Report on the Outcome of the 2021 Spring Hunting Season in Malta

June 2021

Wild Birds Regulation Unit

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1. Introduction

1.1 This report has been prepared in addition to Malta's formal reporting obligation under Article 9 of the Birds Directive. During a bilateral meeting between the Maltese authorities and the services of the European Commission in June 2019, it was agreed that spring hunting reports are to be submitted within one month from termination of the migration study—a fixed period between 15 March and 15 May—rather than within one month from closure of the spring hunting season. The report provides an overview of the implementation of Malta's spring hunting derogation for Common Quail (*Coturnix coturnix*) in April 2021, including:

- an overview of the decision-making process leading up to the application of the derogation,
- consideration of the relevant legal and policy parameters,
- consideration of the conservation status of the species concerned,
- an assessment of the outcome of the previous autumn hunting season and an independent assessment of the migratory influx of Common Quail (*Coturnix coturnix*) during autumn 2020,
- the necessary preparatory measures and regulatory controls effected prior to and during the season,
- an assessment of the migratory influx of Quail during the 2021 spring season and bag data,
- the enforcement effort in place to ensure the strict supervision of hunting during the 2021 season,
- disclosed offences and corresponding enforcement action taken, and
- the legal and other management aspects of relevance.

1.2 By virtue of Government Notice[1] No. 538 of 2016 published on 27 May 2016, the Government of Malta declared a moratorium on the application of spring hunting derogation for European Turtle-dove (*Streptopelia turtur*). The Government Notice specifies that the moratorium will remain in force until such time that the maintenance of the population of this species at satisfactory level is scientifically ascertained at EU level. For this reason, derogation for spring hunting of the Turtle-dove has not been considered in 2021. The present report therefore covers implementation of the derogation for Quail only.

[1] https://gov.mt/en/Government/Government%20Gazette/Documents/2016/05/Government%20Gazette%20-%2027th%20May.pdf

2. Legal and policy basis for the application of a derogation permitting spring hunting of Common Quail in 2021

2.1 As was also the case in previous years, a derogation permitting spring hunting in 2021 was applied on the basis of Article 9(1) of Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the Conservation of Wild Birds, which states that "*Member States may derogate from the provisions of Articles 5 to 8* [of the same Directive], *where there is no other satisfactory solution*" in line with a number of limited reasons, such as that stipulated by Article 9(1)(c): *"to permit, under strictly supervised conditions and on a selective basis, the capture, keeping or other judicious use of certain birds in small numbers*".

2.2 As regards the "no other satisfactory solution" criterion, the judgment delivered by the Court of Justice of the European Union (CJEU) on 10 September 2009, in case C-76/08, explicitly noted that "*hunting for Quail and Turtle Doves during the autumn hunting season cannot be regarded as constituting, in Malta, another satisfactory solution, so that the condition that there be no other satisfactory solution, laid down in Article 9(1) of the Directive, should, in principle, be considered met*"[2].

2.3 This judgment therefore recognises the right to apply a derogation for spring hunting in Malta subject to the strict conditions laid down in Directive 2009/147/EC. Malta's biogeographical circumstances that were recognised by the Court in 2009 have remained the same, and therefore the hunting of Quail in spring remained the only satisfactory solution within the meaning of Article 9(1)(c).

2.4 The Conservation of Wild Birds (Framework for Allowing a Derogation Opening a Spring Hunting Season for Turtle-dove and Quail) Regulations[3] (S.L. 549.57) establishes a series of parameters to be considered **prior to** any decision to apply a derogation, particularly the requirement to consider the previous autumn hunting bag data for Quail, and to consider the conservation status of the species concerned.

2.5 Consideration of the above two parameters is discussed in the following sections of this report.

[2] Case C-76/08 *Commission v Malta*, ECR I-8213, paragraph 63
[3] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11570&l=1

3. Consideration by the Malta Ornis Committee

3.1 The Malta Ornis Committee, established under Regulation 10 of the Conservation of Wild Birds Regulations (S.L. 549.42) considered a range of aspects prior to providing a recommendation to the Maltese Government.

3.2 At its sitting on 17 March 2021, the Committee[4] considered an updated assessment of the conservation status of Common Quail (enclosed in Annex II to this report). The findings of this assessment are summarised in section 4 of this report.

3.3 The Committee further discussed the potential application of a spring hunting derogation for Quail. As a result of its deliberations, the Committee recommended in principle the application of a hunting derogation for Common Quail in spring 2021. During the same sitting, the Committee voted against opening a season for European Turtle-dove (*Streptopelia turtur*). A final recommendation to Government on the dates of the season was made, namely to open the season from 10 April until 30 April, with a national quota of 2,400 Quail. Following the Ornis Committee recommendation, the Government opted to open the season between 10 April and 30 April, inclusive of both dates.

4. Consideration of the conservation status of Common Quail

4.1 As was also the case in previous years, prior to further consideration by the Malta Ornis Committee on whether or not to recommend to Government the application of a derogation, the Wild Birds Regulation Unit carried out an assessment of all latest available scientific data pertaining to the population status of Common Quail (*Coturnix coturnix*). This assessment was presented to the Malta Ornis Committee on 17 March 2021 and is contained in Annex II to this report, which also includes an update on the conservation status of the European Turtle-dove.

4.2 Birds in Europe II (BirdLife International, 2004) had shown that the Common Quail population within the current territory of the European Union (EU 28, including Croatia) is Stable, with a change in the minimum number of pairs of -1.81% and a change in the maximum number of pairs of -0.56%. According to the Member States' Article 12 report for period 2008–2012, the breeding population trend in the EU27 was **Decreasing** in the short-term and **Unknown** in the long-term with an

[4] Minutes of the Ornis Committee meetings are available at:
https://mgoz.gov.mt/en/Documents/WBRU/Ornis%20Commttiee/Minutes%202021/oMinSevTeenMar21.pdf

Unknown EU population status as the data reported were not sufficient to assess the population status of the species.

4.3 The previous updates on the conservation status of *Coturnix* had shown that, on the basis of the 2008–2013 Article 12 reports (EEA, 2014), the Common Quail was **Increasing** in the long-term trend (Min. Pairs: +23.49%; Max. Pairs: +27.40%), based on data pertaining to 69% of Common Quail population within EU28—the remaining 31% had an **Unknown** long-term trend. The short-term trend for Common Quail within the EU28 territory during the 2008–2012 Article 12 reporting period had a **Stable maximum number of calling males** (-9.23%) and a **Decreasing minimum number of calling males** (-13.65%). The short-term trend classifications for the minimum and maximum number of calling males were based on 98% of the EU28 population since two Member States reported an Unknown short-term trend, namely Belgium and Greece (the latter surrogate data was provided by the Hellenic Ornithological Society, as specified by EEA, 2014)[5].

4.4 The latest Article 12 update (2013–2018) shows that the population status of *Coturnix coturnix* is **Unknown** in both the short-term and long-term trends[6].

4.5 The Common Quail is classified by IUCN as **Least Concern** at the EU28, European and Global scales (BirdLife International, 2015a: 38, 2021a). BirdLife International (2015b) notes that the Common Quail population within the territory of the European Union (EU28) constitutes 40% of the total European population.

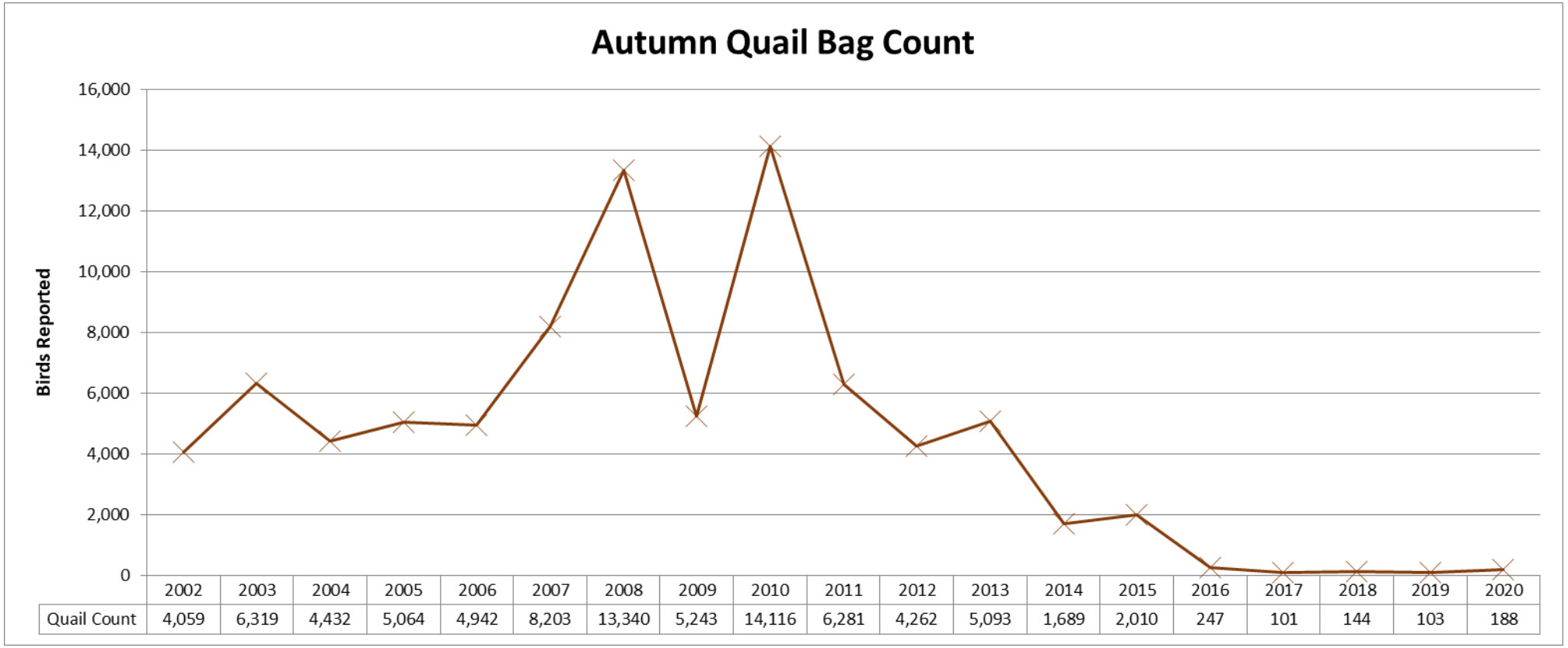
5. Consideration of autumn 2020 bag statistics, migration data and enforcement parameters

5.1 In 2020, there were 10,675 persons licensed to hunt birds on land. During the period of open autumn hunting season (1st September 2020 – 31st January 2021), a total of 188 Common Quail were reported hunted, as follows: 126 in September, 58 in October and 4 in November.

5.2 The total number of Quail reported hunted during the 2020 autumn season was higher than in 2019 (104 Quail).

[5] It should be noted that removal of the Croatian (2004) data returns the same trend classifications at both the short-term and long-term.
[6] The data sheet info for *Coturnix coturnix* was unavailable at the time this report was drafted: https://nature-art12.eionet.europa.eu/article12/summary/datasheet/?period=3&subject=Coturnix+coturnix [Accessed on 02/02/2021].

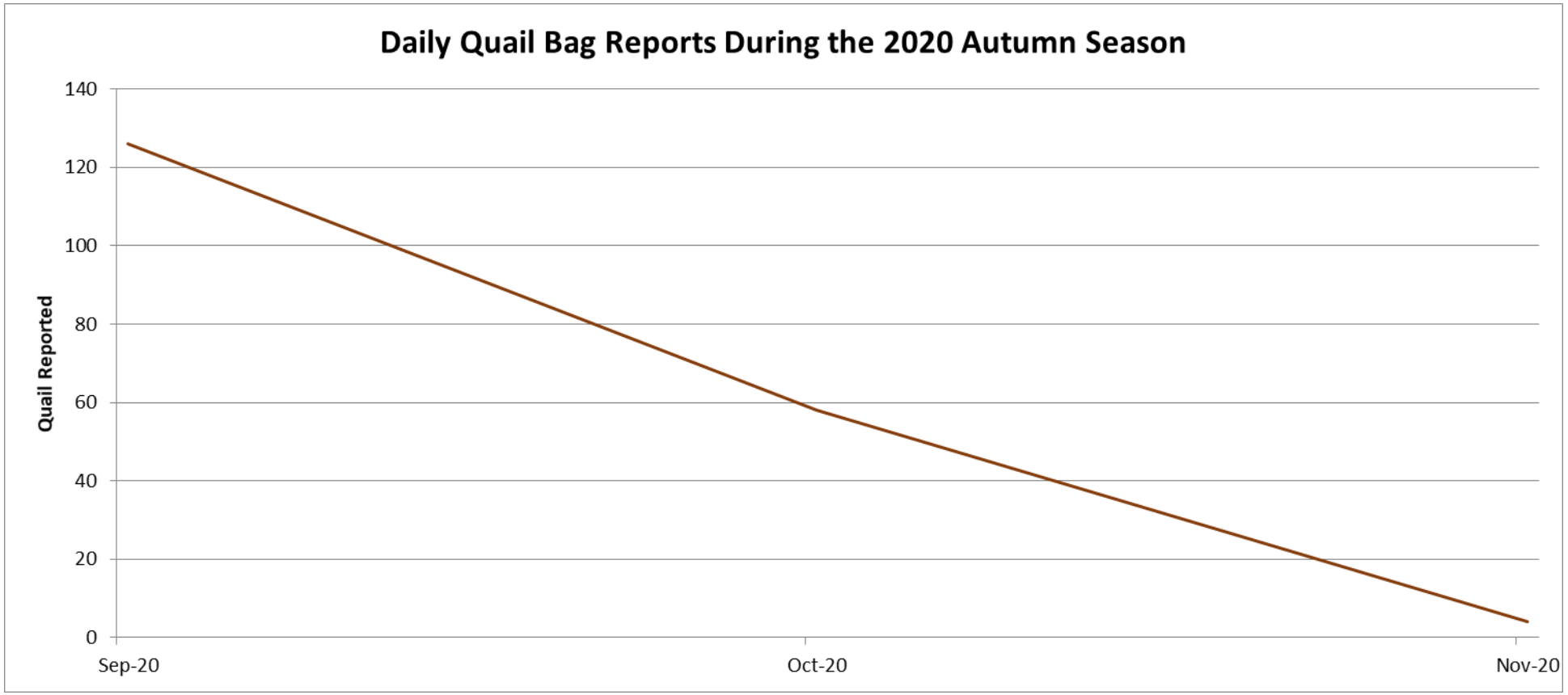
Figure 1 - Quail bags reported during autumn seasons since 2002



	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Quail Count	4,059	6,319	4,432	5,064	4,942	8,203	13,340	5,243	14,116	6,281	4,262	5,093	1,689	2,010	247	101	144	103	188

Source: Wild Birds Regulation Unit, 2021

Figure 2 - Reported catches for Quail between September 2020 and November 2020



Source: Wild Birds Regulation Unit, 2021

5.3 Detailed accounts of the reported catches by month (Figure 2) and by each month of the season (Table 1) were also considered.

Table 1 - Monthly catches of Common Quail in the autumn of 2020 / winter 2021

Month	Quail
September '20	126
October '20	58
November '20	4
December '20	0
January '21	0
Total	**188**

Source: Wild Birds Regulation Unit, 2021

5.4 An independent **migration study** to estimate the influx of Turtle-dove and Quail during the peak migration period in the autumn of 2020 was conducted. The study aimed at surveying and scientifically monitoring the daily influx of Turtle-dove and Common Quail between 1st September and 31st October 2020 in order to estimate the overall presence (influx) of these two species per day and for the whole study period, subject to scientifically justified assumptions. The full report of the study is enclosed in Annex I.

