

Annual Report 2016

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. 549.42) and related subsidiary legislation, and to oversee and drive the implementation of Government policy in relation to sustainable hunting governance and conservation of wild birds. 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;
- Coordination of the work of the necessary institutional structures, including Ornis Committee, as well as liaison with the Police and ERA to ensure adequate implementation and enforcement of sustainable hunting and live-capturing policy on the ground;
- Centralisation, simplification and streamlining of licensing processes and provision of a one-stop-shop service to hunters and live-capturers;
- Coordination of enforcement effort;
- Promotion of 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 hunting 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 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, Bern Convention and other relevant EU and international instruments;
- 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 during 2016

2.1 Policy and regulatory processes

During 2016, the Unit has:

- Coordinated preparation, review and submission to European Commission and / or to Bern Convention Secretariat six technical reports pertaining to Malta's implementation of derogations, outcome of monitoring

programmes and other reporting obligations. All reporting obligations due in 2016 have been fulfilled and addressed by the Unit ahead of stipulated deadlines. All reports are publically available online.

- Provided technical and policy input to the implementation of a number of EU and international policy processes concerning conservation of wild birds, including under:
 - Tunis Action Plan on the Eradication of Illegal Killing, Trapping and Trade in Wild Birds under the Bern Convention;
 - The Work Programme of CMS Convention Mediterranean Task Force on Illegal Killing of Birds;
 - Working Party on International Environment Issues (WPIEI Biodiversity);
 - Marine Strategy Framework Directive;
 - Barcelona Convention.

- Represented Malta at:
 - Two meetings of the EU Nature Directives Expert Group;
 - Two meetings of the EU Expert Group on reporting under Birds Directive;
 - The meeting of the Network of Special Focal Points for the Illegal Killing of Birds under the Bern Convention (elected as Chairman);
 - The Bern Convention Standing Committee meeting;
 - The CMS Convention meeting of the Mediterranean Task Force (elected as Co-Chair);
 - The high-level meeting on wildlife crime organised by the Dutch Presidency of the Council of the EU;
 - The meeting of FACE Legal Affairs Group;
 - The meeting of EU Directors-General of Hunting and Game Management;
 - The meeting of IMPEL IRI initiative on bird-related crime in Italy;
 - The meeting of IMPEL expert group on illegal killing of birds.

- Coordinated Malta's defence in case C-557/2015 concerning finch trapping;
- Coordinated Malta's response to EU Pilot concerning spring hunting;
- Coordinated negotiations leading up to the declaration of moratorium on spring hunting of the turtle dove;
- Coordinated the drafting, formulation and subsequent publication of 11 legal instruments, namely:
 - Conservation of Wild Birds (Amendment) Regulations, 2016. LN 69/2016;
 - Protection of Wild Rabbit (Amendment) Regulations, 2016. LN 133/2016;
 - Conservation of Wild Birds (Declaration of the Autumn Hunting Season for Turtle Dove) Regulations, 2016. LN 77/2016;
 - Conservation of Wild Birds (Declaration on a Derogation for a 2016 Spring Hunting Season for Turtle Dove and Quail) Regulations, 2016. LN 89/2016;
 - Conservation of Wild Birds (Framework for Allowing a Derogation Opening a Spring Hunting Season for Turtle dove and Quail) (Amendment) Regulations, 2016. LN 90/2016;
 - Conservation of Wild Birds (Framework for Allowing a Derogation Opening an Autumn Live-Capturing Season for Finches) (Amendment) Regulations, 2016. LN 319/2016;
 - Conservation of Wild Birds (Framework for Allowing a Derogation Opening an Autumn Live-Capturing Season for Sung Thrush and Golden Plover) (Amendment) Regulations, 2016. LN 320/2016;
 - Conservation of Wild Birds (Declaration on a Derogation for a 2016 Autumn live-capturing season for Finches) Regulations, 2016. LN 322/2016;
 - Conservation of Wild Birds (Declaration on a Derogation for a 2016 Autumn live-capturing season for Song Thrush and Golden Plover) Regulations, 2016. Ln 321/2016;
 - Conservation of Wild Birds (Declaration of a Derogation for the Control of *Sturnus vulgaris* and *Columba livia*) Regulations, 2016. LN 363/2016;
 - Conservation of Wild Birds (Falconry) Regulations, 2016. SL 549.106;

