

Annual report 2013

Wild Birds Regulation Unit

1. Overview of the Unit's functions and responsibilities

The Wild Birds Regulation Unit was established within the Parliamentary Secretariat for Agriculture, Fisheries and Animal Rights following Government's decision in May 2013 to centralise the relevant regulatory functions pertaining to implementation of the Conservation of Wild Birds Regulations (S.L. 504.71), and to oversee and drive the implementation of Government policy in relation to sustainable hunting governance and wild birds conservation. On the national front, the Wild Birds Regulation Unit was tasked with:

- Implementation of a sweeping reform of the relevant legislation concerning hunting and trapping to ensure simplification, greater effectiveness, safeguarding the rights of all citizens including hunters and trappers, as well as ensuring enforcement and compliance.
- Contributing to the successful reform of the enforcement structures, particularly the setting up of a duly resourced and trained Wildlife Crime Investigation Unit within the Malta Police Force;
- Coordination of the work of the necessary institutional structures, including Ornithology Committee, the Derogations Monitoring Board as well as liaison with the Police and MEPA to ensure adequate implementation of sustainable hunting and trapping policy on the ground.
- Centralisation, simplification and streamlining of licensing processes (*Carnet de Chasse*, Special Licenses) and provision of a one-stop-shop service to hunters and trappers.
- Coordination of enforcement effort.
- Delivery of training programmes for hunters and enforcement officers.
- Administering hunter education and examination programmes.
- Maintenance of statistics and data quality control.
- Coordination of awareness raising, communication and training activities.
- Commissioning the necessary technical studies and reports.
- Carrying out registration of stuffed birds.
- Ensuring continuous engagement and liaison with FKNK and other hunters' and trappers' organisations, environmental NGOs and members of the hunting and trapping community.

Within the domain of international and EU policy concerning sustainable hunting, the main priorities of the Unit are as follows:

- Ensuring full compliance with the provisions of EU and international Acquis concerning conservation of wild birds, including but not limited to the provisions of the EU Birds Directive and Bern Convention.
- Ensuring correct implementation of spring hunting and autumn trapping derogations, as well as all other relevant derogations as decided by Government.
- Coordination of the preparation and timely submission of the relevant derogation and other reports, monitoring policy implementation and maintaining the required statistics.
- Dealing with any potential infringements, including EU Pilot procedures.
- Liaising with the relevant national, EU and international officials and performing other actions as necessary.

2. Main achievements of the Unit during 2013

The Unit's achievements during 2013 could be broadly sub-divided into two inter-related categories, namely *policy & regulatory processes* and *enforcement*. Achievements under these two categories are summarised below.

2.1 Policy and regulatory processes

During 2013, the Unit has:

- Coordinated preparation, review and submission to European Commission and other EU and international bodies over 26 technical reports pertaining to Malta's implementation of derogations, outcome of monitoring programmes and other reporting obligations. All reporting obligations due in 2013, as well as the previously pending reporting obligations since 2009, have been fulfilled and addressed by the Unit.
- Provided technical and policy input to the formulation of a number of EU and international policy processes concerning conservation of wild birds, including to Tunis Action Plan on the Eradication of Illegal Killing, Trapping and Trade in Wild Birds under the Bern Convention, input to European Union Raptor Conservation Strategy, input to the development of the Saker Falcon (*Falco cherrug*) Global Action Plan under Memorandum of Understanding on the Conservation of Migratory Birds of Prey in Africa and Eurasia, as well as to EU questionnaire on the implementation of management plans for huntable species.
- Represented Malta at the Tunis Conference on the Illegal Killing, Trapping and Trade in Wild Birds and in the Group of Experts meeting under Bern Convention, at the EU Ornis Committee meeting, at the Informal EU Hunting Directors Meeting as well as at the meeting of IMPEL Workshop on the Illegal Killing of Birds.
- Coordinated response to EU Pilot procedure concerning spring hunting, as well as input to preparation of bi-lateral meetings with the European Commission that took place in September and November 2013.
- Formulated and published a number of legal instruments, including Framework Regulations concerning Culling of Starlings at the Malta International Airport in the interest of air safety, legislation concerning Autumn 2013 hunting season, and legislation concerning live-capturing of Golden Plover and Song Thrush.
- Spearheaded a major legislative reform of the Conservation of Wild Birds Regulations and associated legislation, including changes to Administrative Justice Act and related legal notices. As a result of this reform, penalties for major infringements have been doubled, and are today amongst the harshest in Europe. A new system of administrative fines for minor infringements had also been introduced and fully established. Additional species of wild birds have been designated for the highest level of protection, whilst enforcement and licensing controls over hunting and live-capturing activities have been considerably tightened.
- Provided ongoing assessment and advice to government policies, programmes, projects and plans having impact on the conservation of wild birds.
- Coordinated administration of special licensing procedures for the autumn 2013 live-capturing derogation, including GIS plotting of the registered live-capturing sites submitted with the live-capturing applications, as well as for air safety culling derogation and bird ringing derogation.
- Initiated reform of hunters' education and examination processes.
- Initiated the process of developing a national strategy for the eradication of illegal killing, trapping and trade in wild birds. Formed stakeholder group to spearhead the process.
- Ensured ongoing customer care and consultations with all stakeholders within the sector, conducted several meetings with a broad range of stakeholders, including with Birdlife (Malta) and other NGOs, as well as with representatives of hunting associations.
- Engaged proactively in attempting to bridge a divide amongst the main stakeholders in the sector. To this end, the Unit proposed a Joint Communiqué which urges all organisations active within the sector to subscribe to a common and shared vision of working together for the eradication of illegal targeting of protected birds.
- Established a website with a wealth of information materials and reports including statistical data.