5.5 The methodology used by Ecoserv during the autumn 2020 survey was identical to that used in surveys made by the same company from autumn 2015 to autumn 2019 (Ecoserv, 2015–2019) and during the spring migration studies (Ecoserv, 2011–2020).

5.6 The survey design was aimed at assessing changes in migratory influx, which entails trend analysis based on data from monitoring carried out regularly over a sufficiently long period comprising subsequent years, and using the same methodology. During the survey, two individuals—a field assistant capable of identifying Turtle-dove and Common Quail and an observer who was responsible for recording of data in the field—were stationed at a total of 21 sites (= count stations) distributed over Malta, Comino and Gozo.

5.7 Prior to enrolment for the survey, the field assistants would have been assessed by Ecoserv's environmental consultants and ecologists to ensure that they are capable of identifying the two bird species. The observers were given briefings by Ecoserv's consultants on identification of the two bird species and also received further training in the field by the field assistants. Throughout the survey, Ecoserv's environmental consultants

and ecologists ensured close monitoring of the activities of the field personnel to ensure that collection of data proceeded as per designated protocol by carrying out field visits (most of which were 'surprise visits') on a regular basis. For the purpose of this report, only data on Common Quail will be featured.

5.8 Migration observations of Common Quail

5.8.1 Raw daily counts for Common Quail recorded from the 21 sites during this study varied between 0 and a maximum of 7, while the mean daily counts ranged between 0 and 1.83. The recorded counts did not vary appreciably between the different sites: at the higher end, a total of 16 individuals were recorded from grid location 4085 located in Comino, which was surveyed daily; at the lower end, no Quail individuals were recorded throughout the survey period from grid locations 4268 (western Malta) and 5872 (eastern Malta).

5.8.2 Values of mean daily counts and total counts of Common Quail recorded during the period 1 September to 31 October 2020 from this survey, as well as the respective area surveyed at each site, are given in Table 2. Values of standard deviation associated with the mean daily counts are also provided. Standard deviation is a measure of variability among counts recorded from the different sites, that is, low standard deviation implies that very similar counts were recorded at all six sites surveyed during a particular day, whereas dissimilar values would lead to high standard deviation. Standard deviation is influenced by sample size (i.e. number of study sites); it tends to increase with a decreased sample size. These same values are also shown, along with values of mean counts for the same period in 2008, 2009 (Thomaidis, nd) and from 2014 till 2019 (Ecoserv, 2014 - 2019), in 3. The daily mean counts recorded during the period 1 September to 31 October 2020 are overall lower than those recorded in 2008 and 2009 (Thomaidis, nd) for the same period, but similar to those recorded in 2014–2019. No migration peaks (with a mean count >2) were recorded during the autumn 2020 survey. The general pattern from all years being compared is a main migratory influx between mid-September and mid-October.

5.8.3 Values of the grand mean for Common Quail counts for autumn 2020 (Ecoserv, 2020), autumn 2019 (Ecoserv, 2019), autumn 2018 (Ecoserv, 2018), autumn 2017 (Ecoserv 2017), autumn 2016 (Ecoserv 2016), autumn 2015 (Ecoserv 2015), autumn 2014 (Ecoserv, 2014a), and autumn 2008 and autumn 2009 (Thomaidis, nd) surveys, are shown graphically in Figure 4. The comparison in Figure 4 is based on data collected

during the same period (1 September to 31 October) in each of the surveys. The grand mean recorded during the autumn 2020 survey is lower than that recorded during the 2008 and 2009 (Thomaidis, nd) surveys, but similar to values recorded during the 2014-2019 surveys (Ecoserv, 2014–2019).

Table 2 - Values of mean (± SD) daily count and daily total count recorded from the six study sites, together with total influx of migratory Common Quail

Date	Mean Count ± SD		Total Area Surveyed (km^2)	Total count	Estimated Daily Influx
01-Sep-20	0.00	± 0.00	0.152	0	0
02-Sep-20	0.00	± 0.00	0.182	0	0
03-Sep-20	0.00	± 0.00	0.148	0	0
04-Sep-20	0.00	± 0.00	0.226	0	0
05-Sep-20	0.00	± 0.00	0.152	0	0
06-Sep-20	0.00	± 0.00	0.182	0	0
07-Sep-20	0.00	± 0.00	0.148	0	0
08-Sep-20	0.00	± 0.00	0.226	0	0
09-Sep-20	0.00	± 0.00	0.152	0	0
10-Sep-20	0.00	± 0.00	0.182	0	0
11-Sep-20	0.00	± 0.00	0.148	0	0
12-Sep-20	0.17	± 0.41	0.226	1	981
13-Sep-20	0.17	± 0.41	0.152	1	1455
14-Sep-20	0.67	± 1.21	0.182	4	4868
15-Sep-20	1.00	± 1.67	0.148	6	8960
16-Sep-20	1.83	± 2.64	0.226	11	10787
17-Sep-20	0.67	± 1.03	0.152	4	5821
18-Sep-20	0.33	± 0.82	0.182	2	2434
19-Sep-20	0.67	± 1.63	0.148	4	5973
20-Sep-20	0.33	± 0.52	0.226	2	1961
21-Sep-20	0.17	± 0.41	0.152	1	1455
22-Sep-20	1.50	± 1.38	0.182	9	10953
23-Sep-20	1.00	± 0.89	0.148	6	8960
24-Sep-20	0.67	± 0.82	0.226	4	3922
25-Sep-20	0.50	± 0.84	0.152	3	4366
26-Sep-20	0.00	± 0.00	0.182	0	0
27-Sep-20	0.00	± 0.00	0.148	0	0
28-Sep-20	0.33	± 0.52	0.226	2	1961
29-Sep-20	0.83	± 1.17	0.152	5	7276
30-Sep-20	0.00	± 0.00	0.182	0	0
01-Oct-20	1.67	± 1.03	0.148	10	14933
02-Oct-20	1.00	± 1.55	0.226	6	5884
03-Oct-20	0.67	± 0.52	0.152	4	5821
04-Oct-20	0.33	± 0.52	0.182	2	2434
05-Oct-20	0.00	± 0.00	0.148	0	0
06-Oct-20	0.17	± 0.41	0.226	1	981
07-Oct-20	0.00	± 0.00	0.152	0	0
08-Oct-20	0.00	± 0.00	0.182	0	0
09-Oct-20	0.17	± 0.41	0.148	1	1493
10-Oct-20	0.00	± 0.00	0.226	0	0
11-Oct-20	0.17	± 0.41	0.152	1	1455

Date	Mean Count ± SD		Total Area Surveyed (km²)	Total count	Estimated Daily Influx
12-Oct-20	0.00	± 0.00	0.182	0	0
13-Oct-20	0.17	± 0.41	0.148	1	1493
14-Oct-20	0.17	± 0.41	0.226	1	981
15-Oct-20	0.33	± 0.82	0.152	2	2911
16-Oct-20	0.17	± 0.41	0.182	1	1217
17-Oct-20	0.17	± 0.41	0.148	1	1493
18-Oct-20	0.33	± 0.52	0.226	2	1961
19-Oct-20	0.17	± 0.41	0.152	1	1455
20-Oct-20	0.00	± 0.00	0.182	0	0
21-Oct-20	0.00	± 0.00	0.148	0	0
22-Oct-20	0.33	± 0.52	0.226	2	1961
23-Oct-20	0.00	± 0.00	0.152	0	0
24-Oct-20	0.00	± 0.00	0.182	0	0
25-Oct-20	0.00	± 0.00	0.148	0	0
26-Oct-20	0.00	± 0.00	0.226	0	0
27-Oct-20	0.00	± 0.00	0.152	0	0
28-Oct-20	0.00	± 0.00	0.182	0	0
29-Oct-20	0.17	± 0.41	0.148	1	1493
30-Oct-20	0.00	± 0.00	0.226	0	0
31-Oct-20	0.00	± 0.00	0.152	0	0
			Total	**102**	**130,099**

Source: Ecoserv, 2020

5.8.4 The highest mean count was recorded from Mtaħleb (Grid 4070) located in north western Malta, while overall high counts were recorded from study sites located in the western side of Malta and from Marsalforn (Grid 3292) and Kerċem (Grid 2888) in Gozo. The lowest mean counts were recorded from Dingli (Grid 4268), Rinella (Grid 5872) and other sites in the eastern parts of Malta (with the exception of L-Aħrax tal-Mellieħa (Grid 4283). The mean count recoded from the study site on Comino was 0.262, which was slightly higher than the median value of 0.200 for the whole range of recorded mean counts.

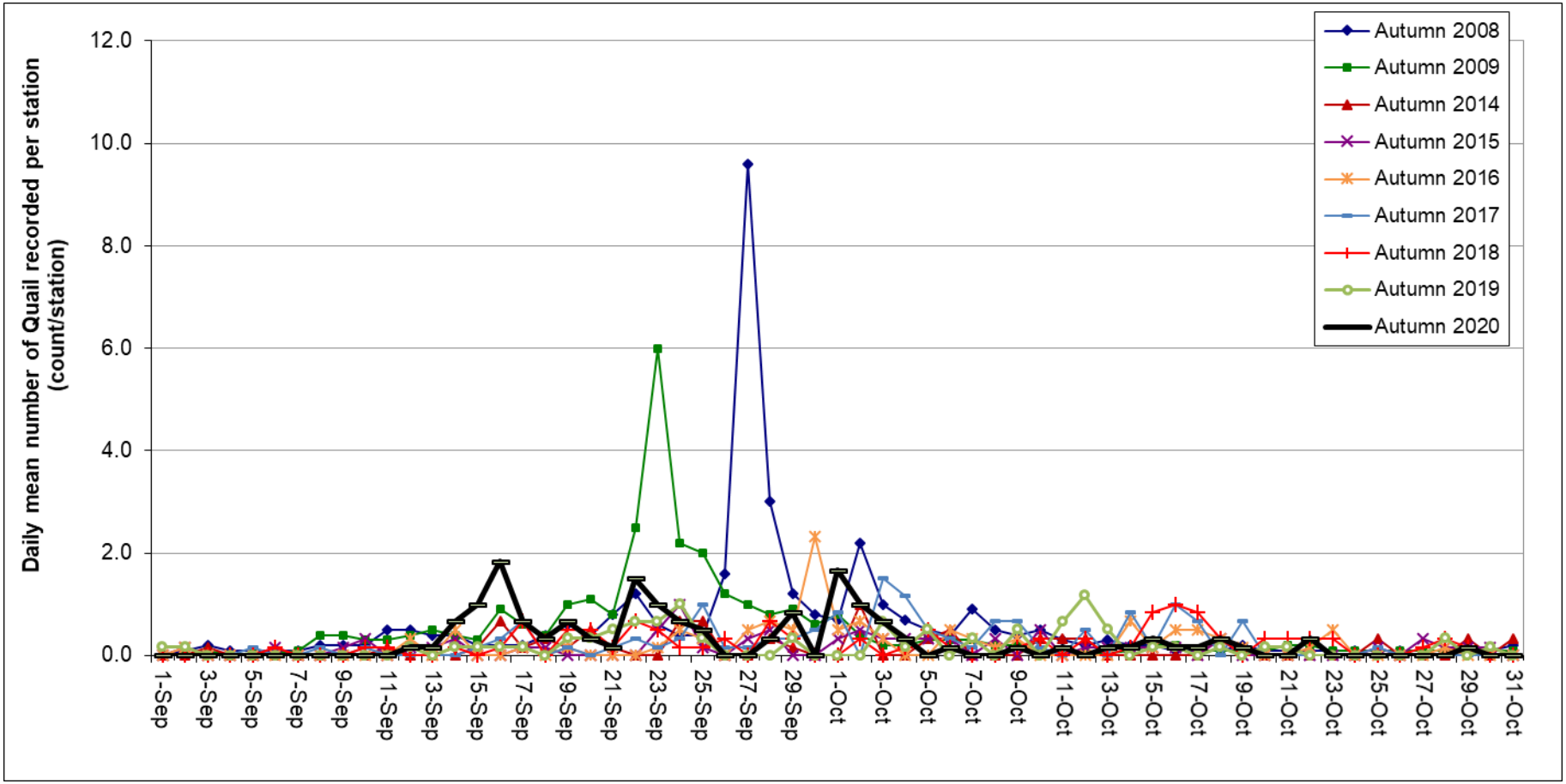
5.8.5 As has been done in previous surveys undertaken in autumn (Ecoserv, 2014–2019) and spring (Ecoserv, 2011–2020), the total influx of Common Quail was estimated for the whole area of the Maltese Islands using the recorded area surveyed for Common Quail at each site. However, such an estimate should be considered with great caution because of the assumption that the rate of Common Quail settling at coastal sites (where the survey was carried out) is equal to that at inland locations. While this appears to hold true during spring, observations indicate that Quail tend to settle in larger numbers in coastal areas compared to inland ones.

5.8.6 It was furthermore noted that Quail also tends to appear in certain localities before others (Fenech, 2010; Fenech, *in. litt.*). On the other hand, coastal areas are more likely to serve as short-term stopover sites immediately following a migratory flight compared to inland locations; thus, including inland locations as study sites in the survey may result in an overestimate of the total influx due to repeat counting of resident Quail.

5.8.7 To ensure that the total area used to estimate the migration count does not include regions within which Quail do not normally settle, even though some birds may fly over urbanized areas, the total area was calculated as the sum of agricultural areas (161.5 km^2), forested areas (2.1 km^2) and areas of natural vegetation (57.8 km^2); this amounts to 221.4 km^2, representing 72% of the 315 km^2 total area of the Maltese Islands (land cover data source: MEPA, 2010).

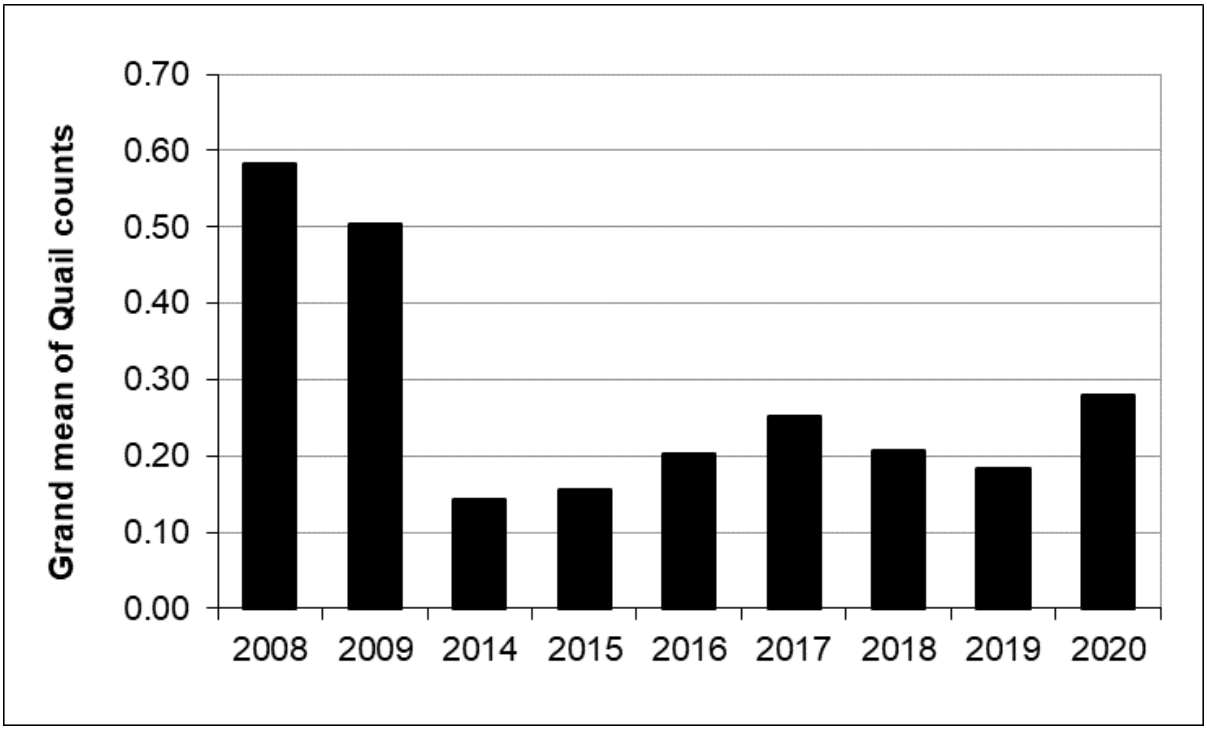
5.8.8 The mean (± SD) daily counts and estimated daily influx of birds per day are shown above in Table 2. The estimated daily influx was obtained by extrapolating the mean daily values obtained for the surveyed areas to an area of 221.4 km^2 obtained as explained above. Values of estimated daily influx were then summed to obtain an estimate of the total influx of migrating Quail for the eight-week study period. Based on these data, extrapolation translates to a total influx of Common Quail during 1 September – 31 October 2020 of 130,099 individuals, or some 2,133 Quail per day (Table 2).