- Established new licensing regime for falconry;
- 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 spring hunting derogation and the autumn 2016 live-capturing derogations, including GIS plotting of the registered live-capturing sites submitted with the live-capturing applications and associated tasks;
- Implemented major reform of general hunting / live-capturing licenses, as a result of which paper-based *Carnet de Chasse* system was successfully phased out and replaced with card-based five-year licensing system for five categories of license held by over 13,000 licensees;
- Issued 33 licenses for bird ringers and 8 licenses for taxidermists;
- Conducted 14 exam sessions (Malta and Gozo) which catered for 359 tests (including resist) for hunting license applicants under the new procedure of hunters' education and examination process established in 2015;
- Delivered five training sessions for police officers involved in enforcement of Conservation of Wild Birds Regulations (three in Malta and two in Gozo). Over 60 officers were trained in basic ornithology, wildlife crime detection techniques, inspection procedures, applicable regulations and prosecution processes;
- Coordinated a joint training session between WBRU officers, Contracted veterinarian, ALE police officers and BirdLife Malta for the proper handling of injured wild birds;
- Established and publicised procedure concerning injured wild birds and contracted the services of specialised veterinary clinic to provide care for injured wild birds;
- Coordinated the recovery, treatment and rehabilitation for over 120 injured wild birds;
- Implemented two major scientific studies on migration of Turtle Dove and Quail in spring and autumn 2016, and a separate study concerning migration of seven species of finches as well as of Golden Plover and Song Thrush in autumn 2016;
- Ensured digitisation of 6,279 site plans and their plotting on GIS for enforcement purposes;
- Continued to develop the state of the art electronic game reporting system during both hunting and live-capturing seasons. For the first time, the use of the system has become mandatory during autumn hunting season;
- Coordinated preparatory arrangements and contracting of service provider for the development of a new state of the art database which will assure better monitoring over all movements of registered stuffed protected birds and related enforcement;
- Coordinated, compiled and published scientific assessments of the conservation status of Turtle Dove, Quail, Golden Plover, Song Thrush and seven finch species;
- Coordinated, drafted and awarded tender for the collation of primary and secondary data on regular breeding and wintering bird species in the Maltese Islands in fulfilment of Malta's reporting obligation under Article 12 of the Birds Directive. This tender will also provide for the compilation of a new Malta Breeding Bird Atlas;
- Ensured ongoing customer care and consultations with all stakeholders within the sector, conducted several meetings with a broad range of stakeholders, with representatives of hunting associations, falconry clubs, representatives of international bodies, taxidermy association and environmental NGOs;
- Maintained a website with a wealth of information materials and reports including statistical data. Coordinated updates;
- Coordinated data extraction and publication of the last *Carnet de Chasse* data reports for 2015;
- Liaised with the office of the Information and Data Protection Commissioner in respect of requests filed by NGOs;
- Coordinated implementation of management agreements for Tal-Bagħal and Tal-Bosk facilities with FKNK and BirdLife Malta respectively. The facilities were successfully opened to the public and hosted a number of public events and activities;
- Coordinated and inspected, in liaison with the Veterinary Services Division, a number of premises to assess suitability to house injured wild birds under the call for expression of interest for the provision of lifetime care services for injured wild birds. Following the necessary screening by WBRU and VPRD one individual's premises were approved and issued with an authorisation to provide facilities and care for injured wild birds;
- Issued 29 press releases, produced two informational videos and coordinated response to over 50 requests for information from the press, as well as interviews with international media including BBC, Fieldsports Channel, *Neue Zürcher Zeitung* and German ARD;

