Report on the Outcome of the 2020 Spring Hunting Season in Malta

June 2020

Wild Birds Regulation Unit

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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 2020, 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 2019,
- the necessary preparatory measures and regulatory controls effected prior to and during the season,
- an assessment of the migratory influxes of the relevant species during the 2020 spring season and the reported hunter catches,
- the enforcement effort in place to ensure the strict supervision of hunting during the 2020 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 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

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

in 2020. The present report therefore covers implementation of the derogation for Quail only.

Legal and policy basis for the application of a derogation permitting spring hunting of Common Quail in 2020

2.1 As was also the case in previous years, a derogation permitting spring hunting in 2020 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] 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

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

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 1 April 2020, 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 recommend in principle the application of a hunting derogation for Common Quail in spring 2020. 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 5,000 Quail. Following Ornis Committee recommendation, the Government opted to open the season between 10 April and 30 April, inclusive of both dates.

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 1 April 2020 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 According to this assessment, the European Environment Agency classified the breeding population trend of the Common Quail **at EU27 level** as "Decreasing" in the short-term and "Unknown" in the long-term. The EU population status for Common Quail is

[4] Minutes of the Ornis Committee meetings are available at: https://environment.gov.mt/en/Pages/WBRU/ornisCommittee.aspx

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

4.3 The Common Quail has continued to enjoy an **IUCN "Least Concern" classification** at both the EU27 and European scale, whilst the population of Common Quail within EU27 is estimated to constitute 41% of the total European population.

4.4 The Common Quail is not included in the Pan-European Common Bird Monitoring Scheme (European Bird Census Council[5]). However, the assessment carried out as part of the update on the conservation status of this species has shown that, on the basis of Article 12 reports at EU28 level (EU27 Article 12 reports + Croatian data for 2004), the Common Quail is "Increasing" in the long-term trend (Min. calling males: +23.49%; Max. calling males: +27.40%).). However, this percentage increase should be interpreted with caution given that it is based on data pertaining to just under 70% of Common Quail population within EU28—the remaining 31% have an "Unknown" long-term trend.

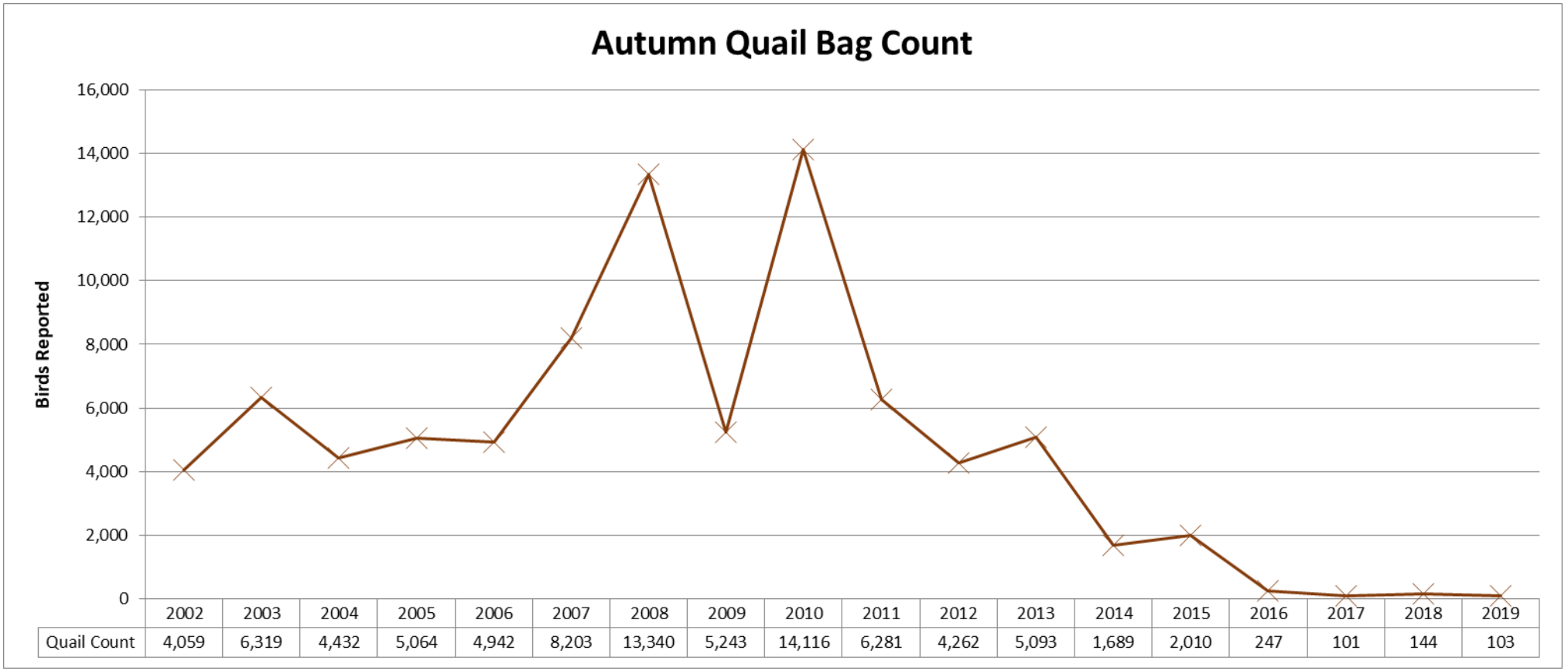
4.5 In the short-term, the EU28 population of Common Quail has a "Stable" maximum number of calling males (-9.23%) but a "Decreasing" minimum number of calling males (-13.65%). Similarly, **Malta's reference population of the Common Quail** has a short-term trend classification of "Stable" in the maximum number of calling males (+6%) but "Decreasing" in the minimum number of calling males (-11.73%). The long-term trend of the reference population is "Unknown".

Consideration of autumn 2019 bag statistics, migration data and enforcement parameters

5.1 In 2019, there were 10,615 persons licensed to hunt birds on land. During the period of open autumn hunting season (1st September 2019 – 31st January 2020), a total of 103 Common Quail were reported hunted, as follows: 64 in September, 35 in October, 3 in November and 1 in December.

5.2 The total number of Quail reported hunted during the 2019 autumn season was lower than in 2018 (144 Quail).

[5] http://www.ebcc.info/index.php?ID=612



	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
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

Figure 1 Quail bags reported during autumn seasons since 2002[6]

Source: Wild Birds Regulation Unit, 2020

[6] 2002–2005 figures include both hunting and trapping data; in 2014, autumn season was suspended between 20 September and 11 October.

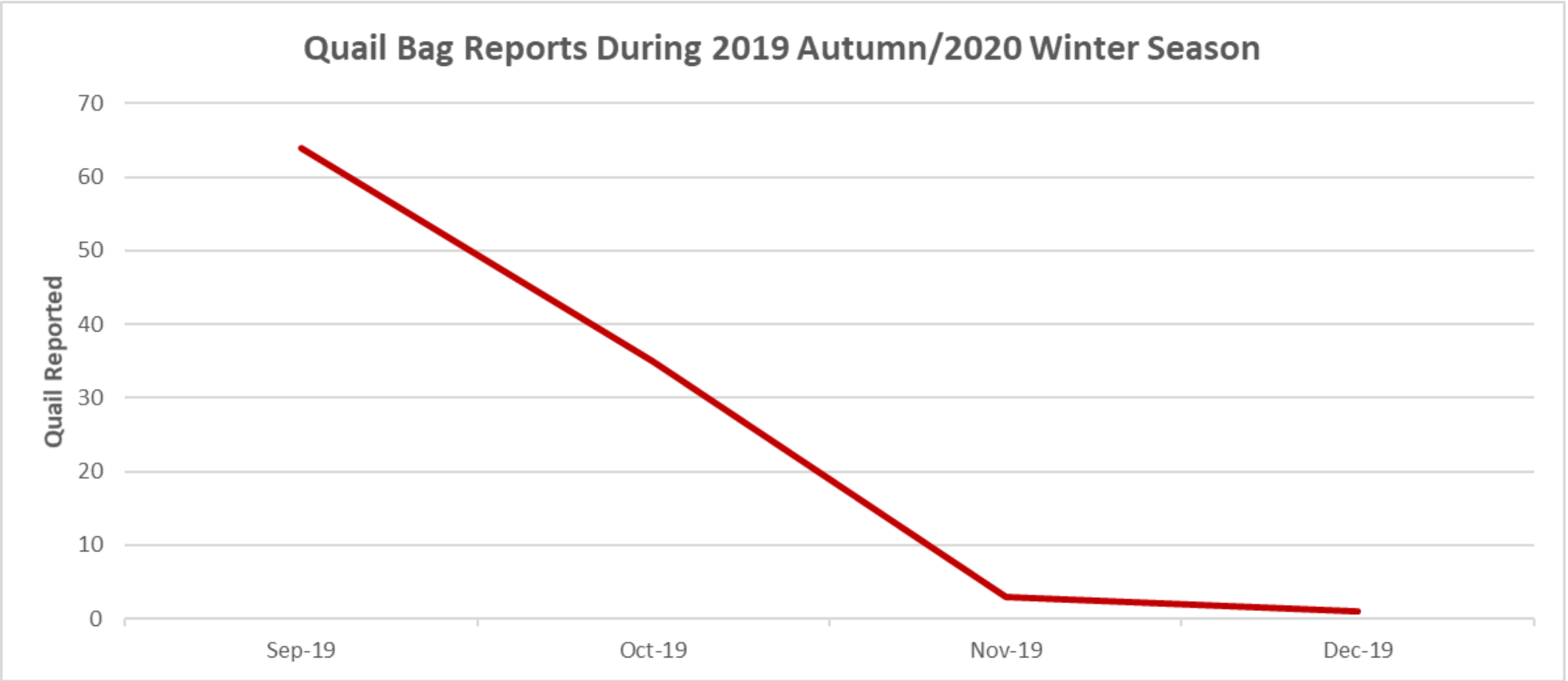


Figure 2 Reported catches for Quail between September 2019 and December 2019

Source: Wild Birds Regulation Unit, 2019

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 2019 / winter 2020

Month	Quail
September '19	64
October '19	35
November '19	3
December '19	1
January '20	0
Total	**103**

Source: Wild Birds Regulation Unit, 2019

5.4 An independent **migration study** to estimate the influx of Turtle-dove and Quail during the peak migration period in the autumn of 2019 was conducted. The study aimed at surveying and scientifically monitoring the daily influx of Turtle-dove and Common Quail between 1st September and 31 October 2019 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 2019 survey was identical to that used in surveys made by the same company in autumn 2015, autumn 2016, autumn 2017 and autumn 2018 (Ecoserv, 2015–2018) and during the spring migration studies (Ecoserv, 2011–2019).