Figure 3 - Daily mean counts of Common Quail per station (= site) recorded during the present survey during the period 1 September to 31 October 2020, together with values of the same statistic for autumn 2008 and 2009 as reported in Thomaidis (nd), for autumn 2014, 2015, 2016, 2017, 2018 and 2019 as reported in Ecoserv (2014; 2015; 2016; 2017; 2018; 2019).



Source: Ecoserv, 2020

Figure 4 - Grand mean of Common Quail counts made using data from the period 1 September – 31 October for autumn 2020 (Ecoserv 2020) and autumn 2014-2019 (Ecoserv, 2014; 2015; 2016; 2017; 2018; 2019) and autumn 2008 - 2009 (Thomaidis, nd)

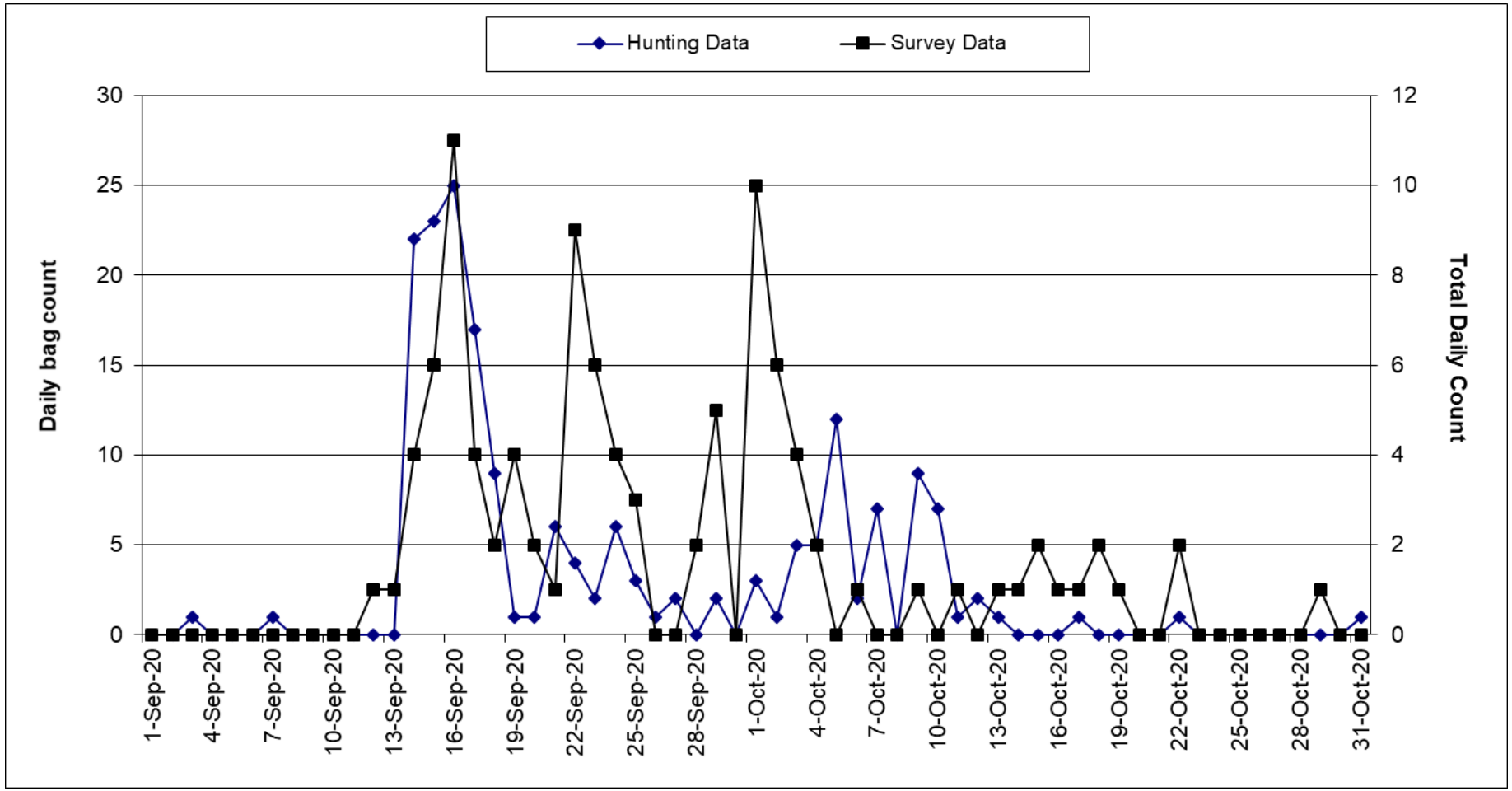


Source: Ecoserv, 2020

5.9 Correlation of migration observations with reported bags

5.9.1 As was also the case in 2020, correlation between migration observation data was performed. This analysis shows a generally strong correlation between the number of catches reported by hunters in autumn and independent observations of migration (Figure 5).

Figure 5 - Daily bag count of Common Quail during 2020 (blue line; values on left-side y-axis), together with the total daily counts recorded during the 2020 survey (black line; values on right-side y-axis), for the period 1 September – 31 October 2020.



Source: Ecoserv, 2020

5.9.2 The above data on reported catches and observation trends were considered also in the context of the enforcement statistics pertaining to the 2020 autumn season summarised below.

5.10 Enforcement during 2020 autumn hunting season

5.10.1 During the autumn hunting season, the authorities deployed a total maximum complement of 73 officers tasked with overseeing compliance with the parameters of the season. This complement consisted of 20 officers of the Environmental Protection Unit (EPU) of the Malta Police Force, six officers of the Armed Forces of Malta (AFM), 12 Gozo Police officers, 26 police officers temporarily seconded with the EPU from other police units, six WBRU officers and three Environmental Rangers (Ambjent Malta), the latter responsible for patrols in terrestrial Natura 2000 sites, other protected and scheduled areas and public rural areas, whilst the former in all rural areas of Malta and Gozo.

5.10.2 This enforcement complement was deployed gradually from beginning of September until mid-October, with a daily field deployment ranging between a maximum of 11 officers and a minimum of seven officers in the field at any point in time from 05:00hrs to 21:00hrs. From mid-October to early-January, the daily field deployment ranged between a maximum of 64 officers and a minimum of 53 officers in the field at any point in time from 05:00hrs to 21:00hrs. From mid-January to end of January, the daily field deployment ranged between a maximum of 35 officers and a minimum of 12 officers in the field at any point in time from 05:00hrs to 21:00hrs. The officers conducted field patrols split into two shifts between 05:00 hours and 21:00 hours daily.

5.10.3 As was also the case in previous years, the officers received specialised training during training sessions in Malta and in Gozo on enforcement priorities and techniques organised by the Wild Birds Regulation Unit. Over 120 officers were trained in basic ornithology, wildlife crime detection techniques, inspection procedures, applicable regulations and prosecution processes.

5.10.4 Although enforcement authorities assigned a higher priority to spot-checks on individual licensees since 2018, during autumn 2020, the total number of spot-checks was significantly lower when compared with the previous two years. A total of

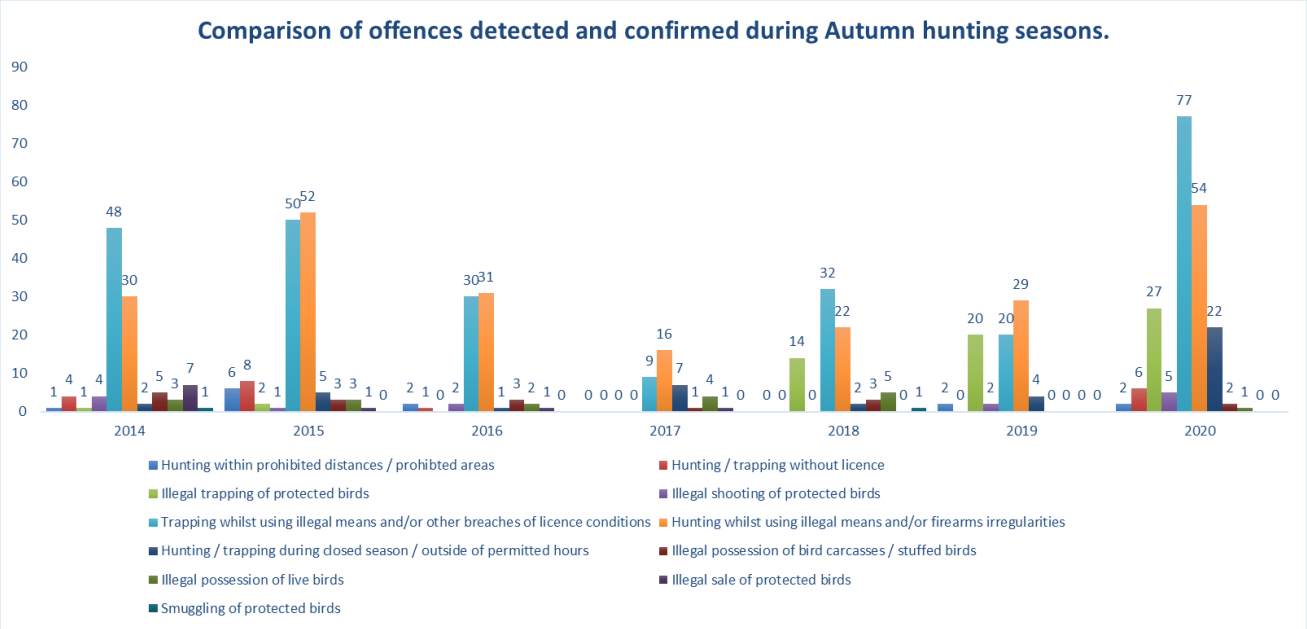
2,814[7] spot-checks on individual licensees (1,529 in Malta and 1,210 in Gozo) were carried out. The decrease in the number of spot-checks is mostly related to the fact that during the months of September and January, in particular, the number of hunters out in the field was very low when compared to previous seasons, possibly due to Covid-19 and/or unfavourable weather for hunting amongst other reasons. In terms of police detailing, due to the unprecedented circumstances brought by the Covid-19 pandemic in 2020, Police District Officers were not involved in enforcement of the season outside derogation periods because they were detailed on work related to public health. Notwithstanding this, the officers temporarily transferred to the Environmental Protection Unit throughout the autumn season were given adequate training to carry out their duties as efficient as possible to make up for the lack of District Police enforcement.

5.10.5 In the course of field surveillance, inspections and spot-checks, the authorities disclosed a total of 194 cases. Legal action was taken against 139 offenders, of which 45 persons were subject to criminal prosecution and 93 persons subject to administrative fines. No legal action could be taken on the remaining 56 cases given that the perpetrator/s remained unknown to the police. The WBRU ensured effective operational liaison between enforcement entities and other stakeholders and provided 24/7 on-call enforcement service to the Police, the general public, and NGOs.

5.10.6 Figure 6 below represents a comparison of enforcement statistics with the corresponding metrics for previous years. The data shows offences which were detected and confirmed by enforcement officers and where sufficient material evidence was gathered to enable identification and appropriate judicial action against the perpetrator(s). It is to be noted that for the purpose of the below table, cases comprising of more than one offence have been listed under the most grievous category. For example, cases related to illegal trapping of finches were listed under trapping for protected birds only rather than separately under each offence (e.g., use of illegal means or trapping outside season since, in the case of finches, no Article 9(1)(c) live-capturing season was open).

[7] Out of which 83 were road checks.

Figure 6 - Comparison of offences detected and confirmed during autumn hunting seasons (1 September – 31 January) over the past years.

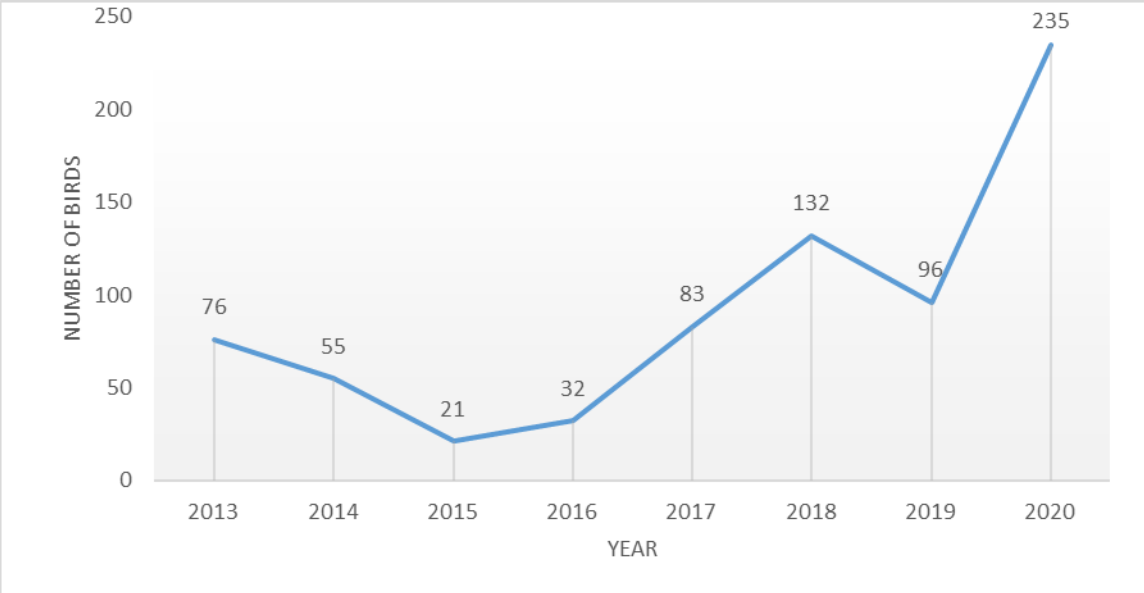


Source: Wild Birds Regulation Unit and Malta Police Force, 2020

5.10.7 The above figure also lists bird-related offences that are not related to the hunting season (e.g. illegal possession of protected birds; illegal sale / smuggling cases), but which were disclosed during the period in question.

5.10.8 A procedure coordinated by the WBRU was put in place in conjunction with the EPU, BirdLife Malta and the government-appointed veterinarian to provide appropriate veterinary care and, where possible, rehabilitation of such birds. In 2020, the authorities recovered 443 wild birds belonging to 86 species that were provided with the appropriate veterinary care and, in a number of cases, successful rehabilitation and release back into the wild. Of these, 235 protected birds (53 %) were confirmed to have sustained gunshot wounds. Figure 7 below illustrates the number of illegally shot protected birds recovered by the authorities over the past eight years.

Figure 7 - Number of illegally shot / injured protected birds recovered by the authorities and diagnosed as suffering gunshot wounds.



