

Annual Report 2014

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 live-capturing to ensure simplification, greater effectiveness, safeguarding the rights of all citizens including hunters and live-capturers, 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, as well as liaison with the Police and MEPA to ensure adequate implementation of sustainable hunting and live-capturing 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 live-capturers;
- Coordination of enforcement effort;
- Promote awareness and culture change amongst the members of the hunting community, based on the principles of sustainability and wise use of ecological resources;
- Delivery of training programmes for hunters and enforcement officers;
- Administering hunter and live-capturer 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;
- Issuance of various licenses and permits and control over compliance with the license conditions;
- Ensuring continuous engagement and liaison with FKNK and other hunters' and live-capturers' organisations, environmental NGOs and members of the hunting and live-capturing 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 live-capturing 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 2014

The Unit's achievements during 2014 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 2014, the Unit has:

- Coordinated preparation, review and submission to European Commission and other EU and international bodies 10 technical reports pertaining to Malta's implementation of derogations, outcome of monitoring programmes and other reporting obligations. All reporting obligations due in 2014 have been fulfilled and addressed by the Unit within the stipulated deadlines.
- Provided technical and policy input to the implementation of a number of EU and international policy processes concerning conservation of wild birds, including:
 - Tunis Action Plan and the London Conference on the Eradication of Illegal Killing, Trapping and Trade in Wild Birds under the Bern Convention;
 - Marine Strategy Framework Directive on seabirds and the first preparatory meeting for a workshop on nature, biodiversity, marine and water policy;
 - Checklists and evaluation grids of the new cross compliance implementation program for 2015 (Common Agricultural Policy 2015–2020);
 - UNEP's Mediterranean Action Plan (Regional Activity Centre for Specially Protected Areas) on seabird status and conservation in the Sicily Channel/Tunisian Plateau;
 - Bern Convention's follow-up of Recommendation No. 110 (2004) of the Standing Committee on minimising adverse effects of above-ground electricity transmission facilities (power lines) on birds;
 - Working Party on International Environment Issues (WPIEI Biodiversity).
- Represented Malta at the EU Ornithology Committee, on the Network of Special Focal Points for the Illegal Killing of Birds under the Bern Convention, in a number of bilateral meetings with the EU Commission, on the IMPEL Network and in several other networks and initiatives.
- Coordinated response to EU Pilot and infringement procedure concerning finch live-capturing, as well as input to preparation of bilateral meetings with the European Commission that took place in March, May, June and October 2014.
- Formulated and published a number of legal instruments, namely:
 - LN 86/2014: Conservation of Wild Birds (Framework for Allowing a Derogation Opening a Spring Hunting Season for Turtle Dove and Quail) (Amendment) Regulations, 2014.
 - LN 87/2014: Conservation of Wild Birds (Declaration on a Derogation for a 2014 Spring Hunting Season for Turtle Dove and Quail Regulations, 2014.
 - LN 110/2014: Conservation of Wild Birds (Amendment) Regulations, 2014.
 - LN 207/2014: Protection of Wild Rabbit Regulations, 2014.
 - LN 250/2014: Conservation of Wild Birds (Declaration on a Derogation for a 2014 Autumn live-capturing season for Finches) Regulations, 2014.
 - LN 251/2014: Conservation of Wild Birds (Declaration on a Derogation for a 2014 Autumn live-capturing season for Song Thrush and Golden Plover) Regulations, 2014.
 - LN 252/2014: Conservation of Wild Birds (Amendment No.2) Regulations, 2014.
 - LN 253/2014: Conservation of Wild Birds (Framework for Allowing a Derogation Opening an Autumn Live-Capturing Season for Finches) Regulations, 2014.
 - LN 254 of 2014: Conservation of Wild Birds (Framework for Allowing a Derogation Opening an Autumn Live-Capturing Season for Song Thrush and Golden Plover) (Amendment) Regulations, 2014.
 - LN 288/2014: Conservation of Wild Birds (Framework for Allowing a Derogation Opening an Autumn Live-Capturing Season for Finches) (Amendment) Regulations, 2014.

- LN 289/2014: Conservation of Wild Birds (Framework for Allowing a Derogation Opening an Autumn Live-Capturing Season for Song Thrush and Golden Plover) (Amendment No. 2) Regulations, 2014.
 - LN 380/2014: Conservation of Wild Birds (Declaration of a Derogation for the Control of *Sturnus vulgaris* and *Columba livia*) Regulations, 2014.
 - LN 447/2014: Conservation of Wild Birds (Framework for Allowing a Derogation Opening an Autumn Live-Capturing Season for Finches) (Amendment No. 2) Regulations, 2014.
- Spearheaded a major legislative reform of the Conservation of Wild Birds Regulations and associated legislation. As a result of this reform, minimum penalties for illegal shooting or taking of protected birds were increased ten-fold, and are today amongst the harshest in Europe. A new system of administrative fines for minor infringements had also been introduced and fully established. 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 2014 live-capturing derogations, 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.
 - Carried out reform of hunters' education and examination processes. Conducted examinations for over 2,900 license applicants.
 - Delivered 3 training sessions for police officers involved in enforcement of Conservation of Wild Birds Regulations. Over 60 officers were trained in basic ornithology, wildlife crime detection techniques, inspection procedures, applicable regulations and prosecution processes.
 - Implemented 2 major scientific studies on migration of Turtle Dove and Quail in spring and autumn 2014, and a separate study concerning migration of seven species of finches in autumn 2014.
 - Screened for compliance with legislation and registered over 7,000 site plans pertaining to live-capturing sites. All site plans were digitalised.
 - Developed a geographic information system installed on portable devices provided to police for enforcement purposes. Trained the police on the use of the system.
 - Developed and implemented a state of the art electronic game reporting system.
 - Coordinated and compiled a major legal, scientific and technical assessment of the derogation concerning live-capturing of seven species of finches.
 - 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.
 - Maintained 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 2015 cycle of licensing processes, including for collection and distribution of *Carnet de Chasse*.

- Initiated work on the Barn Owl re-introduction project, management agreements for Tal-Bagħal and Tal-Bosk facilities, provided support for the development of Peregrine Falcon re-introduction project.
- Organised a cleanup and the removal of disused hunting and live-capturing structures at Il-Majjistral Park.
- Issued over 30 press releases and coordinated response to multiple requests for information from the press.
- Provided ongoing support to the functioning of the Malta Ornithology Committee.
- Prepared technical assessment reports regarding conservation status of Turtle Dove, Quail, Song Thrush, Golden Plover and seven finch species.
- Developed 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, the Unit has:

- Initiated capacity-building exercise to strengthen 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.
- Coordinated enforcement arrangements with the Police, the AFM and other entities pertaining to the supervision of the spring and autumn hunting seasons.
- 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 5,638 bird specimens were examined, of which 2,087 were seized since they were found to be of protected species or were illegally exploited. A total of 738 protected bird specimens were also found to have been illegally disposed without the necessary permits. As a result of these inspections 75 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 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 140 applications to transfer or dispose of declared stuffed birds. Inspected and tagged 1598 specimens and processed 144 permits.
- Also during the review period about 2900 tests for applicants to obtaining their hunting or trapping licence were conducted.
- 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.