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 4, while the mean daily counts ranged between 0 and 1.17. The recorded counts did not vary appreciably between the different sites: at the higher end, a total of 8 individuals were recorded from grid location 4070 located in north western Malta, while at the lower end, a single Quail was recorded throughout the survey period from grid location 3690 located in northeastern Gozo, 3286 in Southwestern Gozo and 5872 located in 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 2019 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 2014 (Ecoserv, 2014), 2015 (Ecoserv, 2015) and 2016 (Ecoserv, 2016) and 2017 (Ecoserv, 2017) and 2018 (Ecoserv, 2018) in Figure 3. The daily mean counts recorded during the period 1 September to 31 October 2018 are overall lower than those recorded in 2008 and 2009 (Thomaidis, nd) for the same period, but similar to those recorded in 2014–2018. No migration peaks (with a mean count >2) were recorded during the autumn 2019 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 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

2019 survey is lower than that recorded during the 2008 and 2009 (Thomaidis, nd) surveys, but similar to values recorded during the 2014-2018 surveys (Ecoserv, 2014–2018).

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-19	0.17	0.41	0.204	1	1,085
02-Sep-19	0.17	0.41	0.210	1	1,054
03-Sep-19	0.00	0.00	0.176	0	0
04-Sep-19	0.00	0.00	0.226	0	0
05-Sep-19	0.00	0.00	0.204	0	0
06-Sep-19	0.00	0.00	0.210	0	0
07-Sep-19	0.00	0.00	0.176	0	0
08-Sep-19	0.00	0.00	0.226	0	0
09-Sep-19	0.00	0.00	0.204	0	0
10-Sep-19	0.00	0.00	0.210	0	0
11-Sep-19	0.00	0.00	0.154	0	0
12-Sep-19	0.17	0.41	0.226	1	978
13-Sep-19	0.00	0.00	0.182	0	0
14-Sep-19	0.17	0.41	0.210	1	1,054
15-Sep-19	0.17	0.41	0.165	1	1,346
16-Sep-19	0.17	0.41	0.204	1	1,084
17-Sep-19	0.17	0.41	0.204	1	1,085
18-Sep-19	0.00	0.00	0.210	0	0
19-Sep-19	0.33	0.52	0.142	2	3,114
20-Sep-19	0.33	0.52	0.226	2	1,955
21-Sep-19	0.50	0.55	0.204	3	3,255
22-Sep-19	0.67	0.82	0.210	4	4,217
23-Sep-19	0.67	0.52	0.165	4	5,383
24-Sep-19	1.00	0.89	0.204	6	6,507
25-Sep-19	0.33	0.52	0.182	2	2,437
26-Sep-19	0.00	0.00	0.210	0	0
27-Sep-19	0.00	0.00	0.168	0	0
28-Sep-19	0.00	0.00	0.226	0	0
29-Sep-19	0.33	0.52	0.204	2	2,170
30-Sep-19	0.00	0.00	0.188	0	0
01-Oct-19	0.00	0.00	0.165	0	0
02-Oct-19	0.00	0.00	0.204	0	0
03-Oct-19	0.67	1.63	0.182	4	4,874
04-Oct-19	0.17	0.41	0.188	1	1,180
05-Oct-19	0.50	0.55	0.165	3	4,038
06-Oct-19	0.00	0.00	0.226	0	0
07-Oct-19	0.33	0.82	0.182	2	2,437
08-Oct-19	0.00	0.00	0.188	0	0
09-Oct-19	0.50	0.84	0.142	3	4,672
10-Oct-19	0.00	0.00	0.204	0	0
11-Oct-19	0.67	0.82	0.182	4	4,874
12-Oct-19	1.17	0.98	0.210	7	7,379
13-Oct-19	0.50	0.55	0.165	3	4,038

Date	Mean Count ± SD		Total Area Surveyed (km^2)	Total count	Estimated Daily Influx
14-Oct-19	0.00	0.00	0.204	0	0
15-Oct-19	0.17	0.41	0.207	1	1,068
16-Oct-19	0.17	0.41	0.188	1	1,180
17-Oct-19	0.00	0.00	0.168	0	0
18-Oct-19	0.17	0.41	0.226	1	978
19-Oct-19	0.00	0.00	0.204	0	0
20-Oct-19	0.17	0.41	0.210	1	1,054
21-Oct-19	0.17	0.41	0.142	1	1,557
22-Oct-19	0.00	0.00	0.204	0	0
23-Oct-19	0.00	0.00	0.182	0	0
24-Oct-19	0.00	0.00	0.188	0	0
25-Oct-19	0.00	0.00	0.142	0	0
26-Oct-19	0.00	0.00	0.226	0	0
27-Oct-19	0.00	0.00	0.204	0	0
28-Oct-19	0.33	0.82	0.210	2	2,108
29-Oct-19	0.00	0.00	0.142	0	0
30-Oct-19	0.17	0.41	0.204	1	1,084
31-Oct-19	0.00	± 0.00	0.182	0	0
Sum total				**67**	**79,245**

Source: Ecoserv, 2019

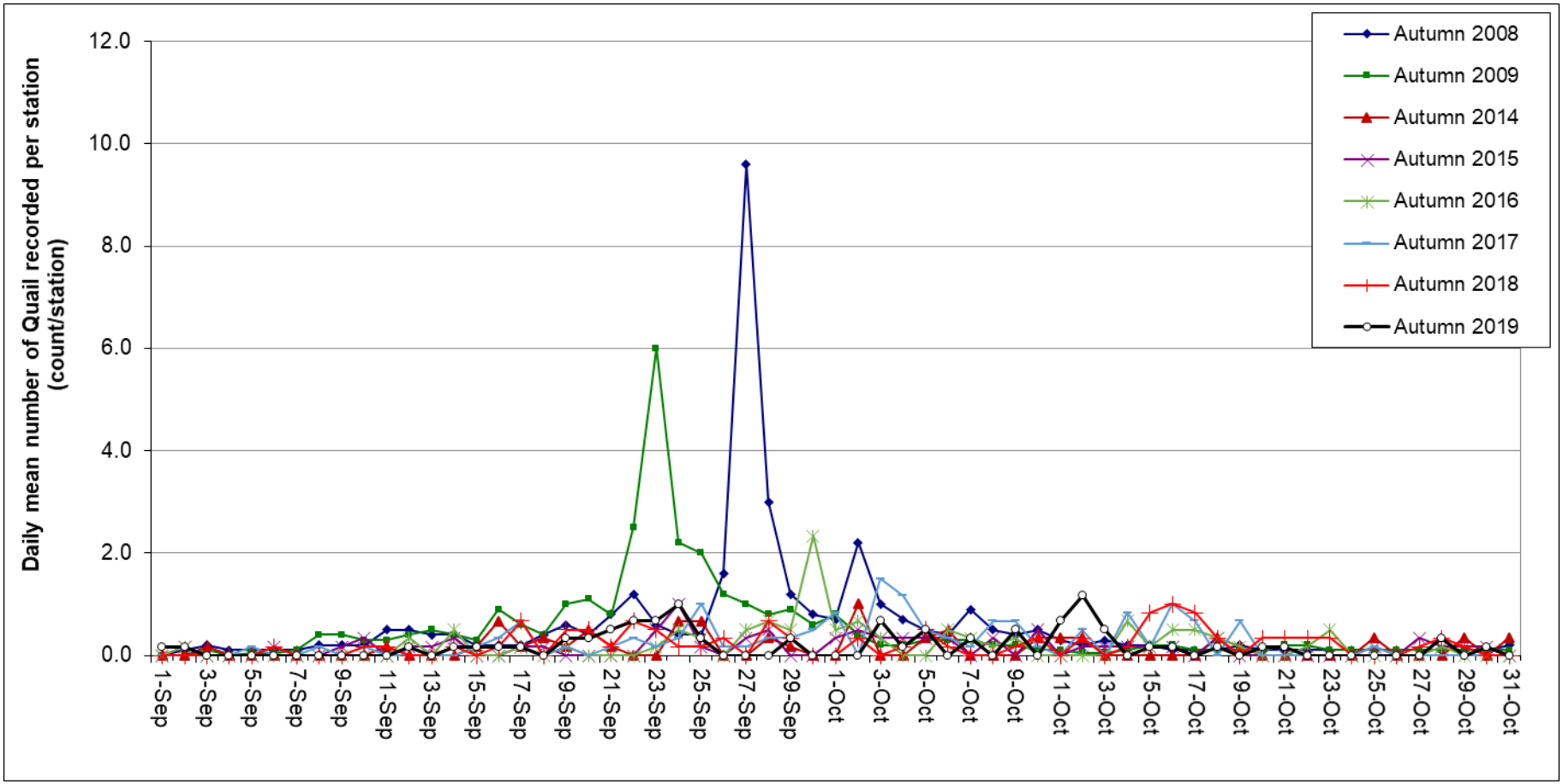
5.8.4 The highest mean count was recorded from Mtaħleb (Grid 4070) located in north western Malta, while overall high counts were recorded from study sites located in the northern half of Malta and from Marsalforn (Grid 3292) in Gozo. The lowest mean counts were recorded from Comino, most sites in Gozo, and from the sites in the southtern parts of Malta (with the exception of San Tumas at Grid 6067) . The mean count recoded from the study site on Comino is 0.049, was the lowest mean count recorded overall and is therefore lower than 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, 2014–2018) and spring (Ecoserv, 2011–2019), 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

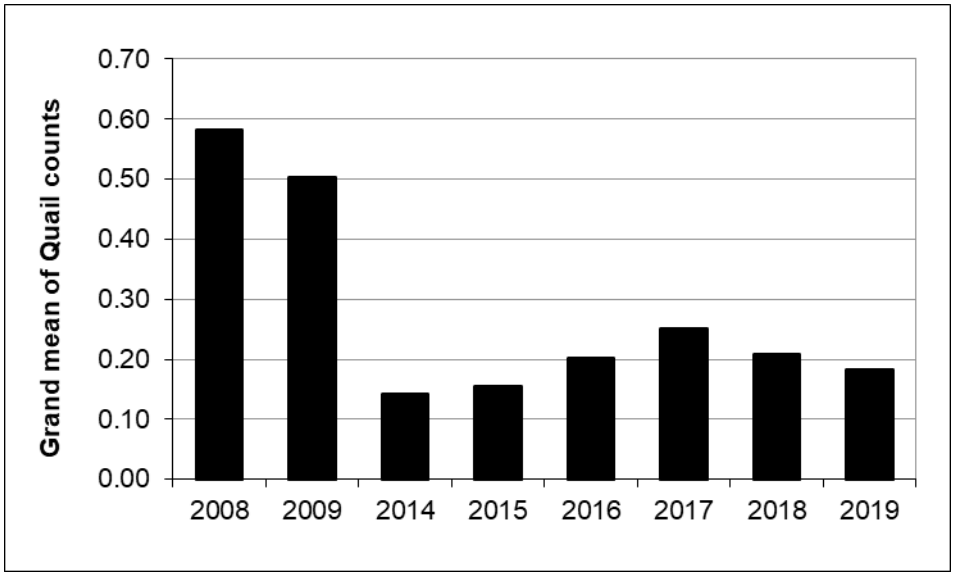
to serve as short-term stopover sites immediately following a migratory flight compared to inland locations; thus, including inland locations as study sites in the survey may result in an overestimate of the total influx due to repeat counting of resident Quail. To ensure that the total area used to 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). 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 2019 of 79,245 individuals, or some 1,299 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 2019, together with values of the same statistic for autumn 2008 and 2009 as reported in Thomaidis (nd), for autumn 2014, 2015, 2016, 2017and 2018 as reported in Ecoserv (2014; 2015; 2016; 2017; 2018).