Source: Wild Birds Regulation Unit 2020

5.10.9 The problem of illegal killing of protected birds has evidently escalated in 2020. The number of cases in 2020 increased exponentially when compared with the previous seven years. A full assessment of the factors that led to such trend is beyond the scope of this summary report. Nonetheless, the extent of illegal killing of protected birds merits the urgent attention of all stakeholders at both local and national level since there is a much-needed concerted effort to actively curb IKB-related crime.

5.10.10 Recognising the fact that illicit trade and taxidermy of illegally acquired protected birds is a substantial driver behind illegal targeting of protected birds, the law enforcement authorities continued to dedicate substantial effort towards preventing, detecting and curtailing any potential abuse. During 2020, the WBRU together with the EPU and ERA officials inspected 243 stuffed bird specimens held in four private collections. During these investigations, a total of 84 registered stuffed bird specimens were found to be illegally possessed and seized and another registered six specimens were found to have been illegally disposed. Legal action was initiated against the culprits.

5.10.11 During the same period, the WBRU assisted Police during two investigations concerning possession of live birds. During these inspections a total of 43 live birds were examined, of which three birds were subsequently seized due to the fact that they were not fitted with a closed ring. The birds were taken for rehabilitation prior to being released back into the wild and legal action was initiated against the culprit. During the same period, WBRU was also involved in an investigation concerning ten

Scopoli's Shearwaters (*Calonectris diomedea),* four Yelkouan shearwaters (*Puffinus yelkouan)* and a Turtle Dove (*Streptopelia turtur)* carcass found dumped at an area known as ix-Xaqqa limits of Siġġiewi within a Natura 2000 site (SPA/SAC). The government-appointed veterinarian confirmed that the Shearwaters were all illegally shot. No pellets were found in the Turtle-dove's carcass. Unfortunately, the persons committing this crime remain unknown.

5.10.12 The WBRU also assisted the police and the government-appointed veterinarian in identifying and verifying the legality of other specimens pertaining to pending investigations.

6. Determination of the 2021 spring hunting bag limit and other parameters

6.1 Regulation 5 of the Framework Regulations (S.L. 549.57[8]) stipulates the requirement for the establishment of an overall bag limit for a spring hunting season for Quail, based on figures contained in Annex 1 to the same Regulations. The same Regulations also stipulate the requirement of taking into consideration the conservation status of the species concerned and the maintenance of the population of the species at a satisfactory level when establishing the overall bag limit. Regulation 5 also provides for the requirement of establishing seasonal and daily bag limits per hunting licence.

6.2 The Regulations also establish that, should a spring hunting season be declared open, the overall national spring hunting limits would be set at not more than a ceiling limit of 5,000 for Quail, based on the principle of 1% of the total annual mortality of the species. They also establish that a spring hunting season will not be opened in cases where the number of birds hunted during the previous autumn season reaches 20,000 in the case of Quail. Furthermore, it should be noted that:

(i) the maximum bag limit for a spring hunting derogation may be fully allowed in cases where the number of Quail hunted during the previous autumn season does not exceed 10,000 individuals; and that,

(ii) the maximum bag limit for a spring hunting derogation should be reduced by inverse proportion to the number of birds hunted in excess of 10,000 in the previous autumn season.

[8] https://legislation.mt/eli/sl/549.57/eng/pdf

6.3 Since the total bag for the autumn 2020 hunting season was 188 Quail, the maximum limit of birds hunted in autumn as established by the Regulations in question (20,000 for Quail) was not reached. Moreover, since the numbers hunted did not exceed 10,000 individuals, the maximum national bag limit allowed by law could have been applied.

6.4 In accordance with the Malta Ornis Committee recommendations, the Government has removed the individual season's bag limit and the daily bag limit whilst recommending that the national bag limit is decreased to 2,400 Quail in line with Legal Notice 163 of 2021[9], which declared the parameters of the derogation.

6.5 Based on the above, the 2021 spring hunting overall bag limit for Quail was thus set at 2,400 on condition that the season would be terminated immediately should this national overall bag limit be reached before 30 April 2021.

7. Application process and issuance of special spring hunting licences

7.1 In order to be eligible for a Special 2021 Spring Hunting Licence, a hunter was required to be in possession, by the time of application, of the following:

(a) Valid general licence to hunt birds on land;

(b) Paid-up membership in a recognised hunting organisation for 2021;

(c) Valid third party liability insurance cover for 2021;

(d) Valid permit to carry a firearm for hunting of birds on land issued by the Police.

7.2 Applications for a special spring hunting licence were received during a five-day period from 15 March to 20 March 2021. Applicants had to complete an application form and had to present documentation listed above together with identification documents. Applications received after the closing date of 20 March 2021 were not accepted.

7.3 The Wild Birds Regulation Unit received 8,231 applications for a spring hunting special licence. Upon verification, two of these applications were considered invalid and thus rejected. The number of applications for the 2021 spring hunting season (8,231) was approximately 9% higher than in 2020 (7,487) and 7% higher than in 2019 (7,647).

[9] https://legislation.mt/eli/ln/2021/163/eng

7.4 A total of 8,229 licences were subsequently issued, 6,878 to applicants resident in Malta and 1,351 to applicants resident in Gozo. A total of 73 issued licences (70 in Malta and 3 in Gozo) remained unclaimed throughout the season leaving a total of 8,156 active licences. Details on minimum statutory enforcement deployment is provided in the enforcement section of this report.

7.5 Spring hunting licence conditions were established according to the provisions of the Framework Regulations (S.L. 549.57[10]) and the provisions of Legal Notice 163 of 2021[11]. Additionally, all licensed hunters were required to abide by the regulations laid down in the Conservation of Wild Birds Regulations (S.L. 549.42[12]). A copy of the special spring hunting licence, including details of the licence conditions, is attached in Annex 3 to this report.

7.6 Hunters were required to carry their spring hunting licence and general licence at all times. They were also expected to immediately report their catches by SMS to a specific number or through the mobile reporting app, to abide by the time restrictions, and respect the national bag limit of 2,400 birds. These conditions were strictly monitored, supervised and enforced, as described in the enforcement section of this report.

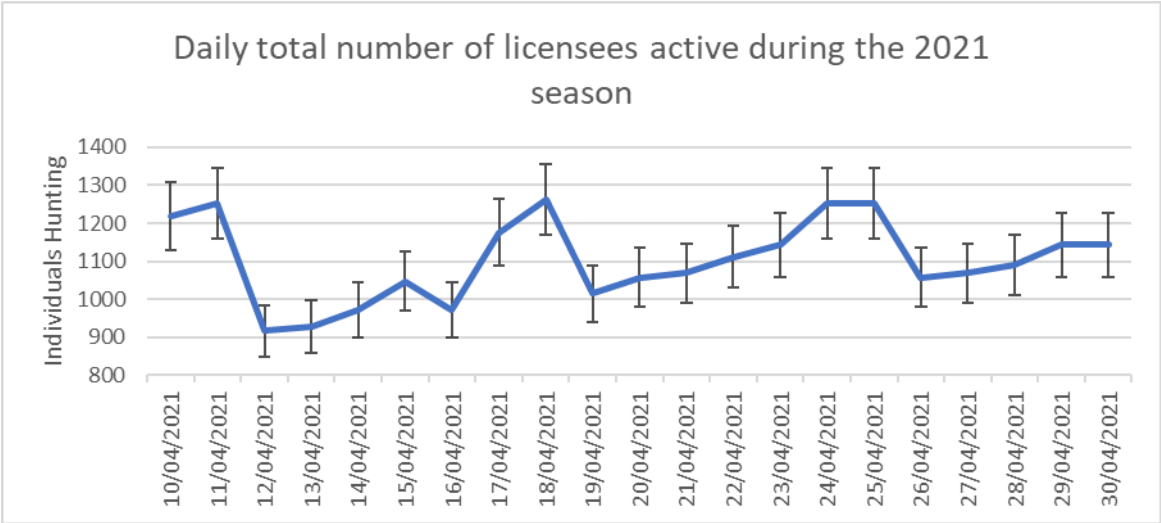
8. Activity Data (Hunting Effort)

8.1 During this year's spring hunting season, licensees were invited to complete a calendar survey sheet detailing the dates during which they practiced hunting. Survey sheets were accepted up to a week after the season closed.

8.2 By this deadline, 172 survey sheets were returned which constitutes 2.1% of the total 8,156 licences issued corresponding to a margin of error of 7.39% at a 95% confidence level. The analysis shows that during the 2021 season, 14.6% (±7.39) of valid licences were not utilised, meaning that 588 to 1,794 licensed individuals did not practice hunting during the 2021 season notwithstanding they had applied for a Special Licence. Conversely, there were 85.4% (±7.39) licences that were utilised at any one time, meaning that 6,362 to 7,568 individuals practiced hunting on one or more occasion during the season. Figure 8 shows this extrapolated licence activity during the 2021 open season.

[10] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11570&l=1
[11] https://legislation.mt/eli/ln/2021/163/eng
[12] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11548&l=1

Figure 8 - Individuals hunting during the open season (Extrapolated data from the surveys submitted).



Source: Wild Birds Regulation Unit 2021

9. Real-time Game Reporting System

9.1 Prior to the commencement of the season, as was also the case in previous years, the Wild Birds Regulation Unit carried out an intense information campaign to promote awareness of hunting regulations and enforce compliance with the legal obligations, including the hunters' reporting obligations. In line with Covid-19 social distancing directives issued by the Superintendent of Public Health, meetings with hunting organisations to encourage dissemination of regulatory information amongst their members and to promote zero-tolerance to non-compliance, were held through online platforms. Moreover, all hunters in possession of a spring hunting licence were reminded of their legal obligations through a letter sent together with the Spring Hunting Licence. In addition throughout the season, the WBRU's Customer Care Branch received multiple queries from licensees requesting further guidance on the use of the newly launched Game Reporting Mobile Application system, which indicated that the new system was welcomed by hunters.

9.2 In accordance with Regulation 5(d) of the Framework Regulations (S.L. 549.57[13]), hunters in possession of the special spring hunting licence were obliged to immediately notify the authorities of any Quail hunted during the season. The Special Licence required the hunters to do so by sending an SMS via their mobile phones or through a mobile reporting app immediately after catching a Quail stating the amount of birds caught.

[13] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11570&l=1

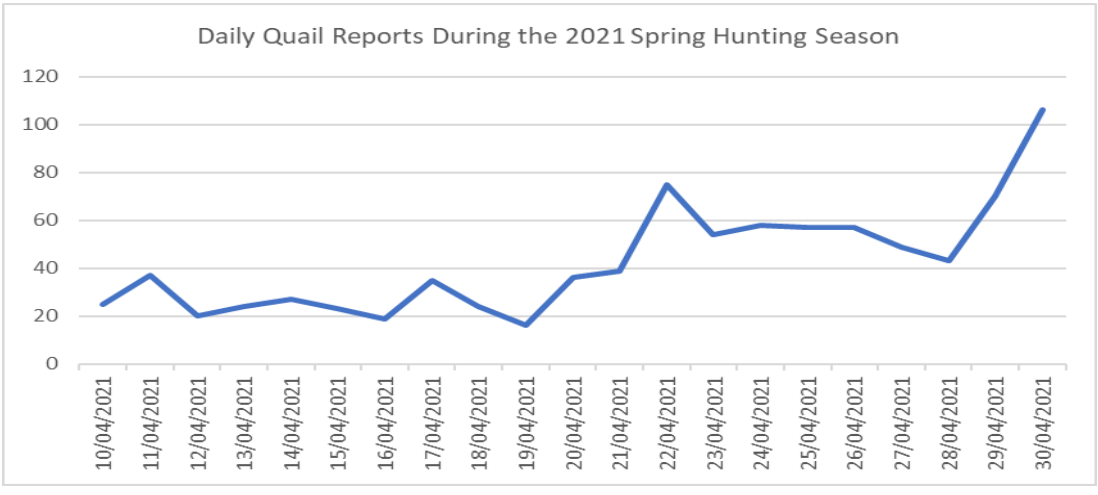
9.3 Each report was registered daily in a database. Only reports made from registered mobile numbers of hunters in possession of a Special Licence were accepted. The relevant data for reported Quail is presented in Table 3 and Figure 9 respectively.

Table 3 - Number of Quail reported through the telephonic system (Game Reporting System, 2021)

Date	Quail	Cumulative
10/04/2021	25	25
11/04/2021	37	62
12/04/2021	20	82
13/04/2021	24	106
14/04/2021	27	133
15/04/2021	23	156
16/04/2021	19	175
17/04/2021	35	210
18/04/2021	24	234
19/04/2021	16	250
20/04/2021	36	286
21/04/2021	39	325
22/04/2021	75	400
23/04/2021	54	454
24/04/2021	58	512
25/04/2021	57	569
26/04/2021	57	626
27/04/2021	49	675
28/04/2021	43	718
29/04/2021	70	788
30/04/2021	106	894
Total	**894**	

Source: Wild Birds Regulation Unit, 2021

Figure 9 - Daily total number of Quail reported during the 2021 spring hunting season – as reported through the telephonic system. (Game Reporting System, 2021)



Source: Wild Birds Regulation Unit, 2021

9.4 The total number of reported birds did not exceed the national overall bag limits—to the contrary, the totals based on reported figures are substantially lower. The total number of Quail reported by hunters during the spring hunting season of 2021 equates to 37.25% of the limit permitted by law. Table 4 provides data on the number of Quail caught. There were 401 hunters who caught between one and ten birds and 6 hunters who caught more than ten birds during the 2021 spring hunting season. Only 5% of hunters reported a catch, with the majority (7,749 hunters) not reporting a single catch.

Table 4 - Number of Quail caught by hunters

Quail reported shot by hunter	Number of hunters declaring catches	Total quail reported
1	220	220
2	94	188
3	39	117
4	18	72
5	13	65
6	7	42
7	1	7
8	5	40
10	4	40
11	1	11
12	1	12
13	1	13
14	1	14
20	1	20
33	1	33
Total	**407 (hunters)**	**894 (quail)**

Source: Wild Birds Regulation Unit, 2021

9.5 Hunters had a legal obligation to report game caught immediately upon making a catch, thus allowing precise temporal data to be collected. Table 5 indicates percentages of Quail reports made within each hour time band.

Table 5 - Percentages of Quail reports made within each hour time band.

Time	Quail Reports (%)
05:00 - 06:00	0.1%
06:00 - 07:00	9.6%
07:00 - 08:00	20.7%
08:00 - 09:00	17.1%
09:00 - 10:00	16.1%
10:00 - 11:00	20.2%
11:00 - 12:00	16.1%

Data source: Wild Birds Regulation Unit, 2021

10. Independent bird migration study in spring 2021

10.1 As was also the case in previous years, an independent scientific study was carried out in Spring 2021, in order to obtain an estimate of migratory influxes of Turtle-dove and Common Quail over the derogation period. The study was carried out by Ecoserv (2021) with the following main objective: *To survey and scientifically monitor the daily influx of the Turtle Dove*[14] *and Common Quail; to estimate the overall presence (influx) of these two species per day and for the whole study period and to analyse observed and estimated migration trends in conjunction with the trends recorded in past studies, and in conjunction with any hunting data on the species surveyed.* Although, both species were observed, for the purpose of this study, only data related to Common Quail will be featured in this report, since no derogation was opened for the Turtle-dove. The geographical scope of the study extended across the three inhabited islands of the Maltese archipelago (that is, Malta, Gozo and Comino), with data gathered between 15 March and 15 May 2021. A full copy of the report in question is attached in Annex 4, with key conclusions summarised below.