- Coordinated data extraction and publication of *Carnet de Chasse* data reports.
- Coordinated preparatory arrangements pertaining to 2014 cycle of licensing processes, including for collection and distribution of *Carnet de Chasse*.
- Coordinate procurement arrangements pertaining to commissioning of an independent scientific monitoring study of Turtle Dove and Quail.
- Initiated work on the Barn Owl (*Tyto alba*) re-introduction project.
- Issued five press releases and coordinated response to multiple requests for information from the press.
- Issued a circular to *circa* 13,500 registered hunters and trappers, explaining their legal obligations that resulted from latest legislative changes published in October 2013.
- Provided ongoing support to the functioning of the Malta Ornithology Committee.
- Prepared technical assessment report regarding conservation status of Song Thrush and Golden Plover, a proposal for the reform of procedure for handling and rehabilitation of injured birds, as well as initiated discussion on proposed reform of legislation concerning taxidermy.

2.2 Enforcement

In the field of enforcement, during the review period spanning from 1st July till 31st December 2013, the Unit has:

- Established a dedicated Specialist Enforcement Branch, which provides technical assistance and coordinates with the Police, Customs and other enforcement entities on matters related to prevention, detection and prosecution of bird-related crime.
- Developed a comprehensive proposal for the setting up of Wildlife Crime Investigation Unit within the Malta Police Force. This proposal is presently undergoing necessary consultations.
- Coordinated enforcement arrangements with the Police, the AFM and other entities pertaining to the supervision of the spring and autumn hunting seasons.
- Administered the tests for applicants for the hunting licence. During the review period the Unit set 521 appointments on 24 dates. A total of 390 examinations were carried out in both Malta and Gozo.
- Assisted the Police and other entities in carrying out multiple on-site inspections to ensure compliance with the pertinent wild bird regulations. During these inspections a total of 2,860 bird specimens were examined, of which 1,046 were seized since they were found to be of protected species or were illegally exploited. A total of 415 protected bird specimens were also found to have been illegally disposed without the necessary permits. As a result of these inspections 33 persons were apprehended breaching the provisions of the pertinent regulations, mostly illegally shooting; possessing; trading or importing protected birds and where therefore referred to the Malta Police Force for criminal action in the Malta Law Courts.
- Assisted the Police in prosecution and court action pertaining to disclosed offences. Expert witness was provided in the Malta Law Courts and about 97% of all prosecutions carried out with the assistance of the Specialist Enforcement Branch resulted in convictions.
- Administered the stuffed protected birds registration process. During the review period the Unit received 60 applications to transfer or dispose of declared stuffed birds; inspected and tagged 374 specimens and processed 30 permits. .
- Provided a 24/7 on-call service to assist law enforcement authorities in response to any infringements.

- Responded to queries from the public regarding matters related to the regulation of wild bird exploitation.
- Administered the newly-established fines system.
- Established a common format for statistics keeping and enforcement reporting and compiled enforcement statistics for reporting purposes.