Source: Ecoserv, 2019

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

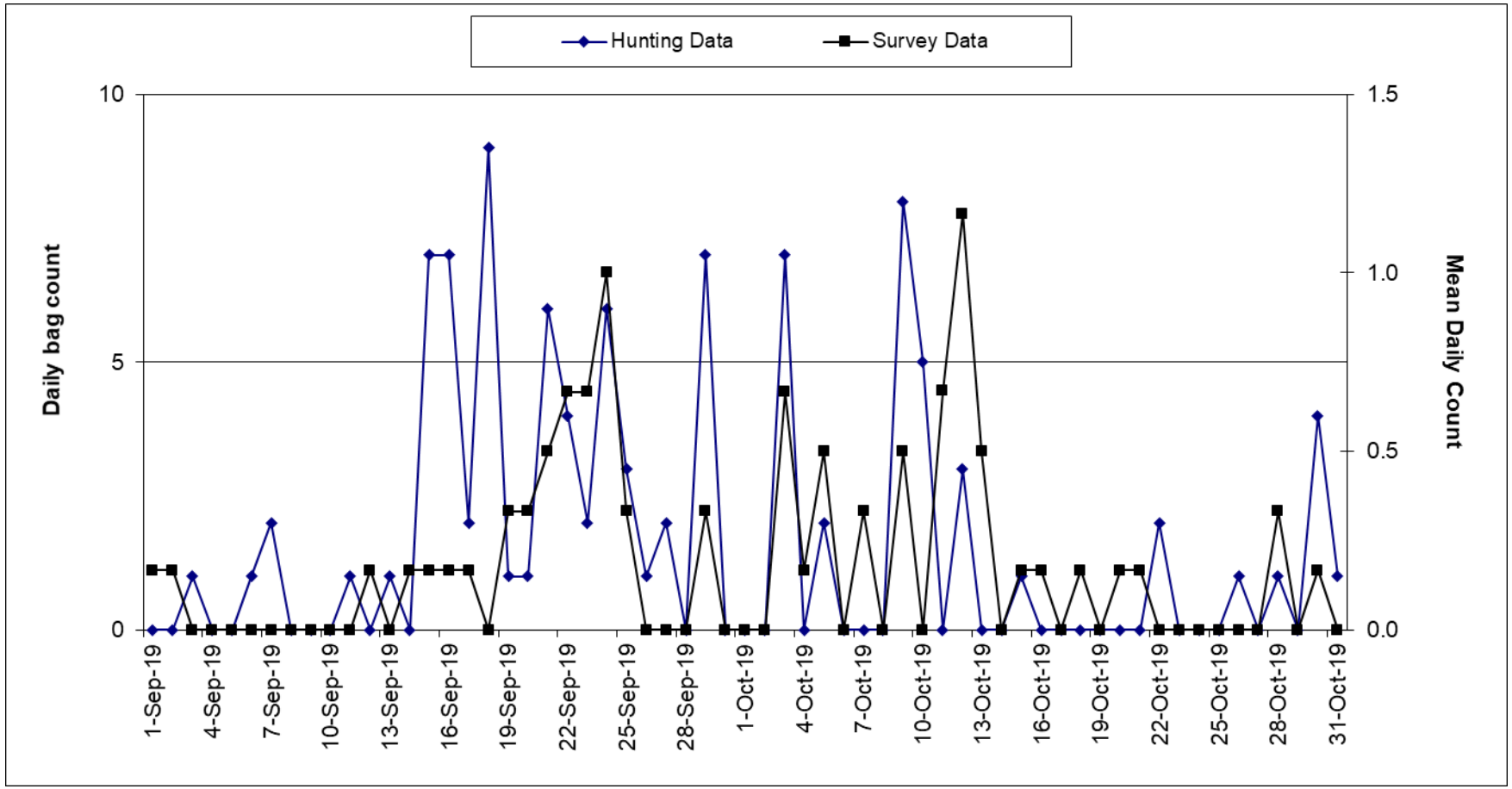


Source: Ecoserv, 2019

5.9 Correlation of migration observations with reported bags

5.9.1 As was also the case in 2018, 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 2019 (blue line; values on left-side y-axis), together with the total daily counts recorded during the 2019 survey (black line; values on right-side y-axis), for the period 1 September – 31 October 2019.



Source: Ecoserv, 2019

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 2019 autumn season summarised below.

5.10 Summary of enforcement during 2019 autumn hunting season

5.10.1 During the autumn hunting season, the authorities deployed a total maximum complement of 78 officers tasked with overseeing compliance with the parameters of the season. This complement consisted of 24 officers of the Administrative Law Enforcement Unit (ALE) of the Malta Police Force, eight officers of the Armed Forces of Malta (AFM), 44 police officers temporarily seconded with the ALE from other police units and two officers from the WBRU. This enforcement complement was deployed gradually, ranging from a minimum of 24 officers deployed daily in early September, reaching maximum strength of 66 officers daily from mid-October to mid-January, and to 44 officers until end-January. The officers conducted field patrols split into two shifts between 05:00 hours and 21:00 hours daily.

5.10.2 As was also the case in previous years, the officers received specialised training during specialised training sessions in Malta and in Gozo on enforcement priorities and techniques organised by the Wild Birds Regulation Unit. Over 90 officers were trained in basic ornithology, wildlife crime detection techniques, inspection procedures, applicable regulations and prosecution processes.

5.10.3 As from autumn 2018, enforcement authorities assigned an even higher priority to spot-checks on individual licensees. As a result, during autumn 2019, enforcement authorities conducted a total of 10,142 spot-checks on individual licensees (8,547 in Malta and 1,595 in Gozo). This enforcement effort translates into an increase of more than double the number of spot-checks conducted during the same period in 2018, and the highest number of spot-checks since 2014.

5.10.4 In the course of field surveillance, inspections and spot-checks, the authorities disclosed a total of 100 cases. Legal action was taken against 74 offenders, of which 27 persons being subject to criminal prosecution and 47 persons being subject to administrative fines. No legal action could be taken on the remaining 26 cases given that the perpetrator/s remained unknown to the police.

5.10.5 The table 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. 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 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 such season was open).

Table 3 Comparison of offences confirmed by enforcement officers during autumn seasons (2012-2019)

Offences confirmed during autumn hunting / trapping seasons (1 September – 31 January of the following year)	**2012**	**2013**	**2014**	**2015**	**2016**	**2017**	**2018**	**2019**
Hunting within prohibited distances / prohibited areas	17	12	1	6	2	0	0	2[7]
Hunting / trapping without licence	76	21	4	8	1	0	0	0
Illegal trapping of protected birds	137	29	1	2	0	0	14	20[8]
Illegal shooting of protected birds	2	6	4	1	2	0	0	2[9]
Hunting / trapping using illegal means / firearms irregularities / other breaches of licence conditions	236	89	78	102	61	25	54	49[10]
Hunting / trapping during closed season / outside permitted hours	16	1	2	5	1	7	2	4[11]
Illegal possession of bird carcasses / stuffed birds	4	16	5	3	3	1	3	0
Illegal possession of live birds	137	30	3	3	2	4	5	0
Illegal sale of protected birds	0	0	7	1	1	1	0	0
Smuggling of protected birds	1	3	1	0	0	0	1	0
Total offences disclosed	**391**	**125**	**106**	**131**	**73**	**38**	**79**	**77[12]**
Persons against whom legal action was taken	**226**	**87**	**83**	**128**	**65**	**37**	**70**	**74[13]**

Source: Wild Birds Regulation Unit and Malta Police Force, 2019

5.10.6 The above table 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.

[7] Cases refer to hunting within less than 150m from inhabited areas.

[8] Cases refer to the illegal trapping of finches.

[9] Cases refer to the illegal shooting of Eurasian Collared-doves at Għadira bird sanctuary and illegal shooting at Ballut Ta' Marsaxlokk bird sanctuary.

[10] Cases refer to 44 cases of uses of pre-recorded bird calls, 4 cases of firearms irregularities, 1 use of vertical nets / mist-nets.

[11] Cases refer to active trapping sites during closed season.

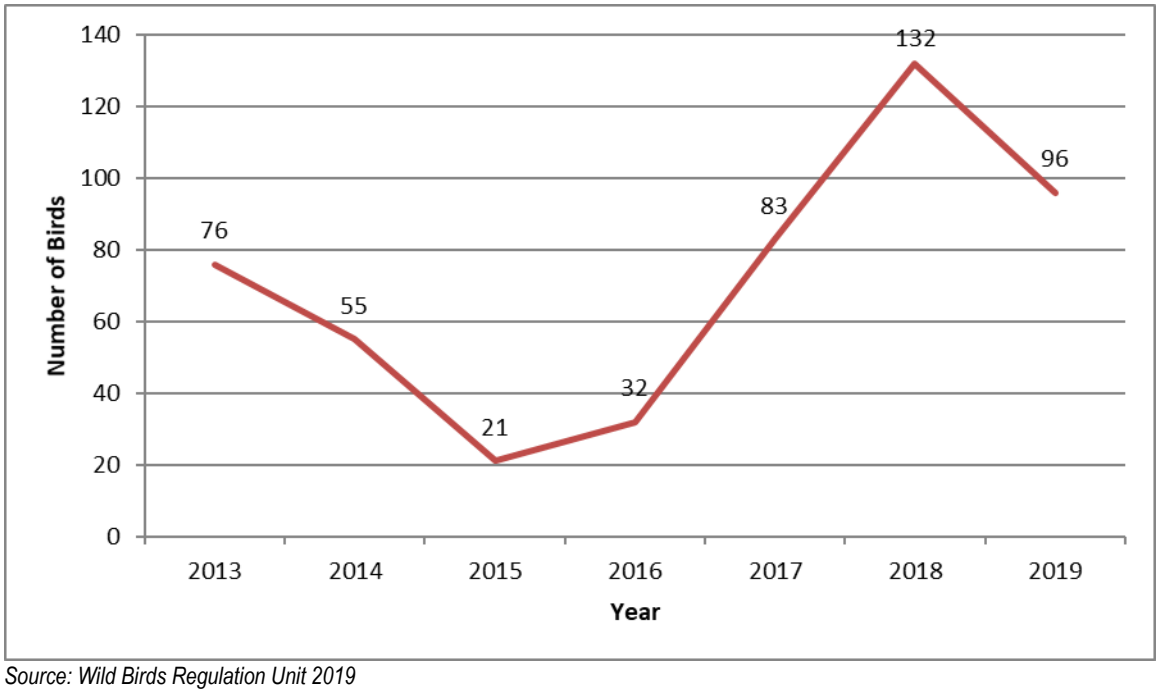
[12] Total consists of 77 offences pertaining to 74 individuals since some persons committed multiple offences, e.g. use of bird caller together with firearm capable of holding more than two rounds of ammunition.

[13] 47 administrative fines and 27 court cases.

Moreover, the statistics do not include illegalities reported to enforcement officials during the period under review, where no or insufficient evidence was available to enable identification of the perpetrator(s) for subsequent legal action.

5.10.7 A procedure coordinated by the WBRU was put in place in conjunction with the ALE, BirdLife Malta and the government-appointed veterinarian to provide appropriate veterinary care and, where possible, rehabilitation of such birds. In 2019, the authorities recovered 326 wild birds belonging to 78 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, 96 protected birds (29.44 %) were confirmed to have sustained gunshot wounds as a result of illegal targeting. The figure below illustrates the number of illegally shot protected birds recovered by the authorities over the past seven years.