10.2 The methodology used in this study was identical to the methodology used for similar studies conducted in 2011–2020. Twenty-eight monitoring stations were set up across the Maltese Islands, with counts obtained from ten different sites each day. A field assistant capable of identifying the relevant species and an observer responsible to record data were posted to each station, in order to conduct counts of individuals. Each group of ten sites was surveyed once every three days, such that over a three-day period, all 28 sites would have been surveyed. Furthermore, wherever possible, the study site at Comino was included in the 10 sites surveyed on any one day, such that this site was surveyed on a daily basis. When weather conditions precluded surveys at the Comino site due to unavailability of sea transport services, these were undertaken at an alternative site (Qala, San Blas or Ramla tal-Bir) instead. Given that the study was mainly intended to quantify the influx of migrating individuals, field sites were located at strategic locations along the coast, which locations would be expected to serve as stop-over points for migrating individuals. Counts obtained across this network of observation stations over the survey period for Common Quail are given in Table 6 below.

[14] Notwithstanding the fact that the 2021 derogation was applied for Quail only, Turtle-dove monitoring was included in the scope of the 2021 migration study purely for scientific research purposes, in order to understand the early patterns of migration of this species. The present report on the outcome of the derogation limits presentation of the study results to Quail only.

Table 6 - Counts obtained across the network of observation stations over the study period.

Date	Total Daily Count
15-Mar-21	3
16-Mar-21	0
17-Mar-21	1
18-Mar-21	4
19-Mar-21	6
20-Mar-21	4
21-Mar-21	6
22-Mar-21	4
23-Mar-21	1
24-Mar-21	7
25-Mar-21	2
26-Mar-21	7
27-Mar-21	4
28-Mar-21	5
29-Mar-21	6
30-Mar-21	2
31-Mar-21	4
01-Apr-21	5
02-Apr-21	3
03-Apr-21	0
04-Apr-21	5
05-Apr-21	5
06-Apr-21	4
07-Apr-21	6
08-Apr-21	5
09-Apr-21	1
10-Apr-21	7
11-Apr-21	2
12-Apr-21	6
13-Apr-21	3
14-Apr-21	2
15-Apr-21	1
16-Apr-21	5
17-Apr-21	3
18-Apr-21	0
19-Apr-21	1
20-Apr-21	7
21-Apr-21	5
22-Apr-21	8
23-Apr-21	6
24-Apr-21	1
25-Apr-21	1
26-Apr-21	1
27-Apr-21	2

28-Apr-21	4
29-Apr-21	0
30-Apr-21	1
01-May-21	0
02-May-21	0
03-May-21	0
04-May-21	1
05-May-21	2
06-May-21	1
07-May-21	0
08-May-21	0
09-May-21	0
10-May-21	0
11-May-21	0
12-May-21	0
13-May-21	0
14-May-21	0
15-May-21	0
Total	**170**

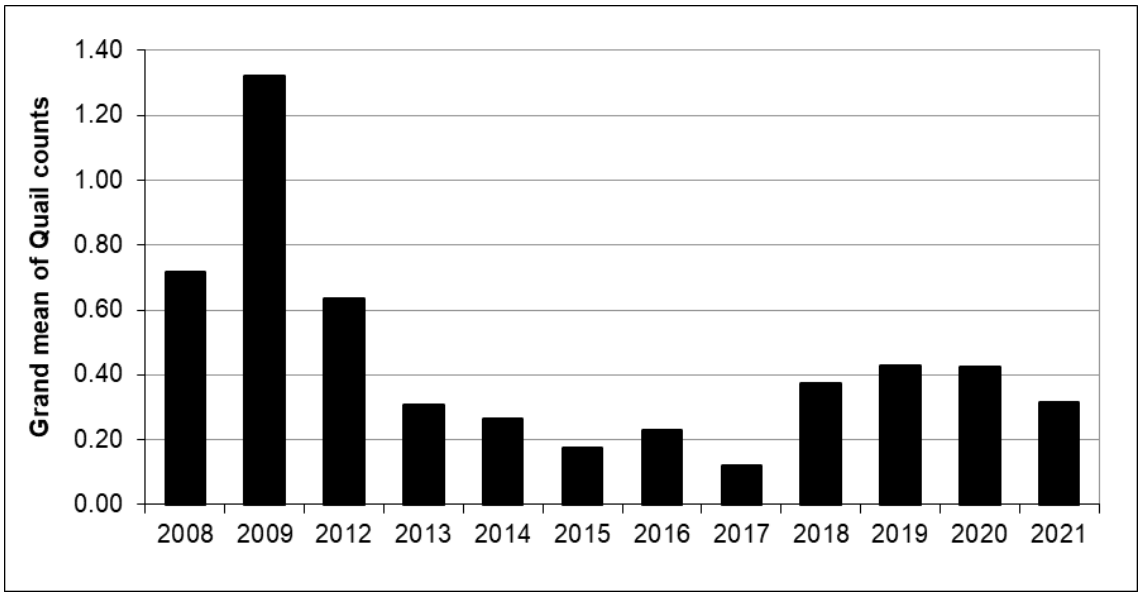
Data source: Ecoserv, 2021

10.3 Daily Raw counts for Common Quail recorded from the 28 sites during the present study varied between 0 and a maximum of 3, while the mean daily counts ranged between 0 and 0.80. Overall, counts recorded during the study remained low during the entire survey period. The general pattern observed in previous surveys is of low migratory counts in mid-March, which start to increase in late March, with the highest counts usually recorded in mid to end April, and a subsequent decline in counts during May. The daily mean counts recorded during this survey are overall slightly lower than those in 2008 and 2009 (Thomaidis, nd) and similar to those in 2011–2020 (Ecoserv 2011; 2012; 2013; 2014; 2015; 2016; 2017; 2018; 2019; 2020).

10.4 Minor peaks of around 2.0–3.0 were recorded in spring 2008, 2009, 2012 and 2020, while no mean counts greater than 1.5 were recorded in any of the other years, including in this survey. The grand mean of Common Quail counts recorded during the period 15 March to 15 May from the 2021 survey is 0.27, which is lower than the grand mean of 0.74 recorded over the same period in 2009 and slightly lower than that recorded in 2020 (0.40), but similar to that recorded in 2019 (0.25). Comparisons of the grand mean for the period 15 March to 15 May with other previous surveys is not possible since these covered much shorter periods. The main period that was covered by most surveys is that from 10 to 30 April. Figure 10 and Figure 11 illustrate the values of the grand mean of Common Quail counts recorded during this period from the present survey (spring 2021), together with values of the grand mean for the same period in 2018, 2009 (Thomaidis, nd), 2012, 2013, 2014, 2016, 2019 and 2010(Ecoserv, 2012–2016 and 2019-2020), for

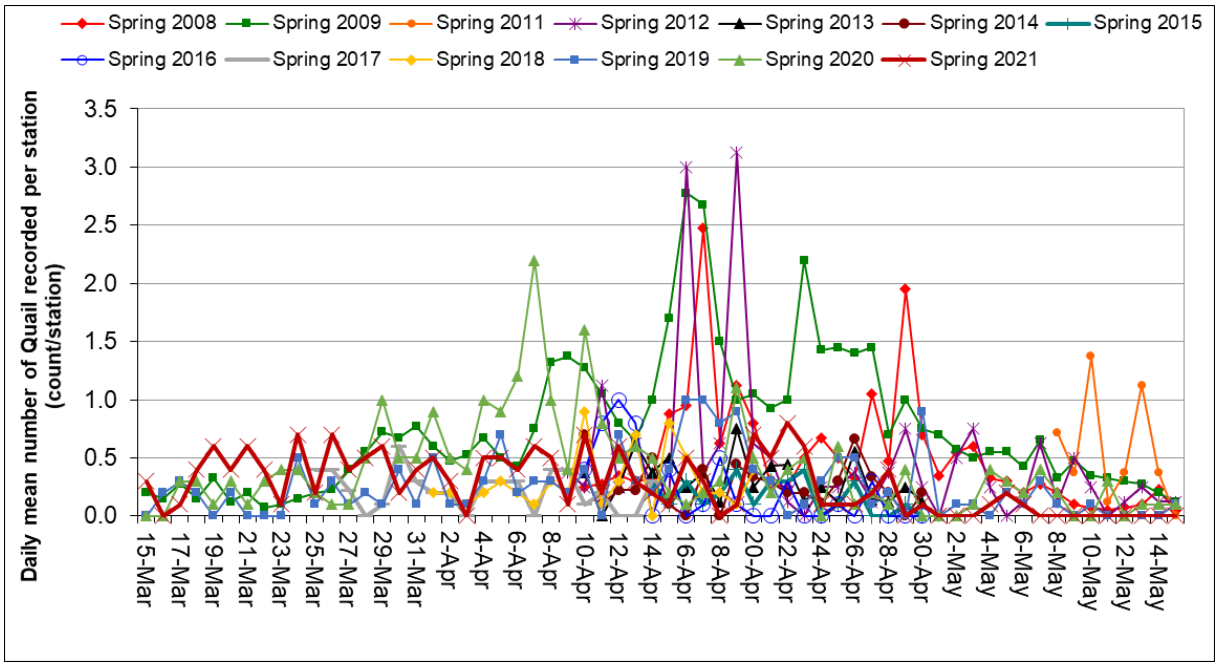
the period 14 to 30 April 2015 (Ecoserv, 2015), for the period 10 to 14 April 2017 (Ecoserv, 2017), and for the period 10 to 21 April 2018 (Ecoserv, 2018). Overall, the grand mean recorded during the present (spring 2021) survey during the period 10 to 30 April is similar to that recorded during the 2013–2019 surveys, and lower than that recorded in 2008, 2009 and 2012.

Figure 10 - Grand mean of Common Quail counts for data from the period 10 to 30 April recorded in spring 2021 (present survey) and spring 2008, 2009 (Thomaidis, nd), 2012, 2013, 2014, 2016, 2019 and 2020 (Ecoserv, 2012; 2013; 2014; 2016; 2019; 2020), together with the grand mean for data from the period 14 to 30 April recorded in spring 2015 (Ecoserv, 2015), from the period 10 to 14 April recorded in spring 2017 (Ecoserv, 2017), and from the period 10 to 21 April recorded in spring 2018 (Ecoserv, 2018).



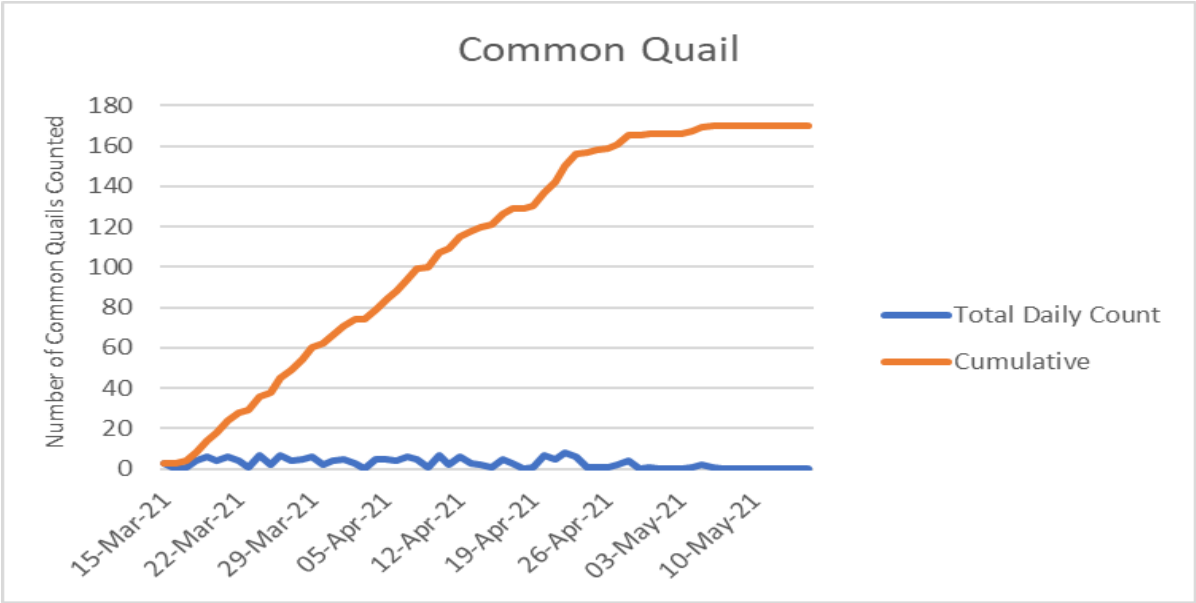
Data source: Ecoserv, 2021

Figure 11 - Daily mean counts of Common Quail per station (= site) recorded during the present (spring 2021) survey held between 15 March and 15 May, together with values of the same statistic for: spring 2008 and 2009 as reported in Thomaidis (nd), spring 2012 as reported in Ecoserv (2012), spring 2013 as reported in Ecoserv (2013), spring 2014 as reported in Ecoserv (2014), spring 2015 as reported in Ecoserv (2015), spring 2016 as reported in Ecoserv (2016), spring 2017 as reported in Ecoserv (2017), spring 2018 as reported in Ecoserv (2018), spring 2019 as reported in Ecoserv (2019), and spring 2020 as reported in Ecoserv (2020).



Data source: Ecoserv, 2021

Figure 12 - Total daily counts of Common Quail compiled through the spring migration study.



Data source: Ecoserv, 2021

10.5 The total influx of Common Quail was estimated for the whole area of the Maltese Islands using the recorded area surveyed for Quail at each site. However, such an estimate requires the following assumptions: (i) the rate of Quail settling at coastal sites (where the

survey was carried out) is equal to that at inland locations, and (ii) the total area used to estimate the migration count does not include areas where settlement of Quail cannot occur in practice. Since Quail tend to migrate to inland sites, settling of Quail in coastal areas will likely be less than or equal to that in inland regions, but not greater, meaning that the estimated total may be an underestimate. The use of only coastal sites is still justified since these are more likely to serve as short-term stopover sites immediately following a migratory flight than inland locations; thus, including inland locations may result in an overestimate of the total influx due to repeated counting of resident Quails.

10.6 To ensure that the total area used to estimate the migration count does not include regions within which Quail do not normally settle, even though some birds may fly over urbanized areas, the total area was calculated as the sum of agricultural areas (161.5 km^2), afforested areas (2.1 km^2) and areas of natural vegetation (57.8 km^2); this amounts to 221.4 km^2, representing 72% of the 315 km^2 total area of the Maltese Islands (land cover data source: MEPA, 2010). The mean (± SD) daily counts and estimated total influx of birds per day are shown in Table 7. Based on these data, extrapolation translates to a total influx of Common Quail during 15 March – 15 May 2021 of 143,159 individuals, or some 2,309 Quail per day. However, as emphasised in the reports of previous surveys (Ecoserv, 2011–2020), such an estimate must be treated with utmost caution, given the relatively small number of field sites used on any one day and that counts were not made daily at each site, such that only a very small portion of the total area of potential habitat in the Maltese Islands was sampled.

10.7 The total influx of Common Quail for the present survey period (15 March to 15 May 2021) is estimated at 143,159 individuals (Table 7). When compared to estimates made during previous surveys in spring (see Table 1), the estimate from the present survey (2021) is the second highest overall. Nonetheless, the present survey covered a period of 62 days; apart from the 2012, 2019 and 2020 surveys (48, 62 and 62 days respectively), all other surveys covered a period of not more than 21 days. It is reiterated that such estimates must be treated with utmost caution, given the relatively small number of field sites used in the present survey, that counts were not made daily at each site, and since the extrapolation procedure used is likely to result in a rough estimate.

Table 7 - Estimated total influx of Common Quail in 2021 study period.

