand.

### **3. Approval of the minutes of the meeting held on 22/08/2018**

3.1 Lino Farrugia submitted a request to amend the minutes of the previous meeting on 30 September. All the amendments were approved. The Committee agreed that any proposed amendments to the minutes should be circulated to all members via email before the next sitting.

3.2 The Chairman stated that following legal advice that the Ornithology Committee does not have any remit on the Protection of Wild Rabbit Regulations (SL 549.90), the Committee will refrain from discussing this Subsidiary Legislation any further.

### **4. Updates on the application process related to the autumn 2018 Golden Plover and Song Thrush live-capturing derogation**

4.1 The Secretary provided a brief update on the special licence application process. A total of 1,546 applicants submitted an application for a Golden Plover and Song Thrush live-capturing special licence during the application period 20 August – 5 September 2018. Out of this total, 189 applicants applied for Golden Plover single-use rings only, 380 applicants applied for Song Thrush single-use rings only whilst the remaining 977 applied for both. All applicants are eligible to be issued with a special licence. Vetting and digitisation of all trapping sites was finalised on 9 October and the tablet PCs containing the location of the 2018 trapping sites and corresponding licensees' details updated in real-time. These tablet PCs are used by the Administrative Law Enforcement, Gozo Police and the Wild Birds Regulation Unit when carrying out spot-checks and serve as a very effective tool in confirming registration not only of the clap-nets *per se* but also to confirm whether the person being inspected is registered to those specific clap-nets, given that the latter are specific to each licence holder.

### **5. Update on enforcement**

5.1 The Secretary provided an overview of all protected birds referred to and confirmed shot by the government-appointed veterinarian from August 2018 to 10 October 2018, with a comparison of protected birds shot during the same period in 2017. In total 42 protected birds were referred to the veterinarian during this period, representing an increase of eight birds over the same period last year. The majority of casualties were Honey Buzzards (10), followed by Marsh Harriers (4), White Storks (4), Grey Herons (3), Hoopoes (3), Black-crowned Night Herons (3), European Bee-eaters (2), Yellow-legged Gulls (2), Black-winged Stilt, Cattle Egret, Collared Dove, Flamingo, Hobby, Kestrel, Little Egret, Montagu's Harrier, Purple Heron, Sandwich Tern and a Scopoli's Shearwater. The Secretary further clarified that the data focused on the August–Oct period as an update to the previous Committee discussions held in August.

5.2 Mark Sultana provided an overview of all the birds confirmed shot by the government-appointed veterinarian from 1<sup>st</sup> January 2018 to date, noting an increase of three protected birds when compared with the same period in 2017 and an increasing trend in illegal targeting of protected birds.

5.3 Joe Perici Calascione stated that BirdLife Malta may have a point when stating that there is an increasing trend in illegal targeting of protected birds but the factors of risk have changed. The number of hunters and trappers out in the field used to be inversely proportional to the number of illegalities as they used to report illegalities. Many have refrained from doing so.

- 5.4 Referring to the issue of an increasing trend in illegal targeting of protected birds, Mark Sultana stated that BirdLife do not include birds showing visible signs of gunshot wounds but limit their data and analyses to all birds confirmed as having been shot by the government-appointed veterinarian.
- 5.5 Marco Falzon remarked that when comparing the total number of protected birds shot with the total number of licensed hunters, which is in the region of 10,000 individuals, one can only conclude that the majority of hunters are in fact law-abiding. Mark Sultana replied that the current trend does not indicate that this is the case.
- 5.6 Chairman remarked that statistics will always be subject to interpretation and that it is useless to debate any further on this since each argument is valid. The truth of the matter is that illegalities have increased during the past few years. He pointed out that it is the rationale behind such increase that forms part of the interpretation and that individuals use statistics to substantiate a specific point they wanted to make in the first place.
- 5.7 The Secretary invited members to discuss what needs to be done in practice to reverse the current trend. Mark Gauci stated that the trend is evident and whilst both FKNK and BirdLife Malta agree on this, the only disagreement is on the reason behind such trend. It is true that if we had to compare the trend with 10 or 20 years ago, illegalities have decreased but maintained that recently they are increasing.
- 5.8 Lino Farrugia remarked that we should take this as an opportunity. For the forthcoming live-capturing season, there will be in the region of 1,500 registered trapping sites. Given that during previous seasons we tried to oversee around 4,000 trapping sites, there should, this season, be strict enforcement on 1,500 trapping sites. Lino Farrugia added that each trapping site should be inspected by the Police at least once and that we should try to ensure that the activity is strictly controlled. Chairman requested ALE and Gozo Police to be informed regarding the need for strict supervision. The Secretary pointed out that as from this year, the emphasis will be on spot-checks on individual licence holders and that there should be the same level of enforcement as in previous years, if not more.
- 5.9 The Chairman questioned whether the sanctions are, legally-speaking, addressing the purpose we want to achieve and referred to the illegal use of bird callers during the night as an example. The Secretary remarked that as from this year, should, during an inspection by enforcement personnel, such device be detected during prohibited hours, the live-capturing station shall be deregistered and cannot be used by any licence holder for the duration of the season. He also pointed out that any infringement during prohibited hours cannot be processed as an administrative fine, as specified in Schedule IX of the Conservation of Wild Birds Regulations (SL 549.42).
- 5.10 The Chairman requested the Secretary to inform the Police that night patrols should be carried out. Regarding the issue of deregistration in the event that a bird caller is detected during prohibited hours, the Chairman, Lino Farrugia, Joe Perici Calascione and Frank Vassallo disagreed and recommended that such measure is replaced by the following: “the Police shall take all the necessary measures, including seizure of bird callers”.

## **6. Any other business**

- 6.1 The Committee agreed that the date of the next meeting will be confirmed later on via e-mail. The meeting was adjourned at 1830 hrs.