Figure 6 Number of illegally shot / injured protected birds recovered by the authorities and diagnosed as suffering gunshot wounds



Source: Wild Birds Regulation Unit 2019

5.10.8 Notwithstanding the increase in enforcement and the decrease in the number of incidents compared to 2018, the problem of illegal killing of protected birds is still evident. Figures show that the number of cases have decreased from last year, however, the trend of illegal killing of protected wild birds for the year 2019 remains the second highest when compared with statistics of 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 amount of illegal killing of wild birds retrieved in the past years merits the attention of all stakeholders at both local and national level since there is a need for a concerted effort to actively curb IKB-related crime.

5.10.9 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 2019, the WBRU together with the ALE inspected 750 stuffed bird specimens held in seven private collections. During these investigations, a total of 112 registered stuffed bird specimens were found to have been illegally disposed without appropriate authorisation, whilst 15 specimens were illegally possessed. Legal action was initiated.

5.10.10 During the same period, the WBRU assisted Police during three investigations concerning possession of live birds. During these inspections a total of 1,199 live birds were examined, of which 693 birds were subsequently seized and released back into the wild due to the fact that they were either fitted with a closed ring that had an internal diameter larger than the standard required for the species (rings were removed prior to their release), or were not fitted with a closed ring. Legal action was initiated. Additionally, the WBRU extended its support to the police in the identification and verification of legality of other specimens pertaining to ongoing investigations.

5.10.11 The Wild Birds Regulation Unit maintained a leading coordinating role ensuring effective operational liaison between enforcement entities and other stakeholders. Additionally, the unit provided a 24/7 enforcement hotline for the public and NGOs to report illegalities. .

Determination of the 2020 spring hunting bag limit and other parameters

6.1 Regulation 5 of the Framework Regulations (S.L. 549.57[14]) 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

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

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.

6.3 Since the total bag for the autumn 2019 hunting season was 103 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 therefore be 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 retaining the overall national bag limit of 5,000 Quail in line with Legal Notice 140 of 2020[15], which declared the parameters of the derogation.

6.5 Based on the above, the 2020 spring hunting overall bag limit for Quail was thus set at 5,000 on condition that the season would be terminated immediately should this national overall bag limit be reached before 30 April 2020.

[15] http://justiceservices.gov.mt/DownloadDocument.aspx?app=lp&itemid=30085&l=1

Application process and issuance of special spring hunting licences

7.1 In order to be eligible for a Special 2020 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 2020;

(c) Valid third party liability insurance cover for 2020;

(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 an eight-day period from 12 March to 19 March 2020. 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 19 March 2020 were not accepted.

7.3 The Wild Birds Regulation Unit received 7,487 applications for a spring hunting special licence. Upon verification, nine of these applications were considered invalid and thus rejected. Additionally, following the COVID-19 outbreak the Superintendent of Public Health issued the Protection of Vulnerable Persons Order (L.N. 111 of 2020[16]), which as a measure to reduce, remove or eliminate the threat to public health, ordered that those categories of persons specifically listed in sub-article (2) of the same order, referred to as 'vulnerable persons', were to remain segregated in their residence. In this regard, the list of applicants for a SH special licence was vetted by the Superintendent of Public Health and through such process 1,577 applicants were considered vulnerable and thus had their application rejected. The number of applications for the 2020 spring hunting season (7,487) was approximately 2% lower than in 2019 (7,647) and 10% higher than in 2018 (6,754).

7.4 A total of 5,901 licences were subsequently issued, 4,883 to applicants resident in Malta and 1,018 to applicants resident in Gozo. A total of 98 issued licences (85 in Malta and 13 in Gozo) remained unclaimed throughout the season leaving a total of 5,803 active licences. Details on minimum statutory enforcement deployment is provided in the enforcement section of this report.

[16] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lp&itemid=30044&l=1

7.5 Spring hunting licence conditions were established according to the provisions of the Framework Regulations (S.L. 549.57[17]) and the provisions of Legal Notice 140 of 2020[18]. Additionally, all licensed hunters were required to abide by the regulations laid down in the Conservation of Wild Birds Regulations (S.L. 549.42[19]). 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, to abide by the time restrictions, and respect the national bag limit of 5,000 birds. These conditions were strictly monitored, supervised and enforced, as described in the enforcement section of this report.

Telephonic reports of catches made

8.1 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.

8.2 In accordance with Regulation 5(d) of the Framework Regulations (S.L. 549.57[20]), 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 immediately after catching a Quail stating the amount of birds caught.

8.3 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 4 and Figure 7 respectively.

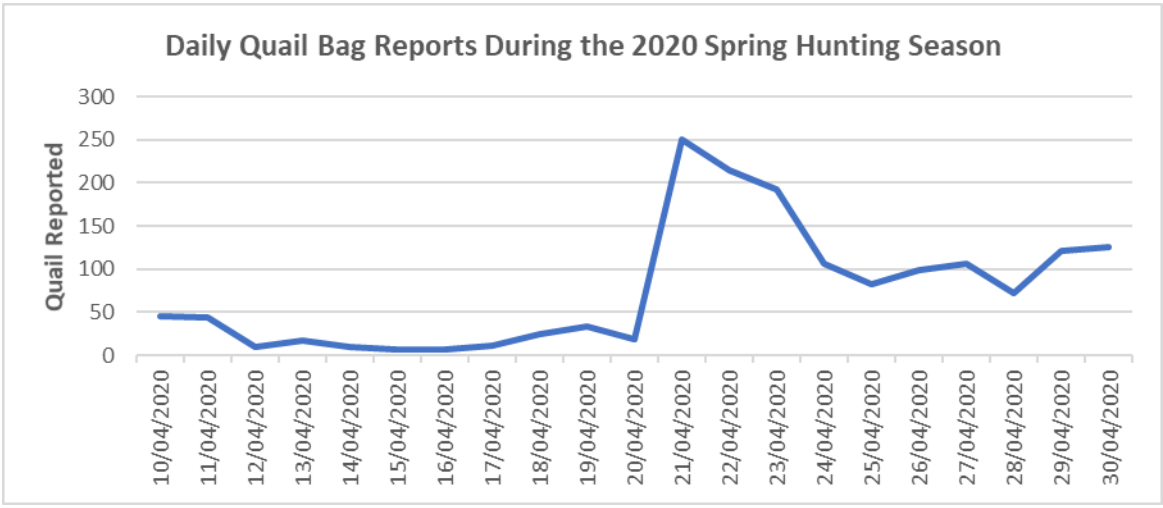
[17] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11570&l=1
[18] http://justiceservices.gov.mt/DownloadDocument.aspx?app=lp&itemid=30085&l=1
[19] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11548&l=1
[20] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11570&l=1

Table 4 Number of Quail reported through the telephonic system (Game Reporting System, 2020)

Date	Quail	Cumulative
10/04/2020	46	46
11/04/2020	44	90
12/04/2020	9	99
13/04/2020	17	116
14/04/2020	9	125
15/04/2020	7	132
16/04/2020	6	138
17/04/2020	11	149
18/04/2020	24	173
19/04/2020	33	206
20/04/2020	18	224
21/04/2020	251	475
22/04/2020	215	690
23/04/2020	193	883
24/04/2020	107	990
25/04/2020	82	1,072
26/04/2020	99	1,171
27/04/2020	107	1,278
28/04/2020	72	1,350
29/04/2020	121	1,471
30/04/2020	125	1,596
Total		**1,596**

Source: Wild Birds Regulation Unit, 2020

Figure 7 Daily total number of Quail reported during the 2020 spring hunting season – as reported through the telephonic system. (Game Reporting System, 2020)



Source: Wild Birds Regulation Unit, 2020

8.4 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 2020 equates to 31.9% of the limit permitted by law. Table 5 provides data on the number of Quail caught. There

were 818 hunters who caught between one and ten birds and 8 hunters who caught more than ten birds during the 2020 spring hunting season. Only 14% of hunters reported a catch, with the majority (4,977 hunters) did not report a single catch.

Table 5 Number of Quail caught by hunters

Quail reported shot by hunter	Number of hunters declaring catches	Total quail reported
1	469	469
2	198	396
3	76	228
4	35	140
5	15	75
6	10	60
7	8	56
8	2	16
9	1	9
10	4	40
11	2	22
12	1	12
13	1	13
14	1	14
15	2	30
16	1	16
Total	**826 (hunters)**	**1,596 (quail)**

Source: Wild Birds Regulation Unit, 2020

8.5 Hunters had a legal obligation to report game caught immediately upon making a catch, thus allowing precise temporal data to be collected. Table 6 indicates percentages of Quail reports made within each hour time band.

Table 6 Percentages of Quail reports made within each hour time band.

Time	Quail Reports (%)
05:00 - 06:00	0.2
06:00 - 07:00	10.5
07:00 - 08:00	18.4
08:00 - 09:00	17.1
09:00 - 10:00	17.4
10:00 - 11:00	19.0
11:00 - 12:00	17.4

Data source: Wild Birds Regulation Unit, 2020

Independent bird migration study in spring 2020

9.1 As was also the case in previous years, an independent scientific study was carried out in Spring 2020, 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 (2020) with the following main objective: *To survey and scientifically monitor the daily influx of the Turtle Dove*[21] *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[22]), with data gathered between 15 March and 15 May 2020. A full copy of the report in question is attached in Annex 4, with key conclusions summarised below.

9.2 The methodology used in this study was identical to the methodology used for similar studies conducted in 2011–2019. 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. 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 7 below.

Table 7 Counts obtained across the network of observation stations over the study period

Date	Total Daily Count (Quail)
15-Mar-20	0
16-Mar-20	0

[21] Notwithstanding the fact that the 2020 derogation was applied for Quail only, Turtle-dove monitoring was included in the scope of the 2020 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.

[22] Observations for Comino were made from an alternative site (Qala or San Blas, Gozo) as Comino ferry was not in operation due to Covid19 disruptions in service..