Date	Estimated Daily Influx
15-Mar-21	2907
16-Mar-21	0
17-Mar-21	809
18-Mar-21	4043

19-Mar-21	4184
20-Mar-21	3213
21-Mar-21	5814
22-Mar-21	2789
23-Mar-21	806
24-Mar-21	6782
25-Mar-21	1386
26-Mar-21	5662
27-Mar-21	4026
28-Mar-21	3487
29-Mar-21	4853
30-Mar-21	1938
31-Mar-21	2773
01-Apr-21	4016
02-Apr-21	2907
03-Apr-21	0
04-Apr-21	4044
05-Apr-21	4845
06-Apr-21	2789
07-Apr-21	4819
08-Apr-21	4845
09-Apr-21	697
10-Apr-21	5622
11-Apr-21	1938
12-Apr-21	4184
13-Apr-21	2426
14-Apr-21	2013
15-Apr-21	693
16-Apr-21	4029
17-Apr-21	2907
18-Apr-21	0
19-Apr-21	809
20-Apr-21	6782
21-Apr-21	3466
22-Apr-21	6470
23-Apr-21	6064
24-Apr-21	697
25-Apr-21	809
26-Apr-21	1007
27-Apr-21	1386
28-Apr-21	3213
29-Apr-21	0
30-Apr-21	695
01-May-21	0
02-May-21	0
03-May-21	0
04-May-21	809
05-May-21	2013

06-May-21	693
07-May-21	0
08-May-21	0
09-May-21	0
10-May-21	0
11-May-21	0
12-May-21	0
13-May-21	0
14-May-21	0
15-May-21	0
Total	**143,159**

Data source: Ecoserv, 2021

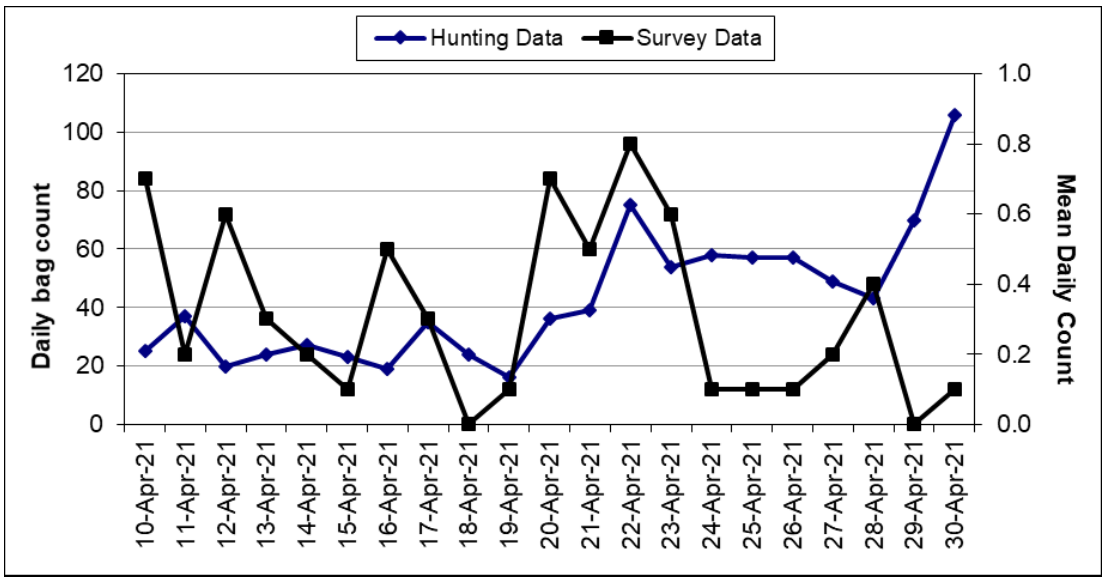
11. Comparison between migration study data and game reporting data

11.1 In order to validate the reporting system, data obtained from the SMS reports and the mobile app during spring derogation period (10 April – 30 April) were compared with the counts and estimates generated through the 2021 spring migration study during the same period.

11.2 The daily counts made during the 2021 survey include day-to-day fluctuations, but the overall pattern is of similar counts recorded throughout the period 10–30 April with marginally higher counts on some days between 10 and 23 April. No overall trend of increase or decrease in daily survey counts is discernible over most of the survey period but counts made from 24 to 30 April tended to be lower than on most previous days.

11.3 On the other hand, the bag count data indicate an overall trend of slightly higher counts between 23 and 30 April, with the highest bag count (106) reported on 30 April. The increase in bag counts reported in 23–30 April, especially in the last day of the open season, is not reflected in the daily counts made during the 2021 survey. It should be noted, however, that the total daily counts made during the 2021 survey were low, which introduces an additional difficulty in making interpretations of these comparisons.

Figure 13 - Daily bag count of Common Quail during 2021 (blue line; values on left-side y-axis), together with the mean daily counts recorded during the 2021 survey (black line; values on right-side y-axis), for the period 10 – 30 April 2021.



Data source: Ecoserv, 2021

12. Enforcement

12.1 The Maltese authorities sought to maintain the level of enforcement effort deployed during previous spring hunting seasons. The Framework Regulations (S.L. 549.57[15]) stipulate that a minimum of seven (7) enforcement officers for every 1,000 licensed hunters are required to be deployed during hunting hours. A total of 8,229 hunters (6,878 in Malta and 1,351 in Gozo) were issued with a spring hunting licence in 2021 and therefore a minimum of 57 enforcement personnel were needed in accordance with national legislation to supervise the derogation period (in the region of 48 officers in Malta and 9 in Gozo). Out of the total special licences issued, a total of 73 special licences remained uncollected (70 in Malta and 3 in Gozo), thus 8,156 individuals were in possession of a special licence.

12.2 Field surveillance and patrols were deployed from within the Environment Protection Unit (EPU) of the Malta Police Force with additional support from the 11 district police areas and from the Armed Forces of Malta, the Compliance Team of the Wild Birds Regulation Unit and Environmental Rangers from Ambjent Malta.

12.3 Due to social distancing restrictions brought about by Covid19, the Wild Birds Regulation Unit could not organise the specialised training sessions as per usual procedure.

[15] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11570&l=1

Nonetheless, prior to commencement of the season, all officers participating in enforcement received detailed information through digital platforms, namely:

- The legal framework concerning the conservation of wild birds
- Legal requirements pertaining to the spring hunting season
- Monitoring and surveillance techniques and approaches
- Basic species identification skills
- Inspections
- Hotspots and areas requiring particular attention
- Potential law enforcement evasion techniques deployed by poachers

12.4 The objectives of training and enforcement operations are:

- To ensure continuous deployment presence in the countryside to deter any potential abuse from occurring in the first place;

- To ensure that no illegal targeting of species other than Quail occurs, and that any detected incidents of abuse are dealt with swiftly and effectively (that is, apprehension of suspects and gathering sufficient field evidence to enable prosecution);

- To ensure that the general prohibitions and parameters related to the open season are enforced (such as: no hunting in prohibited areas; outside permitted hours; using prohibited means like bird callers; semi-automatic or automatic weapons with a magazine capable of holding more than two rounds of ammunition; hunting without a valid spring hunting licence);

- To ensure that specific regulations applicable to the spring hunting derogation are enforced (such as game reporting obligation).

12.5 Specialised training sessions have been organised for the past years and enforcement statistics show that this training is demonstrating significant added value in terms of efficiency in enforcement action. Enforcement officers have also gathered field experience which enables them to identify areas which require surveillance during particular days due to prevailing winds which affect migration, and are also aware of the areas commonly frequented by hunters thus enabling targeted enforcement action.

12.6 As was also the case in previous years, the enforcement operation throughout the season deployed a mix of the following approaches and techniques:

a) **Vehicular patrols** by EPU, AFM and WBRU to ensure regular coverage of the entire Maltese countryside, with an emphasis on priority surveillance areas and hunting grounds;

b) **Foot patrols** by uniformed officers (both the AFM and EPU) within particular locations, especially those areas with difficult vehicular access. WBRU officers also accompanied uniformed officers during some of the foot patrols;

c) **Stationary observation posts** manned by **uniformed** and **plain-clothed** personnel, including WBRU officers. Stationary observation posts were located at vantage points within priority surveillance areas and hunting grounds;

d) **Systematic spot-checks on individual licensees and roadblocks** at strategic vehicular entry and exit points by Police. The objective of spot-checks is two-fold: (1) to detect the possession of illegally shot protected birds or other illegal material and (2) to enforce bag limit and real-time reporting requirements.

e) Deployment of **covert surveillance** backed up by mobile units especially in response to large influxes of protected birds or to ensure sufficient surveillance of particular hotspots known for targeting of protected birds.

12.7 The Maltese authorities paid particular attention to collaboration with the numerous NGO volunteers who were present in the countryside during the season. These volunteers aided the overall enforcement effort by:

- Acting as a deterrent to illegal hunting by virtue of their presence in the countryside;
- Submitting vital day-to-day information about the presence of birds and alerting the authorities to the presence of high risk species or high risk sites such as roosting sites;
- Acting as ocular witnesses to illegal hunting incidents, and reporting such incidents to the authorities;
- Gathering of video/photographic evidence of poaching and making available such evidence to the enforcement authorities.

12.8 During the season, WBRU's Customer Care Branch received a number of calls from hunters wishing to report suspected or alleged irregular activity noticed directly by themselves. All telephonic reports were immediately passed on to enforcement personnel to ensure swift action against crime.

12.9 During inspections, police forces were responsible for ensuring the lawful operation of hunting practices. Police officers were, *inter alia*, instructed to:

- Verify that hunters were in possession of all the required documents;
- Verify that Quail caught were being immediately reported in accordance with regulations;
- Ensure compliance with the provisions of the Conservation of Wild Birds Regulations (S.L. 549.42), the Framework Regulations (S.L. 549.57[16]) and the Regulations opening the spring 2021 season (L.N. 163 of 2021[17]);
- Ensure that no species other than Quail, were being targeted;
- Ensure compliance with bag limits and time restrictions.

12.10 During the derogation period, an overall daily field complement reaching up to around 78 officers (61 in Malta and 17 in Gozo) was deployed. Daily field deployment consisted of a complement that ranged between 57 and 65 officers (47–52 officers in Malta and 10–13 officers in Gozo) deployed during morning shift[18] and between 13 and 16 officers (9–10 officers in Malta and 4-6 officers in Gozo) during prohibited hours following closure of the season at noon. Any reports received past these shifts (i.e. at night), are attended by District Police, Rapid Intervention Unit or Mobile Squad as necessary.

12.11 In addition to the above complement, throughout the spring hunting season the Wild Birds Regulation Unit deployed four compliance officers with daily deployment consisting of two teams patrolling the countryside from 6:00am till 12:30pm. WBRU officers were tasked with vehicular patrols, foot patrols within public footpaths, stationary observations and surveillance from vantage points. During the open season, the Compliance Team of the Wild Birds Regulation Unit carried out 60 joint inspections with EPU and six independent patrols and covert observations at 66 locations. A total of 64 hours of compliance monitoring and inspections were carried out by WBRU during the open season. During these joint inspections with EPU, a total of seven infringements were detected and legal action was initiated against all the culprits that were identified. Moreover, 14 Environmental Rangers (Ambjent Malta) conducted patrols in terrestrial Natura 2000 Sites, other protected and scheduled areas and public rural areas. These uniformed officers are tasked with monitoring and action against different types of

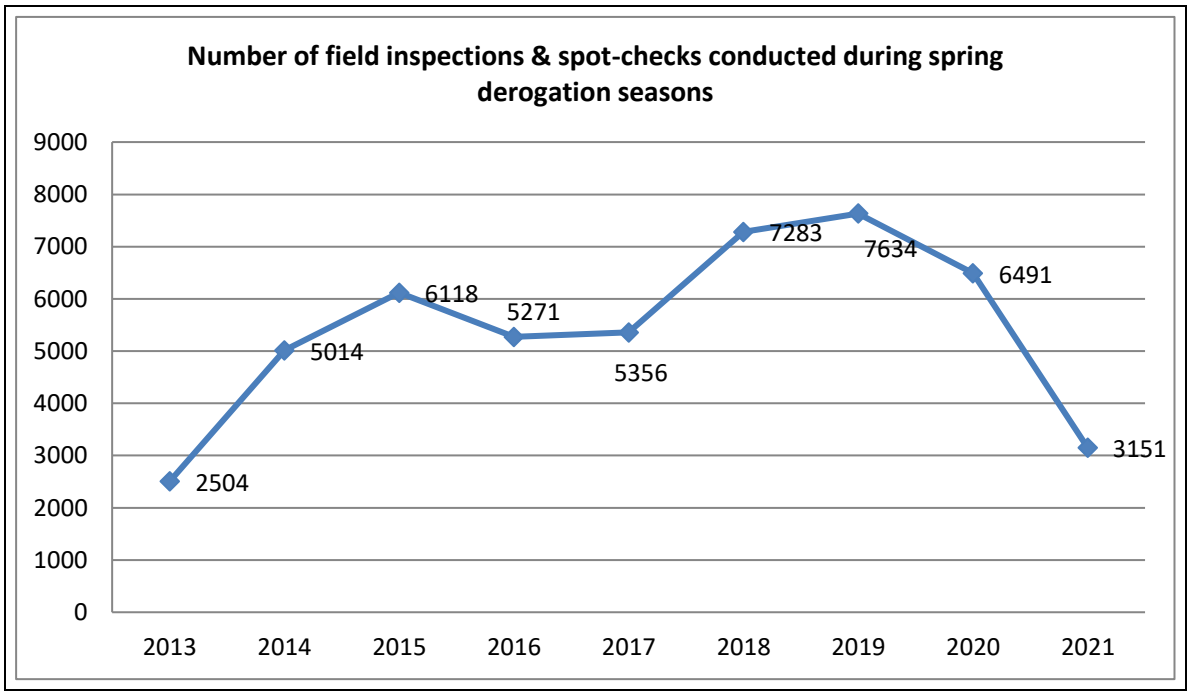
[16] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11570&l=1
[17] https://legislation.mt/eli/ln/2021/163/eng
[18] In Malta, enforcement officers operated on a two-shift basis: 0500 – 1330 and 1330 – 2130, whilst in Gozo, the shift roster followed a different pattern: the number of officers varied between 0500–0700, 0700–1800 and 1800–2000 periods.

environmental crime and also act as deterrent against illegal activities relating to hunting. These officers also report all crime detected directly to the EPU.

12.12 During the derogation period, between 10 April and 30 April 2021, when the season was open, field officers from the Environment Protection Unit and Gozo police carried out 1,769 field inspections / patrols (1,357 in Malta and 412 in Gozo). In addition, 1,316 spot-checks were conducted on individual hunters (1,099 in Malta and 217 in Gozo). Out of the total spot-checks carried out in Malta, 39 consisted of road checks, during which vehicles were stopped and checked to ensure that all legal obligations of the spring hunting special licence (including game reporting obligations) and other regulations concerning the carrying of firearms were being respected.

12.13 This enforcement effort cumulatively amounts to **3,151**[19] inspections, spot-checks and road checks (Figure 14). This enforcement effort does not include efforts of District police, Rapid Intervention Unit or Mobile Squad carried out past EPU / Gozo police shifts[20] or enforcement efforts carried out by Ambjent Malta's Environmental Rangers[21].

Figure 14 - Comparison of number of field inspections and spot-checks performed during the spring hunting seasons over the past years



Data Source: Wild Birds Regulation Unit / Malta Police Force, 2021

[19] This consists of 1,769 field inspections and 1,316 spot checks carried out by Police, and the 66 locations which were independently inspected by the WBRU Compliance Team.
[20] In Malta, enforcement officers operated on a two-shift basis: 0500 – 1330 and 1330 – 2130, whilst in Gozo, the shift roster followed a different pattern: the number of officers varied between 0500–0700, 0700–1800 and 1800–2000 periods.
[21] Environmental Rangers work from Monday to Friday between 0630 – 1530 and on day-in-day-out shifts from 0630 – 1830.

12.14 In the course of these inspections and spot-checks, the officers disclosed a total of 41 offences (40 in Malta and 1 in Gozo), which led to legal action being taken against 33 persons (32 in Malta and 1 in Gozo). No further action could be taken on the remaining cases due to lack of information on the possible culprits.