- Provided ongoing technical and administrative support to the functioning of the Malta Ornis Committee, which held nine meetings during this period. Ensured that all decisions and proceedings of the Committee are made public through WBRU website;
- Conducted a dissemination of information exercise concerning the importation and possession of birds with hunting trips organisers, taxidermists, representatives of hunting organisations and other interested stakeholders;
- Coordinated over 10 procurement procedures of varying complexity comprising service tenders, calls for expression of interest, calls for quotations and other procedures to ensure the smooth functioning of the Unit;
- Improved provision of customer service to residence of Gozo by securing necessary arrangements for holding of license tests in Gozo and by securing, in collaboration with the Ministry for Gozo, appropriate office location to commence provision of new services on a bi-monthly basis;
- Generated circa €1.1million in revenue from renewal of general license fees, special live-capturing license fees, fees for provision of various services (e.g. exam fees, sale of educational poster, license replacement fees, etc), and from a range of administrative fines and penalties for various offences under Conservation of Wild Birds Regulations;
- Developed the structure and necessary documentation paving way for the establishment of Conservation of Wild Birds Fund in the near future.

2.2 Enforcement

In the field of enforcement, during 2016, the Unit has:

- Continued capacity-building exercise to strengthen the 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. During 2016, the Branch recruited two Enforcement Officers and an Enforcement Manager;
- Coordinated enforcement arrangements with the Police, the AFM and other entities pertaining to the supervision of the spring and autumn hunting seasons;
Conducted 14 inspections at private residences during which 3,593 stuffed bird specimens were examined. A total of 228 stuffed bird specimens examined during these inspections were seized due to various irregularities detected. A total of 332 registered stuffed bird specimens were found to have been illegally disposed without appropriate authorisation. Legal action has been taken against nine individuals whilst investigation was still ongoing on another two individuals at the time of reporting.
- Inspected a total of 831 live birds out of which 79 were seized. The majority of seized specimens (70%) were fitted with a closed ring that had an internal diameter larger than that required for the species, whilst the rest were either fitted with a split metal ring (6%) or had no closed ring at all (24%).
- During the same period, the Unit also carried out 118 inspections at points of entry (port and customs at the passenger terminal and the cargo section), out of which four were surprise inspections (three at Catamaran Terminal and one at MIA arrivals). This shows a two-fold increase in inspections from the previous year ($n_{2015}=60$). During these inspections 9,648 bird specimens were examined, out of which 71 specimens were seized due to irregularities detected. Upon conclusion of the necessary investigations, legal action was taken accordingly.
- The Specialist Enforcement Branch carried out an educational campaign with different stakeholders involved in hunting tourism and importation of birds to disseminate knowledge regarding the procedure to be followed in case of importation of birds and parts thereof into Malta.
- Officials of the Branch attended 18 court sittings (each sitting comprising multiple hearings) which resulted in 90 convictions, three acquittals with the rest of the cases pending further hearing. During the reporting period, officials of the Wild Birds Regulation Unit testified in hearings pertaining to 65 cases.
- During the same period, the Specialist Enforcement Branch assisted the Police in field surveillance operations during live-capturing season by conducting 18 field inspections and covert observation operations (an increase of 11 inspections from the previous year). These inspections led to the seizure of 8 bird callers, 47 finches and the detection of 4 unregistered illegal trapping sites.
- Administered the stuffed protected birds registration process. During the review period the Unit received 3,758 applications to transfer or dispose of declared stuffed birds.

- Provided a 24/7 on-call service to assist law enforcement authorities in response to any infringements.
- Coordinated enforcement efforts with Customs to ensure judicious use of imported electronic devices of which use for hunting and live- capturing is forbidden by virtue of the Conservation of Wild Birds Regulations.
- Conducted a dissemination of information exercise with establishments selling hunting equipment to ensure judicious marketing of electronic devices of which use for hunting and live- capturing is forbidden by virtue of the Conservation of Wild Birds Regulations.
- Responded to queries from the public regarding matters related to the regulation of wild bird exploitation.
- Maintained the administrative fines system. Ensured the issuance and processing of various administrative fines in respect of 50 persons.
- Maintained a common format for statistics keeping and enforcement reporting and compiled enforcement statistics for reporting purposes.