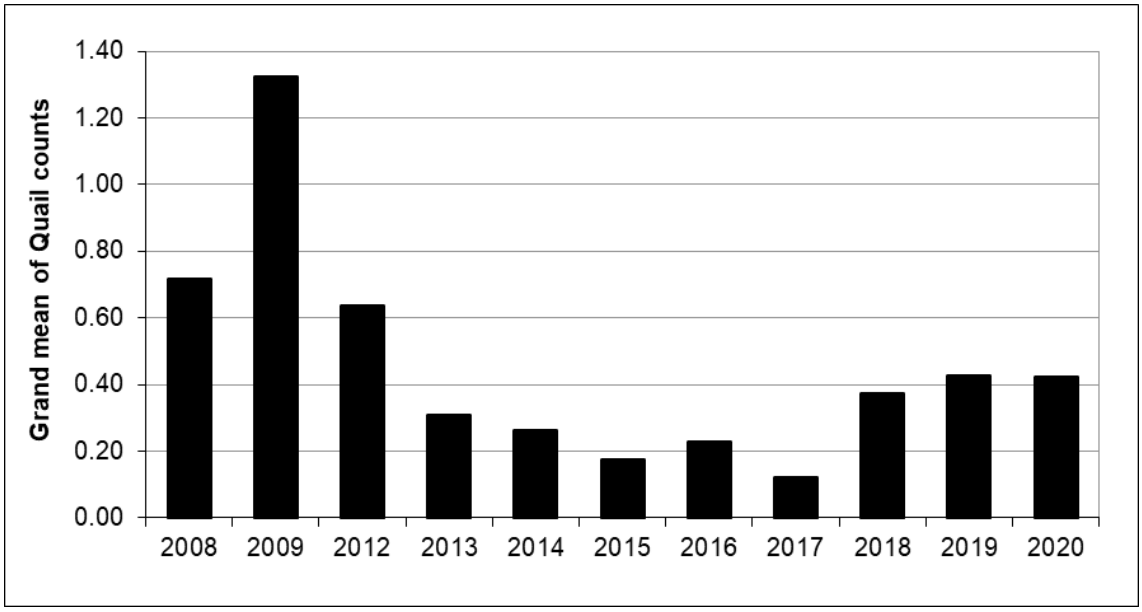
17-Mar-20	3
18-Mar-20	3
19-Mar-20	1
20-Mar-20	3
21-Mar-20	1
22-Mar-20	3
23-Mar-20	4
24-Mar-20	4
25-Mar-20	2
26-Mar-20	1
27-Mar-20	1
28-Mar-20	5
29-Mar-20	10
30-Mar-20	5
31-Mar-20	5
01-Apr-20	9
02-Apr-20	5
03-Apr-20	4
04-Apr-20	10
05-Apr-20	9
06-Apr-20	12
07-Apr-20	22
08-Apr-20	10
09-Apr-20	4
10-Apr-20	16
11-Apr-20	8
12-Apr-20	5
13-Apr-20	6
14-Apr-20	5
15-Apr-20	2
16-Apr-20	1
17-Apr-20	2
18-Apr-20	3
19-Apr-20	11
20-Apr-20	5
21-Apr-20	2
22-Apr-20	4
23-Apr-20	5
24-Apr-20	0
25-Apr-20	6
26-Apr-20	1
27-Apr-20	2
28-Apr-20	1
29-Apr-20	4
30-Apr-20	0
01-May-20	0
02-May-20	0
03-May-20	1

04-May-20	4
05-May-20	3
06-May-20	2
07-May-20	4
08-May-20	2
09-May-20	0
10-May-20	0
11-May-20	3
12-May-20	0
13-May-20	1
14-May-20	1
15-May-20	1
Total (Quail)	**247**

Data source: Ecoserv, 2020

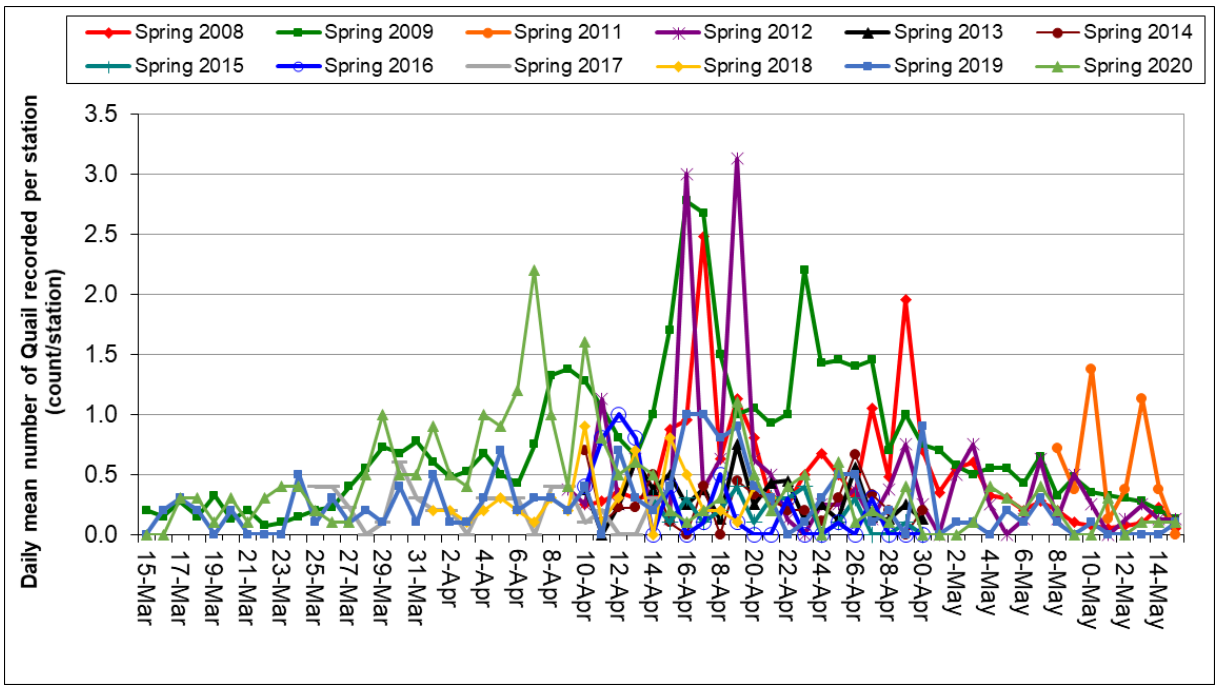
9.3 Daily Raw counts for Common Quail recorded from the 28 sites during the present study varied between 0 and a maximum of 8, while the mean daily counts ranged between 0 and 2.2. Overall, counts recorded during the present survey show a similar trend to those recorded in previous surveys. The general pattern observed is of low migratory counts in mid-March which start to increase in late March, with the highest counts recorded in mid to end April, and a subsequent decline in counts during May. The daily mean counts recorded during the present survey are overall slightly lower than those obtained in 2008 and 2009 (Thomaidis, nd) and 2011–2019 (Ecoserv 2011; 2012; 2013; 2014; 2015; 2016; 2017; 2018). Minor peaks of around 2.0–3.0 were recorded in spring 2008, 2009 and 2012, as well as during the present 2020 survey, while no mean counts greater than 1.5 were recorded in any of the other years. The grand mean of Common Quail counts recorded during the period 15 March to 15 May from the present (2020) survey was 0.40, which is lower than the grand mean of 0.74 recorded over the same period in 2009 but higher than 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 8 and 9 illustrate the values of the grand mean of Common Quail counts recorded during this period from the present survey (spring 2020), together with values of the grand mean for the same period in 2018, 2009 (Thomaidis, nd), 2012, 2013, 2014, 2016 and 2019 (Ecoserv, 2012–2016 and 2019), 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 2020) survey during the period 10 to 30 April is similar to that recorded in 2018 and 2019, higher than that recorded during the 2013–2017 surveys and lower than that recorded in 2008, 2009 and 2012.

Figure 8 Grand mean of Common Quail counts for data from the period 10 to 30 April recorded in spring 2020 (present survey) and spring 2008, 2009 (Thomaidis, nd), 2012, 2013, 2014, 2016 and 2019 (Ecoserv, 2012; 2013; 2014; 2016; 2019), 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).



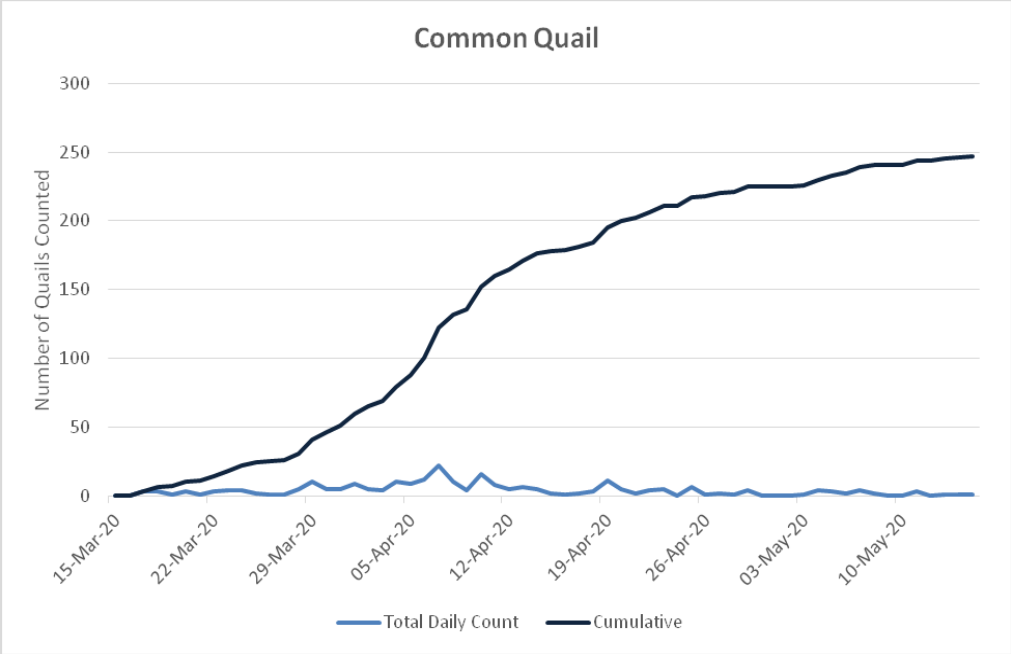
Data source: Ecoserv, 2020

Figure 9: Daily mean counts of Common Quail per station (= site) recorded during the present (spring 2020) 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) and spring 2019 as reported in Ecoserv (2019).



Data source: Ecoserv, 2020

Figure 10: Total daily counts of Common Quail compiled through the spring migration study.



Data source: Ecoserv, 2020

9.4 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 Quails.

9.5 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 8. Based on these data, extrapolation translates to a total influx of Common Quail during 15 March – 15 May 2020 of 185,905 individuals, or some 2,998 Quail per day. However, as emphasised in the reports of previous surveys (Ecoserv, 2011–2019), 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.