12.15 Statistics pertaining to daily enforcement deployment, daily number of field inspections and spot-checks conducted and nature of the offences detected are summarised in Table 8.

Table 8 - Enforcement deployment and offences detected during 2021 spring hunting season.

Date	Number of officers deployed 0500-1500 (EPU / District / AFM)		Number of officers deployed 1500-2100 (EPU / District / AFM)		Number of field inspections conducted (visits to specific areas)		Number of spot-checks on individual hunters[22]		Offences detected (number of cases and nature of offence)		Number of persons charged and action taken	
	Malta	Gozo	Malta	Gozo	Malta	Gozo	Malta	Gozo	Malta	Gozo	Malta	Gozo
10/04/2021	48	12	10	5	70	17	62	5	0	0	0	0
11/04/2021	48	10	9	5	76	15	61	9	2 Use of illegal means[23] 1 Hunting for Protected Birds & Illegal Trapping of Waders[24] 1 Illegal Trapping[25]	0	1 Administrative Fine 1 Court Action	0
12/04/2021	49	12	10	5	62	13	53	11	3 Use of illegal means[26] 1 Firearm Irregularity[27] 1 Hunting without Special Licence[28] 1 Illegal Trapping[29]	0	2 Administrative Fines 3 Court Action	0
13/04/2021	48	10	10	4	50	7	35	0	0	0	0	0
14/04/2021	48	12	9	5	52	14	37	5	0	0	0	0
15/04/2021	49	12	10	5	80	21	71	7	1 Failure to report game caught[30] 2 Firearm Irregularity[31] 2 Illegal Trapping[32]	0	1 Administrative Fine 2 Court Action	0
16/04/2021	48	12	9	5	75	21	62	7	1 Use of illegal means[33] 2 Hunting for Protected Birds[34]	0	5 Court Action	0

[22] Including road checks.
[23] Case refers to an individual caught hunting with a firearm capable of carrying more than two shots at the same time. The hunter was issued with an administrative fine of €250. The other case refers to the discovery of an unattended bird-caller elevated by police.
[24] Case refers to an individual found in possession of a modified firearm, a mist net, a bird caller, decoys of Godwits (*Limosa* spp.) and a dead Wood Warbler (*Phylloscopus sibilatrix*). The police seized a special licence and all hunting and trapping paraphernalia and issued charges against the individual, the case is awaiting court hearing.
[25] Case refers to an unattended trapping site of unknown owner. Police seized all trapping paraphernalia however no further legal action could be taken because the culprit remained unknown to the Police.
[26] The first case refers to an individual caught using pre-recorded Quail calls, police seized the bird caller and the hunter was issued with an administrative fine of €250. The second case refers to an individual caught hunting with a firearm capable of carrying more than 2 shots at the same time, the hunter was issued with an administrative fine of €250. The third case refers to an abandoned cage trap containing a live Common Quail (*Coturnix coturnix*), police seized the cage trap and released the Quail however no further legal action could be taken because the culprit remained unknown to the Police.
[27] Case refers to an individual who left his firearm unattended, police seized hunting paraphernalia and referred the case for court action.
[28] Case refers to an individual caught hunting without a special licence. Police seized his firearm and hunting general licence and initiated legal action against the perpetrator.
[29] Case refers to the illegal trapping of finches during closed season. Police seized all trapping paraphernalia and issued charges against the individual for illegal trapping during closed season. The case is awaiting court hearing.
[30] Case refers to an individual who failed to report a hunted Quail through the legally binding Game Reporting System. The hunter was issued with an administrative fine of €50.
[31] Cases refer to one individual handling a firearm whilst not having the legal authorisation to do so. The other case refers to an individual breaching his firearm licence condition due to letting an unauthorised individual to use his firearm. The firearm was confiscated by the Police, along with the cartridges and the special licence.
[32] Cases refer to an unattended trapping site targeting Quail and another unattended site with nets only. Police seized all trapping paraphernalia including eight live Common Quails (*Coturnix coturnix*) which were subsequently released, however no further action could be taken as the perpetrators remained unknown to the police.
[33] Case refers to unattended active bird caller. The bird caller was seized by the police, but no further action could be taken because the owner of the device remained unknown to the Police.
[34] Cases refer to two individuals illegally hunting for Turtle Doves (*Streptopelia turtur*). The police seized the special licence, one dead Turtle Dove (*Streptopelia turtur*), and all hunting paraphernalia and issued charges against the individuals.

									1 Firearm Irregularity[35] 3 Illegal Trapping[36]			
17/04/2021	48	13	10	4	96	18	85	6	2 Use of illegal means[37] 1 Hunting for Protected Birds[38]	0	2 Administrative Fines 1 Court Action	0
18/04/2021	48	12	9	4	40	20	27	18	2 Use of illegal means [39]	0	2 Administrative Fines	0
19/04/2021	50	12	10	4	55	19	43	16	0	0	0	0
20/04/2021	51	12	10	5	62	25	51	12	0	0	0	0
21/04/2021	48	13	9	4	65	13	52	6	1 Hunting for Protected Birds[40]	0	1 Court Action	0
22/04/2021	52	12	9	5	50	24	40	14	1 Use of illegal means [41] 1 Hunting without a Licence[42] 1 Illegal Trapping[43]	0	1 Administrative Fine 2 Court Action	0
23/04/2021	49	11	10	4	100	25	90	14	2 Use of illegal means [44] 2 Illegal Trapping[45]	1 Hunting for Protected Birds[46]	2 Administrative Fines 1 Court Action	1 Court Action
24/04/2021	48	12	9	5	70	27	57	18	1 Illegal Trapping[47]	0	1 Court Action	0
25/04/2021	48	13	9	5	54	32	45	4	0	0	0	0
26/04/2021	49	13	10	6	58	17	47	13	0	0	0	0
27/04/2021	50	11	9	5	73	19	63	12	1 Hunting for Protected Birds[48] 1 Illegal Trapping[49]	0	2 Court Action	0

[35] Case refers to an individual who was found storing his firearm in an address which is different from the one where the firearm is registered. Police the police seized four shotguns in total and multiple rounds of ammunition, and the individual's special licence. EPU issued charges against the individual and the case is currently awaiting court hearing.
[36] Cases refer to an individual caught trapping for finches and another person caught trapping for Ortolan Bunting (*Emberiza hortulana*). The police seized all trapping paraphernalia including four Ortolan Buntings (*Emberiza hortulana*) and issued charges against the individuals. The third case refers to an unattended trapping site of unknown owner. Police seized all trapping paraphernalia however no further action could be taken as the perpetrator remained unknown to the police.
[37] Case refers to an individual found using pre-recorded Quail calls. Police seized the bird caller and the hunter was issued with an administrative fine of €250. The other case refers to an individual caught hunting with a firearm capable of carrying more than 2 shots at the same time. The hunter was issued with an administrative fine of €250.
[38] Case refers to an individual illegally hunting Turtle doves (*Streptopelia turtur*). The police seized one special licence, one shotgun and all hunting paraphernalia and issued charges against the individual.
[39] Cases refer to two individual caught hunting with a firearm capable of carrying more than 2 shots at the same time. The hunters was issued with an administrative fine of €250.
[40] Case refers to an individual found in possession of protected birds, including two Eurasian Collared Doves (*Streptopelia decaocto*), one Black-winged Stilt (*Himantopus himantopus*), one Common Redshank (*Tringa totanus*) and a Common Woodpigeon (*Columba palumbus*). The police seized all hunting paraphernalia and issued charges against the individual.
[41] Case refers to an individual caught hunting with a firearm capable of carrying more than 2 shots at the same time. The hunter was issued with an administrative fine of €250.
[42] Case refers to an individual caught hunting without a valid licence. Police initiated legal action against the perpetrator
[43] Case refers to an individual illegally trapping Ortolan Bunting (*Emberiza hortulana*) with the use of bird caller. The police seized two bird callers and all trapping paraphernalia and issued charges against the individual.
[44] Cases refer to two individual caught hunting with a firearm capable of carrying more than 2 shots at the same time. The hunters was issued with an administrative fine of €250.
[45] The first case refers to an individual caught illegally trapping Ortolan Bunting (*Emberiza hortulana*) with the use of bird caller. The police seized one bird caller and all trapping paraphernalia and issued charges against the individual. The second case refers to an unattended trapping site of unknown owner where police seized all trapping paraphernalia. No further action could be taken because the culprit remained unknown to the police.
[46] Case refers to an individual illegally hunting for Turtle Doves (*Streptopelia turtur*). The police seized one Turtle Dove (*Streptopelia turtur*), one shotgun, one bird-caller, and all hunting paraphernalia and issued charges against the individual
[47] Case refers to an individual illegally trapping for protected species. The police seized all trapping paraphernalia, his special hunting licence, two bird callers, one wader, four Tree Pipits (*Anthus trivialis*), one Wood Sandpiper (*Tringa glareola*), one European Serin (*Serinus serinus*), one European Greenfinch (*Chloris chloris*), one European Goldfinch (*Carduelis carduelis*) and issued charges against the individual.
[48] Case refers an individual who illegally shot a European Honey-Buzzard (*Pernis apivorus*) at Miżieb. EPU tracked down the poacher, arrested him and carried out a search in his residence. Police seized his licence, the carcass of the European Honey-Buzzard (*Pernis apivorus*) which was found in his car, together with nine shot guns and a Turtle Dove (*Streptopelia turtur*) carcass from his residence. He was arraigned in court the day after the crime and released on bail against a deposit of €2,000 and a personal guarantee of €5,000. The hearing of the case is expected to be continued.

28/04/2021	49	12	10	5	54	21	44	19	0	0	0	0
29/04/2021	48	11	9	4	50	20	22	8	0	0	0	0
30/04/2021	48	12	9	4	65	24	52	13	1 Firearm Irregularity[50] 1 Hunting in unpermitted hours[51]	0	2 Court Action	0
Total					**1,357**	**412**	**1,099**	**217**	**40**	**1**	**32**	**1**
					1,769		**1,316**		**41**		**33**	

Data Source: Wild Birds Regulation Unit / Malta Police Force, 2021

[49] Case refers to an unattended trapping site. The police seized all trapping paraphernalia and investigation led to the discovery of the culprit which enabled the issuing of charges against him.
[50] Case refers to an individual who allowed a minor to use his firearm. The police seized one special licence, on shotgun, and all hunting paraphernalia and issued charges against the individual.
[51] Case refers to an individual was found in possession of items related to hunting in his vehicle during unpermitted hours (closed season). The police seized one shotgun, one bird caller, multiple rounds of ammunition, and all hunting paraphernalia and issued charges against the individual.

12.16 Table 9 below compares the number and nature of the offences detected on which legal action was taken during 2021 spring hunting season with the corresponding statistics for the previous seasons. Figure 15 and Figure 16 illustrate the trends pertaining to detection and legal action of minor (Figure 15) and major (Figure 16) offences during the period of spring hunting derogation over the past ten years.

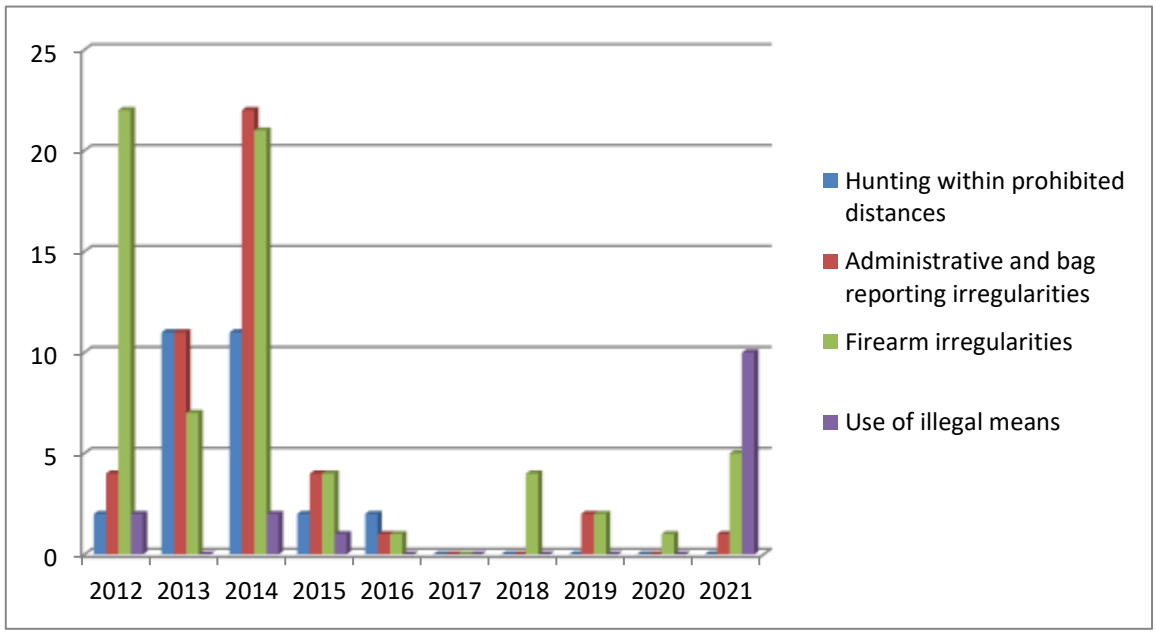
Table 9 - Comparison of offences detected on which legal action was taken during 2012 – 2021 spring hunting seasons.

Offences detected on which legal action was taken during 2012 – 2021 spring hunting seasons										
Offences	**2012**	**2013**	**2014**	**2015**	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**
Hunting within prohibited distances	2	11	11	2	2	0	0	0	0	0
Administrative and bag reporting irregularities	4	11	22	4	1	0	0	2	0	1
Firearm irregularities	22	7	21	4	1	0	4	2	1	5
Use of illegal means	2	0	2	1	0	0	0	0	0	10
Illegal trapping of protected birds	11	3	5	2	2	4	4	0	0	8
Illegal shooting of protected birds	2	3	2	3	1	1	2	1	4	7
Possession of protected species	5	1	1	2	0	0	3	0	0	0
Hunting in protected areas	0	4	2	0	0	0	0	0	0	0
Hunting without a valid licence	10	10	2	0	1	0	1	1	6	2
Hunting during the closed season	6	3	1	0	1	0	2	0	2	1
Conspiracy of breaking the law	0	0	0	0	0	0	1	0	0	0
Total offences against which legal action was taken	**64**	**53**	**69**	**18**	**9**	**5**	**17**	**6**	**13**	**34**[52]

Data Source: Wild Birds Regulation Unit / Malta Police Force, 2021

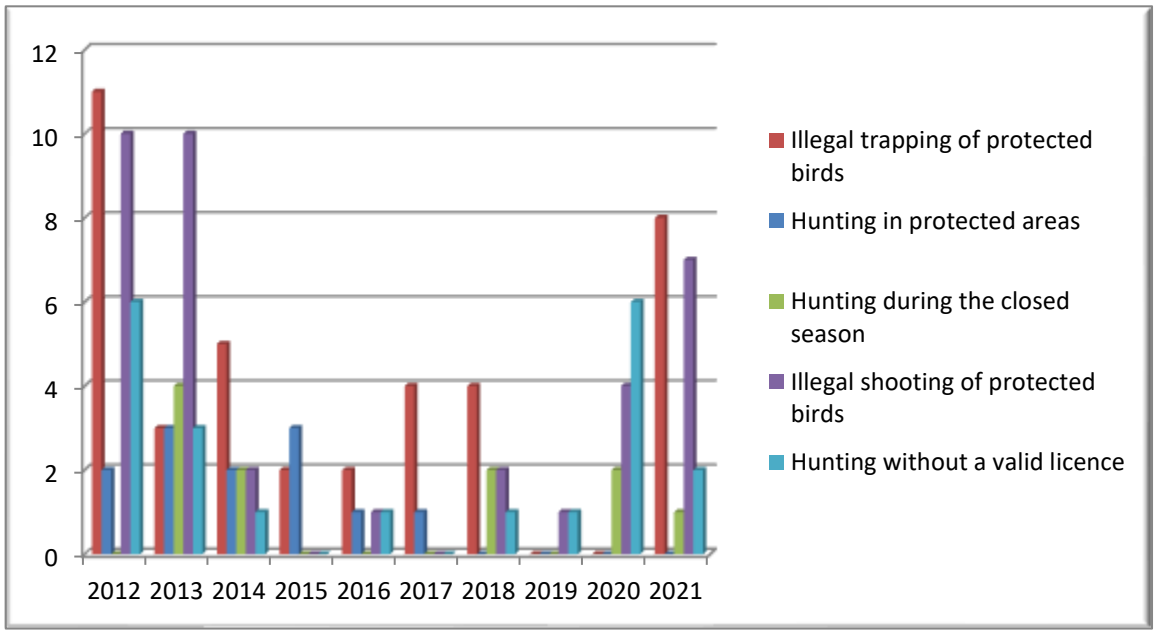
[52] One individual was caught breaching the law for both hunting and illegal trapping, thus two offences reflect one person.

Figure 15 - Analysis of the trends pertaining to detection and legal action on relatively minor offences during the period of spring hunting derogation over the years



Data Source: Wild Birds Regulation Unit / Malta Police, 2021

Figure 16 - Analysis of the trends pertaining to the detection and legal action on major offences during the spring hunting seasons over the past years



Data Source: Wild Birds Regulation Unit / Malta Police, 2021

12.17 Table 10 provides a comparison between the total number of birds confirmed to have been illegally shot during the 2020 and 2021 spring hunting seasons.

Table 10 - Birds confirmed to have been illegally shot during the 2020 and 2021 spring hunting seasons.

2020 spring hunting season (10/04/2020 – 30/04/2020)			2021 spring hunting season (10/04/2021 – 30-04-2021)		
Date of retrieval	**Species**	**Retrieved from**	**Date of retrieval**	**Species**	**Retrieved from**
10/04/2020	Common Kestrel (*Falco tinnunculus*)	Gozo	10/04/2021	Common Kestrel (*Falco tinnunculus*)	Kirkop
				Common Kestrel (*Falco tinnunculus*)	Siġġiewi
11/04/2020	European Bee-eater *(Merops apiaster*)	Salina	11/04/2021	-	-
12/04/2020	Hoopoe (*Upupa epops*)	Floriana	12/04/2021	-	-
13/04/2020	Common Kestrel (*Falco tinnunculus*)	Birżebbuġa	13/04/2021	Yellow-legged Gull (*Larus michahellis*)	Baħar Iċ-Ċagħaq
				Eurasian Marsh Harrier (*Circus aeruginosus*)	Żurrieq
14/04/2020	Collared-dove (*Streptopelia decaocto*)	Wardija	14/05/2021	-	-
15/04/2020	Eurasian Marsh Harrier (*Circus aeruginosus*)	Chadwick lakes	15/04/2021	Common Cuckoo (*Cuculus canorus*)	Binġemma
16/04/2020	Yellow-legged Gull (*Larus michahellis*)	Ċirkewwa	16/04/2021	Turtle-dove (*Streptopelia turtur*)	Mġarr
	Turtle-dove (*Streptopelia turtur*)	Dwejra		Turtle-dove (*Streptopelia turtur*)	Mellieħa
	Little Egret (*Egretta garzetta*)	Safi		Common Kestrel (*Falco tinnunculus*)	Xagħjra
	Eurasian Marsh Harrier (*Circus aeruginosus*)	Salina			
17/04/2020	-	-	17/04/2020	Common Kestrel (*Falco tinnunculus*)	Chadwick Lakes
				Pallid Harrier (*Circus macrourus*)	Żebbuġ, Gozo
18/04/2020	European Bee-eater (*Merops apiaster*)	Mosta	18/04/2021	Black Kite (*Milvus migrans*)	Qrendi
	Yellow-legged Gull (*Larus michahellis*)	Żabbar		Eurasian Marsh Harrier (*Circus aeruginosus*)	Bidnija

2020 spring hunting season (10/04/2020 – 30/04/2020)			2021 spring hunting season (10/04/2021 – 30-04-2021)		
				Eurasian Marsh Harrier (*Circus aeruginosus*)	Bidnija
				Eurasian Marsh Harrier (*Circus aeruginosus*)	Bidnija
				Eurasian Marsh Harrier (*Circus aeruginosus*)	Bidnija
	Common Swift (*Apus apus*)	St Paul's Bay		Eurasian Marsh Harrier (*Circus aeruginosus*)	Bidnija
				Eurasian Marsh Harrier (*Circus aeruginosus*)	Bidnija
				Eurasian Marsh Harrier (*Circus aeruginosus*)	Bidnija
				Common Kestrel (*Falco tinnunculus*)	Rabat, Malta
				Montagu's Harrier (*Circus pygargus*)	Gozo
19/04/2020	Turtle-dove (*Streptopelia turtur*)	Miżieb	19/04/2021	Lesser Kestrel (*Falco naumanni*)	Qormi
	Golden Oriole (*Oriolus oriolus*)	Bidnija		Common Kestrel (*Falco tinnunculus*)	Fomm ir-Riħ
20/04/2020	Stone-curlew(*Burhinus oedicnemus*)	Pembroke	20/04/2021	Turtle-dove (*Streptopelia turtur*)	Għaxaq
	Common Kestrel (*Falco tinnunculus*) Turtle-dove (*Streptopelia turtur*)	Mosta Burmarrad			
	Common Kestrel (*Falco tinnunculus*)	Tal-Ibraġ			
	Turtle-dove (*Streptopelia turtur*)	Baħrija			
	Turtle-dove (*Streptopelia turtur*)	Miżieb			

2020 spring hunting season (10/04/2020 – 30/04/2020)			2021 spring hunting season (10/04/2021 – 30-04-2021)		
	Turtle-dove (*Streptopelia turtur*)	Binġemma			
21/04/2020	Turtle-dove (*Streptopelia turtur*)	Armier	21/04/2021	Collared-dove (*Streptopelia decaocto*)	Delimara
				Collared-dove (*Streptopelia decaocto*)	Delimara
				Black-winged Stilt (*Himantopus himantopus*)	Delimara
				Common Redshank (*Tringa totanus*)	Delimara
				Common Woodpigeon (*Columba palumbus*)	Delimara
				Common Kestrel (*Falco tinnunculus*)	Gozo
				Yellow-legged Gull (*Larus michahellis*)	St. Julians
				Eurasian Marsh Harrier (*Circus aeruginosus*)	Burmarrad
22/04/2020	Turtle-dove (*Streptopelia turtur*)	Delimara	22/04/2021	Barn Swallow (*Hirundo rustica*)	Riviera Beach
	Turtle-dove (*Streptopelia turtur*)	-		Turtle-dove (*Streptopelia turtur*)	Wardija
	Grey Heron (*Ardea cinerea*)	Salini		Common Kestrel (*Falco tinnunculus*)	Mosta
	Turtle-dove (*Streptopelia turtur*)	Dwejra		Common Kestrel (*Falco tinnunculus*)	Żebbuġ
	Eurasian Marsh Harrier (*Circus aeruginosus*)	Binġemma		Squacco Heron (*Ardeola ralloides*)	Ħas-Saptan
	Black Kite (*Milvus migrans*)	Miżieb			
	Pigeon (*Columba livia*)	-			

2020 spring hunting season (10/04/2020 – 30/04/2020)			2021 spring hunting season (10/04/2021 – 30-04-2021)		
23/04/2020	European Bee-eater (*Merops apiaster)*	Ħandaq	23/04/2021	Common Kestrel (*Falco tinnunculus*)	Gozo
				Common Kestrel (*Falco tinnunculus*)	Gozo
				Turtle-dove (*Streptopelia turtur*)	Rabat, Gozo
24/04/2020	Hoopoe (*Upupa epops*)	Kalkara	24/04/2021	-	-
	Turtle-dove (*Streptopelia turtur*)	Birżebbuġa			
	Common Swift (*Apus apus*)	Baħrija			
	Common Kestrel (*Falco tinnunculus*)	Żurrieq			
25/04/2020	Turtle-dove (*Streptopelia turtur*)	Madliena	25/04/2021	Eurasian Marsh Harrier (*Circus aeruginosus*)	Bidnija
	European Bee-eater (*Merops apiaster)*	Siġġiewi			
26/04/2020	European Honey-buzzard (*Pernis apivorus*)	Madliena	26/04/2021	Common Kestrel (*Falco tinnunculus*)	Gozo
	Turtle-dove (*Streptopelia turtur*)	Manikata		Squacco Heron (*Ardeola ralloides*)	Miżieb
	Turtle-dove (*Streptopelia turtur*)	Birkirkara			
27/04/2020	Golden Oriole (*Oriolus oriolus*)	Magħtab	27/04/2020	European Bee-eater (*Merops apiaster*)	Nadur, Gozo
				European Honey-buzzard (*Pernis apivorus*)	Miżieb
	Eurasian Nightjar (*Caprimulgus europaeus*)	Dingli		Turtle-dove (*Streptopelia turtur*)	Miżieb/ Lo Mellieħa
				Turtle-dove (*Streptopelia turtur*)	Ta' Xbiex
28/04/2020	Turtle-dove (*Streptopelia turtur*)	Żurrieq	28/04/2021	Common Kestrel (*Falco tinnunculus*)	Żebbuġ
	Turtle-dove (*Streptopelia turtur*)	Xagħra, Gozo			

2020 spring hunting season (10/04/2020 – 30/04/2020)			2021 spring hunting season (10/04/2021 – 30-04-2021)		
29/04/2020	Turtle-dove (*Streptopelia turtur*)	Ħas-Saptan	29/04/2021	Short-eared Owl (*Asio flammeus*)	Luqa
	Eurasian Marsh Harrier (*Circus aeruginosus*)	Gozo			
30/04/2020	Eurasian Marsh Harrier (*Circus aeruginosus*)	Bidnija	30/04/2021	Common Kestrel (*Falco tinnunculus*)	Nadur, Gozo
	Woodchat Shrike (*Lanius senator*)	Bidnija			
	Wood Warbler (*Phylloscopus sibilatrix*)	Fgura			
	Turtle-dove (*Streptopelia turtur*)	San Martin			
	Common Kestrel (*Falco tinnunculus*)	Żejtun			
Total	**51**		**Total**	**49**	

Data source: Wild Birds Regulation Unit/ EPU records 2020 /2021

12.18 As shown in Table 10 above, 51 illegally shot birds were reported during the previous spring hunting season (10 April – 30 April 2020) whilst during the 2021 spring hunting season, there were 49 illegally shot birds. The ratio of illegally shot birds for the open seasons during both years, that is, from the 10 to 30 April, is 0.96:1 (2021:2020). In 2020, Turtle-doves constituting the majority of casualties, however during 2021 spring hunting season, the Common Kestrel was the most illegally shot species.

12.19 In addition to enforcement deployment by the authorities, around 11 hunting marshals were deployed by the Federation for Hunting and Conservation – Malta (FKNK) to assist the authorities in surveillance, whilst *Kaċċaturi San Ubertu* (KSU) deployed around 12 observers to assist the authorities in the detection and reporting of any observed illegalities. Furthermore, various volunteers from the Committee Against Bird Slaughter (CABS) and BirdLife Malta maintained a close watch for irregularities throughout the season.

12.20 On 18th April, BirdLife Malta found seven freshly shot Marsh Harriers (*Circus aeruginosus*) in a field at Bidnija after they were notified by a member of the public.

One of the Marsh Harriers was still alive and was taken by the EPU to the government-appointed veterinarian[53]. BirdLife Malta also published a video summarising the illegalities filmed from public places throughout the season. The video specifies that Turtle-doves (*Streptopelia turtur*) were under target during the spring hunting derogation for Quail because the season coincided with the peak migration of Turtle-dove (*Streptopelia turtur*). The footage mostly shows a number of hunters in stationary areas on elevated platforms and hides surrounded by trees. The NGO stated that it has recorded hunters shooting illegally for Turtle-doves (*Streptopelia turtur*) almost everyday during the spring hunting season. Other infringements described in the video included the use of electronic callers for Quail (*Coturnix coturnix*) and Turtle-dove (*Streptopelia turtur*) as well as plastic decoys for Turtle-doves (*Streptopelia turtur*).

12.21 On 22nd April, during their surveillance operations, CABS filmed and later published a footage of a poacher shooting a protected Turtle-dove (*Streptopelia turtur*) using a semi-automatic shotgun which fired a total of five consecutive shots in Chadwick Lakes; one of them clearly hitting the Turtle-dove[54]. The evidence was passed on to the Police for investigations, which were not yet concluded at the time of drafting of this report.

12.22 On the 27th April, EPU arrested a man suspected of shooting at a Honey Buzzard (*Pernis apivorus*) in Miżieb. Police caught the hunter red-handed and investigations led to the finding of the bird in his car and feathers in the pockets of the jacket he was wearing. The man was charged in court the day after and was subsequently granted bail against a deposit of €2,000 and a personal guarantee of €5,000[55]. The man was also banned from hunting and is expected to be arraigned in court and criminally charged with illegal killing of protected birds[56].

12.23 As detailed in Table 9, in respect of the offences detected during the 2021 spring hunting season, court action is being taken against 22 persons. Seven persons for illegal trapping, six persons for illegally hunting or trying to hunt protected birds, two persons for hunting without a special licence, one for hunting outside permitted hours, five for firearm irregularities and one person being charged with both illegal hunting and illegal trapping. In addition 11 administrative fines were issued, eight for the use

[53] https://newsbook.com.mt/en/watch-birdlife-malta-decries-weekend-massacre-of-protected-birds/
[54] https://www.independent.com.mt/articles/2021-04-28/local-news/Watch-Hunter-shoots-down-protected-turtle-dove-at-Chadwick-Lakes-6736233014
[55] https://lovinmalta.com/news/man-who-shot-honey-buzzard-to-be-charged-in-court/
[56] https://timesofmalta.com/articles/view/hunter-in-mizieb-caught-red-handed-with-shot-protected-bird.867850

of firearm with magazine capable of holding more than two cartridges in its magazine, one for failure of reporting a Quail caught, and two for the use of bird caller.

12.24 Following closure of the spring hunting season, the statutory enforcement deployment was maintained until Saturday 8 May with a minimum of three officers per 1,000 licensees in line with Regulation 6(4) of SL549.57. During the inspections conducted within this period, officers from EPU caught three individuals illegally hunting during closed season and legal action has been initiated against all three individuals.

12.25 The minimum enforcement deployment as set out in SL549.57 was not only met but also exceeded. Additionally, notwithstanding that the number of spot-checks have decreased when compared to 2020, the majority of offences detected have been effectively investigated and prosecuted.

13. Conclusions

13.1 The application of the 2021 spring hunting derogation was preceded by a series of analyses that considered all relevant legal, scientific and technical aspects pertaining to this derogation, as well as by an open and transparent discussion with stakeholders.

13.2 As a result of these processes, the decision to apply the derogation was made after ascertaining that there is no other satisfactory solution, and that the following critical prerequisites will be met:

- The derogation will satisfy all the relevant requirements of the Birds Directive, and specifically the parameters stipulated in Article 9 (1) (c);
- The actual implementation of the derogation on the ground will ensure that the relevant legal parameters will be respected in the field through an elaborate and robust enforcement regime; and
- Covid19 restrictions issued by the national health authorities are respected throughout the spring hunting season.

13.3 Throughout the period of this derogation, the priority of the Maltese authorities was to ensure that all parameters of the derogation were met in practice. Targeting of European Turtle-dove and other protected species, both during and on the margins of

the spring hunting season remains a significant concern and a concerted effort is needed to fully address this issue.