9.6 The total influx of Common Quail for the present survey period (15 March to 15 May 2020) is estimated at 185,905 individuals (Table 8). When compared to estimates made during previous surveys in spring, the estimate from the latest survey (2020) is the highest overall. Nonetheless, the present survey covered a period of 62 days; apart from the 2019 survey (which covered the same amount of days) and 2012 survey (48 days), 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 8: Estimated total influx of Common Quail in 2020 study period

Date	Estimated Daily Influx
15-Mar-20	0
16-Mar-20	0
17-Mar-20	2,363
18-Mar-20	2,649
19-Mar-20	492
20-Mar-20	2,363
21-Mar-20	883
22-Mar-20	1,476
23-Mar-20	3,150
24-Mar-20	3,532
25-Mar-20	984
26-Mar-20	788
27-Mar-20	883
28-Mar-20	2,459
29-Mar-20	7,875
30-Mar-20	4,415
31-Mar-20	2,459
01-Apr-20	7,088
02-Apr-20	4,415
03-Apr-20	1,967
04-Apr-20	7,875
05-Apr-20	7,946
06-Apr-20	5,902
07-Apr-20	17,326
08-Apr-20	8,829
09-Apr-20	1,967
10-Apr-20	12,601
11-Apr-20	7,063

12-Apr-20	2,459
13-Apr-20	4,725
14-Apr-20	4,415
15-Apr-20	984
16-Apr-20	788
17-Apr-20	1,766
18-Apr-20	1,476
19-Apr-20	8,663
20-Apr-20	4,415
21-Apr-20	984
22-Apr-20	3,150
23-Apr-20	4,415
24-Apr-20	0
25-Apr-20	4,725
26-Apr-20	883
27-Apr-20	984
28-Apr-20	788
29-Apr-20	3,532
30-Apr-20	0
01-May-20	0
02-May-20	0
03-May-20	492
04-May-20	3,150
05-May-20	2,649
06-May-20	984
07-May-20	3,150
08-May-20	1,766
09-May-20	0
10-May-20	0
11-May-20	2,649
12-May-20	0
13-May-20	788
14-May-20	883
15-May-20	492
Total influx	**185,905**

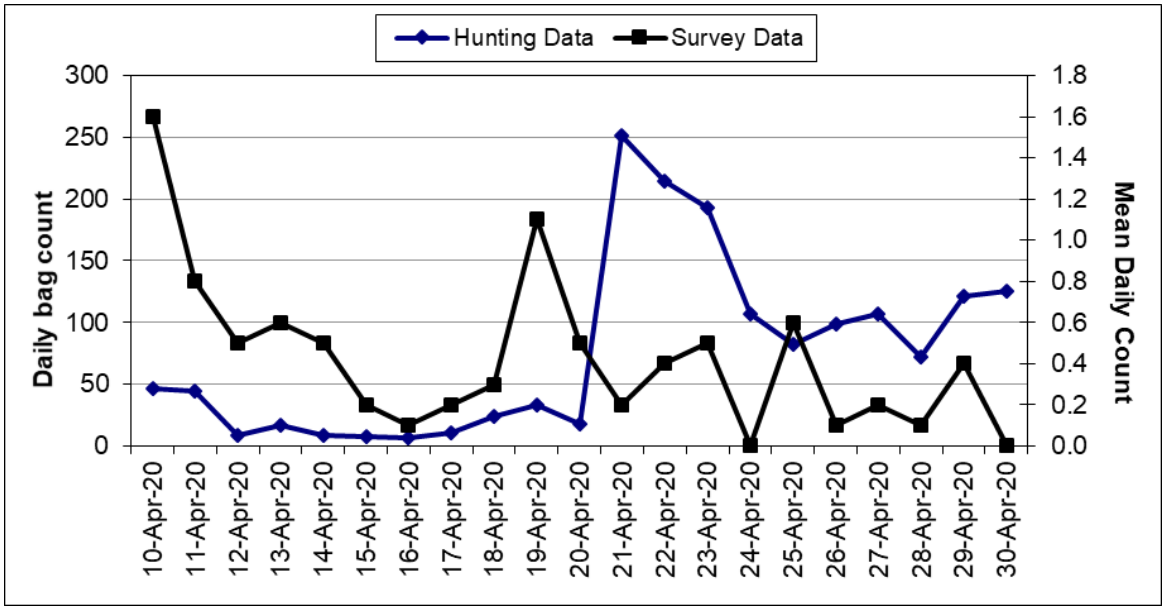
Data source: Ecoserv, 2020

Comparison between migratory study data and telephonic reports

10.1 In order to validate the reporting system, data obtained from the SMS reports during spring derogation period (10 April – 30 April) was compared with the counts and estimates generated through the 2020 spring migration study during the same period.

10.2 The daily counts made during the 2020 survey include day-to-day fluctuations, but the overall pattern is of similar counts recorded throughout the period 10–30 April with elevated counts on some days, namely 10 April and 19 April. Apart from these days marked by elevated counts, no overall trend of increase or decrease in daily survey counts is discernible over the survey period. On the other hand, the bag count data indicate an overall trend of higher counts in the last 10 days of the open season, especially between 21 and 23 April. Bag counts reported between 10 and 20 April ranged between 6 and 46 birds; those reported between 21 and 23 April ranged between 193 and 215 birds, while slightly lower bag counts ranging between 72 and 125 were reported between 23 and 30 April. The increase in bag counts reported in 21–23 April is not reflected in the daily counts made during the 2020 survey. It should be noted, however, that the total daily counts made during the 2020 survey were low, which introduces an additional difficulty in making interpretations of these comparisons.

Figure 11: Daily bag count of Common Quail during 2020 (blue line; values on left-side y-axis), together with the mean daily counts recorded during the 2020 survey (black line; values on right-side y-axis), for the period 10 – 30 April 2020.



Data source: Ecoserv, 2020

Enforcement

11.1 Notwithstanding various enforcement duties assigned to ALE officers in relation to Covid-19 quarantine rules and social distancing measures, the Maltese authorities sought to maintain the level of enforcement effort deployed in the previous year. The Framework Regulations (S.L. 549.57[23]) 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

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

5,901 hunters (4,883 in Malta and 1,018 in Gozo) were issued with a spring hunting licence in 2020 and therefore a minimum of 41 enforcement personnel were needed in accordance with national legislation to supervise the derogation period (in the region of 34 officers in Malta and 7 in Gozo). Out of the total special licences issued, a total of 98 special licences remained uncollected (85 in Malta and 13 in Gozo), thus only 5,803 individuals were in possession of a special licence.

11.2 Field surveillance and patrols were deployed from within the Administrative Law Enforcement (ALE) section of the Malta Police Force, with additional support from the 11 district police areas and from the Armed Forces of Malta.

11.3 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. Nonetheless, prior to commencement of the season, all officers participating in enforcement received detailed information in digital format. The document contained the following information:

- 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

11.4 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).

11.5 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** concentrated in non-extensive pre-allocated areas that collectively ensure sufficient coverage of the countryside, particularly around the priority surveillance areas;

b) **Foot patrols** by uniformed officers (both the Armed Forces of Malta and ALE) within particular locations, especially those areas with difficult vehicular access;

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

d) **Spot-checks and roadblocks** at strategic vehicular entry and exit points. The aim of the 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.

11.6 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.

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

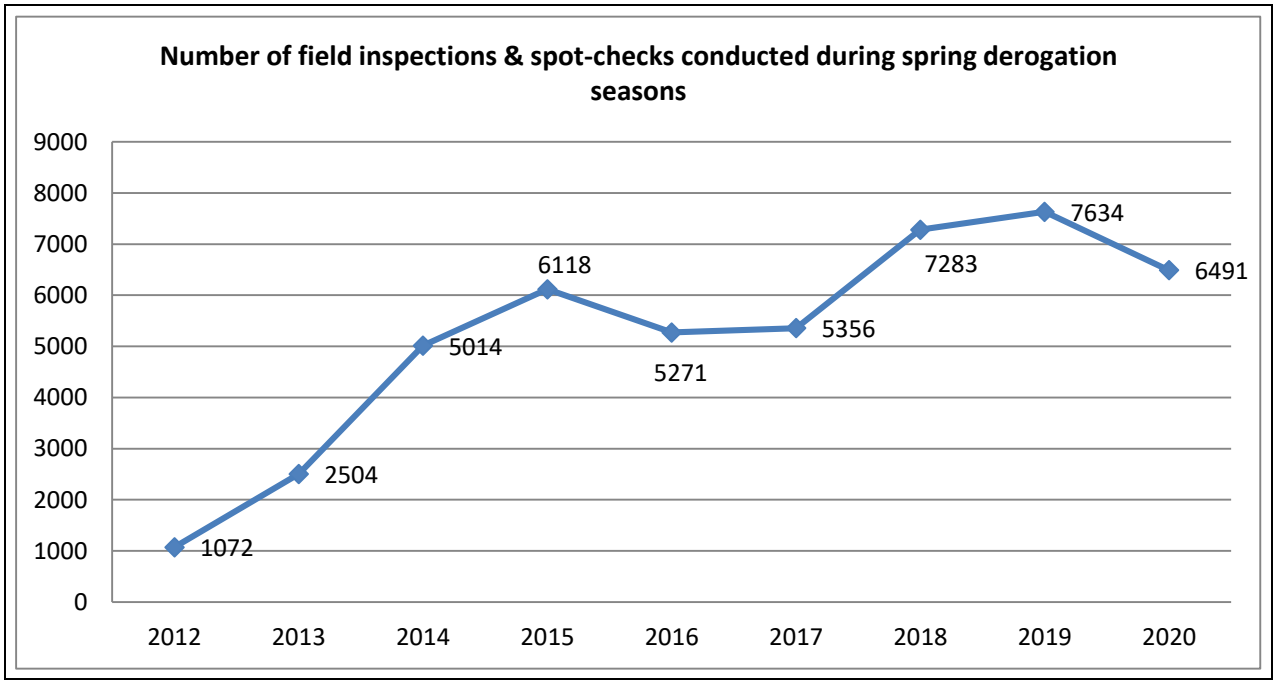
- Verify that hunters were in possession of all requisite documents;
- Verify that birds caught were being immediately reported in accordance with regulations;
- Ensure compliance with the provisions of the Conservation of Wild Birds Regulations (S.L. 549.42), including through appropriate handling of firearms and the Framework Regulations (S.L. 549.57[24]) and the Regulations opening the spring 2020 season (L.N. 140 of 2020[25]);
- Ensure that no species other than Quail, were being targeted;
- Ensure compliance with bag limits and time restrictions.

11.8 During the period of the derogation, an overall daily field complement reaching up to around 132 officers (114 in Malta and 18 in Gozo) was deployed. Daily field deployment consisted of a complement that ranged between 52 and 73 officers (45–63 officers in Malta and 7–10 officers in Gozo) deployed during morning shift[26] and between 47 and 59 officers (40–51 officers in Malta and 7–8 officers in Gozo) during the afternoon shift. Any reports received past these shifts (i.e. at night), are attended by District police, Rapid Intervention Unit or Mobile Squad as necessary.

11.9 During the period of the derogation, between 10 April and 30 April 2020, when the season was open, field officers from the Administrative Law Enforcement and Gozo police carried out a total of 5,323 field inspections / patrols (4,516 in Malta and 807 in Gozo) and 1,168 spot-checks on individual hunters (896 in Malta and 272 in Gozo). Out of the total spot-checks carried out in Malta, 241 consisted of road checks, during which vehicles were stopped and checked to ensure that all legal obligations of the spring hunting special licence and other regulations concerning the carrying of firearms were being respected. This enforcement effort cumulatively amounts to **6,491** inspections, spot-checks and road checks (Figure 12).

[24] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11570&l=1
[25] http://justiceservices.gov.mt/DownloadDocument.aspx?app=lp&itemid=30085&l=1
[26] In Malta, enforcement officers operated on a two-shift basis: 0500 – 1330 and 1330 – 2130, whilst in Gozo, shift roster followed different pattern: number of officers varied between 0500–0700, 0700–1800 and 1800–2000 periods.

Figure 12: Comparison of number of field inspections and spot-checks performed during the spring hunting seasons over the past 9 years



Data Source: Wild Birds Regulation Unit / Malta Police Force, 2020

11.10 In the course of these inspections and spot-checks, the officers disclosed a total of 17 offences (14 in Malta and 3 in Gozo), which led to legal action being taken against 12 persons (all in Malta), of which one person is being charged for two offences committed on different days. No further action could be taken on the remaining four cases due to lack of information on the possible culprits.

11.11 Statistics pertaining to daily enforcement deployment, daily number of field inspections and spot-checks conducted and nature of the offences detected is summarised in the following tables (Table 9).

Table 9: Enforcement deployment and offences detected during 2020 spring hunting season.

Date	Number of officers deployed 0500-1500 (ALE / District / AFM)		Number of officers deployed 1500-2100 (ALE / District / AFM)		Number of field inspections conducted (visits to specific areas)		Number of spot-checks on individual hunters[27]		Offences detected (number of cases and nature of offence)		Number of persons charged and actio	
	Malta	Gozo	Malta	Gozo	Malta[28]	Gozo	Malta	Gozo	Malta	Gozo	Malta	Goz
10/04/2020	45	10	45	7	208	35	35	10	1 Hunting without Special Licence[29]	0	1 Court Action	0
11/04/2020	48	7	48	7	208	42	24	6	0	0	0	0
12/04/2020	48	7	48	7	208	28	22	18	0	0	0	0
13/04/2020	49	8	49	8	208	56	15	15	0	0	0	0
14/04/2020	50	7	50	7	216	34	30	9	1 Hunting without Special Licence[30] 1 Illegal Trapping[31]	1 Use of illegal means[32]	1 Court Action	0
15/04/2020	51	7	51	7	208	47	13	14	0	0	0	0
16/04/2020	50	7	50	7	212	44	20	20	0	0	0	0
17/04/2020	50	7	50	7	214	58	23	8	0	0	0	0
18/04/2020	50	8	50	8	226	23	70	12	0	0	0	0
19/04/2020	55	7	45	7	221	49	80	6	0	0	0	0
20/04/2020	55	7	45	7	223	36	76	23	2 Illegal shooting of protected birds[33]	1 Use of illegal means[34]	2 Court Action	0
21/04/2020	55	7	40	7	243	35	60	17	2 Hunting without Special Licence[35] 1 Illegal shooting of protected birds[36]	0	3 Court Action	0
22/04/2020	57	8	50	8	211	41	50	14	0	0	0	0
23/04/2020	57	7	48	7	216	28	52	9	1 Illegal shooting of protected birds[37]	0	1 Court Action	0

[27] Including road checks.
[28] A total of 52 localities were visited and surveyed by patrolling teams at least twice during each shift in Malta on each day of the season (i.e. 208 field inspection), additionally other areas are also visited according to need. In Gozo, enforcement teams conduct patrols throughout the island.
[29] 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.
[30] 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.
[31] Case refers to an illegal trapping site of unknown owner in Għar Ħasan. Police sezied all trapping pharapernalia but no further action could be taken since perpatrator remained unknown to the police.
[32] Case refers to an unattended bird caller found in San Larenz Gozo. Police seized a bird caller and two speakers but no further action could be taken since the perpetrator remained unknown to the police.
[33] Case refers to two individuals caught hunting European Turtle-doves (*Streptopelia turtur*) in Selmun. Police seized all their hunting licences including firearms and initiated legal action against both perpetrators.
[34] Case refers to an unattended bird caller found in Munxar Gozo. Police seized a bird caller, battery and speakers but no further action could be taken since the perpetrator remained unknown to the police.
[35] Cases refer to two individuals caught hunting without a special licence. Police seized their firearms and general hunting licences and initiated legal action against both perpetrators.
[36] Case refers to an individual who was caught shooting at Feral pigeons (*Columba livia*). Police seized his firearm and general hunting licence and initiated legal action against him.
[37] Case refers to the alleged illegal shooting of a Black Stork (*Ciconia nigra*) in Mġarr. The perpetrator was identified to be a relapser with nine past convictions for illegal hunting and was found in possession of a modified firearm. The accused was arraigned in court the day after the offence and was granted bail against a deposit of €1,000, a personal guarantee of €10,000 and an order to sign the bail book once a week. The man was also banned from hunting and had his firearm and vehicle confiscated. The hearing of the case is expected to be continued in the near future.

24/04/2020	60	7	45	7	208	31	48	7	2 Hunting outside permitted hours[38]	1 Illegal shooting of protected birds[39]	2 Court Action	0
25/04/2020	59	7	42	7	208	43	43	16	0	0	0	0
26/04/2020	57	8	45	8	208	29	35	12	1 Hunting without Special Licence[40]	0	1 Court Action	0
27/04/2020	63	7	45	7	218	34	53	7	0	0	0	0
28/04/2020	60	8	50	8	216	50	45	18	0	0	0	0
29/04/2020	55	7	45	7	208	34	47	21	1 Hunting without Special Licence[41]	0	1 Court Action	0
30/04/2020	57	7	45	7	228	30	55	10	1 Firearm irregularity[42]	0	1 Court Action	0
Total					**4,516**	**807**	**896**	**272**	**14**	**3**	**13**	**0**
					5,323		**1,168**		**17**		**13**	

Data Source: Wild Birds Regulation Unit / Malta Police Force, 2020

[38] Cases refer to two individuals caught hunting outside permitted hours in Siġġiewi. Police seized their firearms and licences and initiated legal action against them.
[39] Case refers to the retrieval of a featherless bird from Xagħra Gozo. The bird was confirmed to be a Pigeon (*Columba livia*) by the Government appointed veterinarian. No further action could be taken given that the perpetrator remained unknown to the police.
[40] Case refers to the re-catching of individual who was already caught hunting without a special licence on the 24th April in Siġġiewi. Legal action has been initiated against him.
[41] Case refers to an individual with an effective suspended licence, caught illegally hunting during spring in breach of his court sentence. Legal action has been initiated against him.
[42] Case refers to an individual who has allowed an unlicensed minor to carry his hunting shotgun. Legal action has been initiated against him.

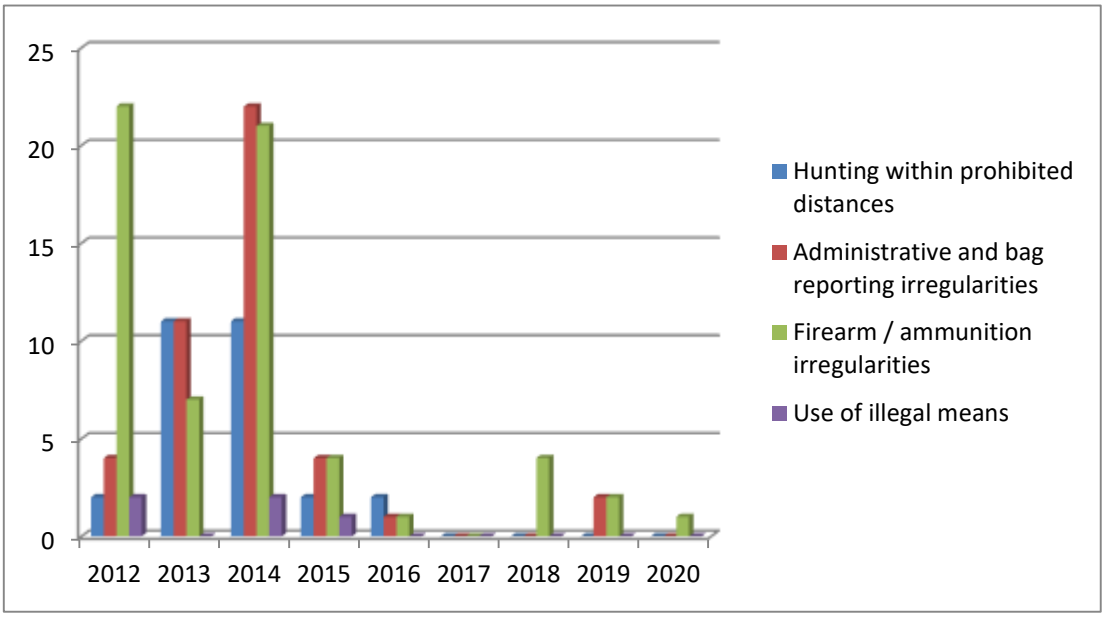
11.12 Table 10 below compares the number and nature of the offences detected on which legal action was taken during 2020 spring hunting season with the corresponding statistics for the previous seasons. Figures 13 and 14 analyse the trends pertaining to detection and legal action of minor (Figure 13) and major (Figure 14) offences during the period of spring hunting derogation over the past nine years.

Table 10: Comparison of offences detected on which legal action was taken during 2012 – 2020 spring hunting seasons

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

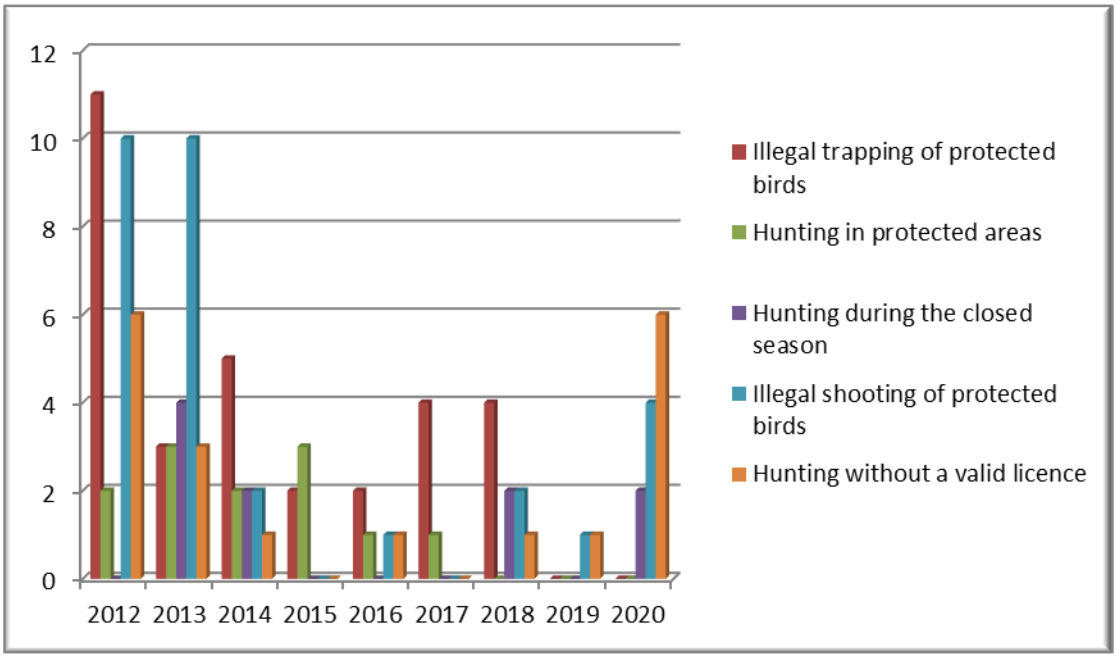
Data Source: Wild Birds Regulation Unit / Malta Police Force, 2020

Figure 13: Analysis of the trends pertaining to detection and legal action on relatively minor offences during the period of spring hunting derogation over the past nine years



Data Source: Wild Birds Regulation Unit / Malta Police, 2020

Figure 14: Analysis of the trends pertaining to the detection and legal action on major offences during the spring hunting seasons over the past nine years



Data Source: Wild Birds Regulation Unit / Malta Police, 2020

11.13 Table 11 below provides a comparison between the total number of birds confirmed to have been illegally shot during the 2019 and 2020 spring hunting seasons.

Table 11: Birds confirmed to have been illegally shot during the 2019 and 2020 spring hunting seasons.

2019 spring hunting season (10/04/2019 – 30/04/2019)			**2020 spring hunting season (10/04/2020 – 30/04/2020)**		
Date of retrieval	**Species**	**Retrieved from**	**Date of retrieval**	**Species**	**Retrieved from**
10/04/2019	-	-	10/04/2020	Common Kestrel (*Falco tinnunculus*)	Gozo
11/04/2019	-	-	11/04/2020	European Bee-eater *(Merops apiaster*)	Salina
12/04/2019	Hoopoe (*Upupa epops*)	Żebbuġ	12/04/2020	Hoopoe (*Upupa epops*)	Floriana
13/04/2019	-	-	13/04/2020	Common Kestrel (*Falco tinnunculus*)	Birżebbuġa
14/04/2019	-	-	14/04/2020	Collared-dove (*Streptopelia decaocto*)	Wardija
15/04/2019	Eurasian Marsh-Harrier (*Circus aeruginosus*)	Delimara	15/04/2020	Eurasian Marsh-Harrier (*Circus aeruginosus*)	Chadwick lakes
16/04/2019	-	-	16/04/2020	Yellow-legged Gull (*Larus michahellis*)	Ċirkewwa
				Turtle-dove (*Streptopelia turtur*)	Dwejra
				Little Egret (*Egretta garzetta*)	Safi
				Eurasian Marsh-Harrier (*Circus aeruginosus*)	Salina
17/04/2019	Turtle-dove (*Streptopelia turtur*)	Mellieħa	17/04/2020	-	-
	Turtle-dove (*Streptopelia turtur*)	Miżieb			
	Golden Oriole (*Oriolus oriolus*)	Miżieb			
18/04/2019	Turtle-dove (*Streptopelia turtur*)	Miżieb	18/04/2020	European Bee-eater (*Merops apiaster*)	Mosta
				Yellow-legged Gull (*Larus michahellis*)	Żabbar
				Common Swift (*Apus apus*)	St Paul's Bay
19/04/2019	-	-	19/04/2020	Turtle-dove (*Streptopelia turtur*)	Miżieb
				Golden Oriole (*Oriolus oriolus*)	Bidnija
20/04/2019	Common Kestrel (*Falco tinnunculus*)	Gozo	20/04/2020	Stone-curlew(*Burhinus oedicnemus*)	Pembroke
				Common Kestrel (*Falco tinnunculus*)	Mosta

2019 spring hunting season (10/04/2019 – 30/04/2019)			2020 spring hunting season (10/04/2020 – 30/04/2020)		
				Turtle-dove (*Streptopelia turtur*)	Burmarrad
				Common Kestrel (*Falco tinnunculus*)	Tal-Ibraġ
				Turtle-dove (*Streptopelia turtur*)	Baħrija
				Turtle-dove (*Streptopelia turtur*)	Miżieb
				Turtle-dove (*Streptopelia turtur*)	Binġemma
21/04/2019	-	-	21/04/2020	Turtle-dove (*Streptopelia turtur*)	Armier
22/04/2019	-	-	22/04/2020	Turtle-dove (*Streptopelia turtur*)	Delimara
				Turtle-dove (*Streptopelia turtur*)	-
				Grey Heron (*Ardea cinerea*)	Salini
				Turtle-dove (*Streptopelia turtur*)	Dwejra
				Eurasian Marsh-Harrier (*Circus aeruginosus*)	Binġemma
				Black Kite (*Milvus migrans*)	Miżieb
				Pigeon (*Columba livia*)	-
23/04/2019	Stone Curlew (*Burhinus oedicnemus*)	Pembroke	23/04/2020	European Bee-eater (*Merops apiaster)*	Ħandaq
24/04/2019	Turtle-dove (*Streptopelia turtur*)	Żurrieq	24/04/2020	Hoopoe (*Upupa epops*)	Kalkara
				Turtle-dove (*Streptopelia turtur*)	Birżebbuġa
				Common Swift (*Apus apus*)	Baħrija
	Eurasian Marsh-Harrier (Circus aeruginosus)	Marsalforn		Common Kestrel (*Falco tinnunculus*)	Żurrieq

2019 spring hunting season (10/04/2019 – 30/04/2019)			2020 spring hunting season (10/04/2020 – 30/04/2020)		
25/04/2019	-	-	25/04/2020	Turtle-dove (*Streptopelia turtur*)	Madliena
				European Bee-eater (*Merops apiaster)*	Siġġiewi
26/04/2019	Turtle-dove (*Streptopelia turtur*)	-	26/04/2020	European Honey-buzzard (*Pernis apivorus*)	Madliena
				Turtle-dove (*Streptopelia turtur*)	Manikata
				Turtle-dove (*Streptopelia turtur*)	Birkirkara
27/04/2019	Turtle-dove (*Streptopelia turtur*)	-	27/04/2020	Golden Oriole (*Oriolus oriolus*)	Magħtab
				Eurasian Nightjar (*Caprimulgus europaeus*)	Dingli
28/04/2019	-	-	28/04/2020	Turtle-dove (*Streptopelia turtur*)	Żurrieq
				Turtle-dove (*Streptopelia turtur*)	Xagħra, Gozo
29/04/2019	-	-	29/04/2020	Turtle-dove (*Streptopelia turtur*)	Ħas-Saptan
				Eurasian Marsh-Harrier (*Circus aeruginosus*)	Gozo
30/04/2019	Turtle-dove (*Streptopelia turtur*)	Rdum tal-Madonna	30/04/2020	Eurasian Marsh-Harrier (*Circus aeruginosus*)	Bidnija
				Woodchat Shrike (*Lanius senator*)	Bidnija
				Wood Warbler (*Phylloscopus sibilatrix*)	Fgura
				Turtle-dove (*Streptopelia turtur*)	San Martin
	Montagu's Harrier (*Circus pygargus*)	Żabbar		Common Kestrel (*Falco tinnunculus*)	Żejtun
Total	**14**		**Total**	**51**	

2019 spring hunting season (10/04/2019 – 30/04/2019)	2020 spring hunting season (10/04/2020 – 30/04/2020)

Data Source: BirdLife Malta (2019-2020) & Wild Birds Regulation Unit (2019-2020)

11.14 As shown in Table 11 above, the 2019 open season (10 April – 30 April) was characterised by 14 casualties while during the 2020 Spring hunting season, 51 illegal shot birds were reported . The ratio of illegally shot birds for the open seasons during both years, that is, from the 10 to 30 April, is 3.64:1 (2020:2019), with Turtle-doves constituting the majority of casualties. The amount of illegalities over the same period was almost fourfold in 2020.

11.15 In addition to enforcement deployment by the authorities, around 10 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 15 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.

11.16 On the 20 April, during their surveillance operations, CABS filmed and later published footage of two men shooting Turtle-doves (*Streptopelia turtur*) in Selmun[43]. ALE officers apprehended both men and will be using this video as evidence during prosecution. On another occasion, CABS conducted foot patrols at Mizieb woodland where an illegally-shot Turtle-dove (*Streptopelia turtur*) was recovered and later sent for veterinary care[44]. CABS reported that its teams have witnessed attempts to shoot down Turtle-doves (*Streptopelia turtur*) in Dwejra, San Martin and Wardija amongst others.

11.17 BirdLife Malta has claimed that thousands of Turtle-doves (*Streptopelia turtur*) have been illegally shot over Malta and Gozo during the season with most fired shots aimed at this species rather than at Quail. The NGO also released footage of such illegal targeting, stating that Miżieb remains a mecca for illegalities[45]. Athe end of the season, BirdLife Malta reported that it has recovered 50 illegally-shot birds during the three weeks of the spring hunting season with most recovered casualties (18) being Turtle-doves (*Streptopelia turtur*)[46].

[43] https://lovinmalta.com/news/watch-hunters-caught-on-tape-shooting-down-protected-birds-in-malta/
[44] https://timesofmalta.com/articles/view/illegal-turtle-dove-hunting-observed-and-documented.786968
[45]https://www.maltatoday.com.mt/environment/nature/101849/hunters_flout_turtledove_ban_as_birdlife_footage_catches_poachers_redhanded#.XrFY-qgzbIW
[46] https://birdlifemalta.org/2020/04/turtle-doves-are-the-main-target-during-spring-hunting-season/

11.18 In respect of targeting of protected species, a man suspected of shooting at a Black Stork (*Ciconia nigra*) on the 23 April, was arraigned in court and subsequently granted bail. ALE was alerted about shots fired shortly after 7pm in the limits of Mġarr, probably aimed at a Black Stork (*Ciconia nigra*). Information about a vehicle parked in the area enabled the police to track down the suspect, which was later arrested whilst driving in the limits of Għargħur. A loaded modified firearm was found hidden in a compartment behind the seat and further search at the man's home led to the confiscation of another firearm. During court hearing of the 24th April, the poacher pleaded not guilty to hunting and carrying a loaded firearm outside the hours when spring hunting is allowed by law, for being in possession of a modified weapon, breaching licence conditions and other hunting laws. Prosecuting ALE Inspector strongly objected to a request for bail, pointing out that the accused was a relapser with nine past convictions for illegal hunting and was also in possession of a modified firearm. After hearing submissions by both parties, the court, presided over by Magistrate Victor George Axiaq, upheld the request against a deposit of €1,000, a personal guarantee of €10,000 and an order to sign the bail book once a week. The man was also banned from hunting and had his firearm and vehicle confiscated[47]. Case hearing is expected to be continued in the near future.

11.19 As detailed in Table 9 above, in respect of the offences detected during the 2020 spring hunting season, criminal action is being taken against twelve persons. Six persons for hunting without a special licence, of which one has an active suspension of his general hunting licence, four persons for shooting of protected bird species, two for hunting outside permitted hours and one for firearm irregularities.

11.20 Following closure of the spring hunting season, the statutory enforcement deployment was mainted until Saturday 9 May with a minimum of 3 officers per 1,000 licensees in line with Regulation 6(4) of SL549.57. During these inspections, ALE caught an individual illegally trapping in Dingli from which nets, a birdcaller and three Greater Short-Toed Larks (*Calandrella brachydactyla*) were seized and immediately released on site. Another individual was caught hunting during closed season. Legal action has been initiated against both individuals. Additionally, Gozo police seized a bird caller and a cage containing a live Common Quail (*Coturnix coturnix*) from Għarb which was released. No legal action was taken on this case given that the perpetrator remained unknown to the police.

[47] https://timesofmalta.com/articles/view/man-with-nine-past-illegal-hunting-convictions-granted-bail.787715

11.21 As evidenced through this enforcement section, notwithstanding the fact that police officers were also responsible for inspections related to directives issued by the Health Authorities in relation to Covid19, the minimum enforcement deployment requested by SL549.57 was not only met but also exceeded. Additionally, notwithstanding that the number of spot checks have decreased slightly when compared to 2019, the majority of offences detected have been effectively investigated and will be prosecuted.

Conclusions

12.1 The application of the 2020 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.

12.2 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); and
- The actual implementation of the derogation on the ground will ensure that the relevant legal parameters enacted in pursuance of point (a) above will be respected in the field through an elaborate and robust enforcement regime.
- Covid19 restrictions issued by the national health authorities are respected throughout the spring hunting season.

12.3 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 both during and on the margins of the spring hunting season remains a significant concern and a concerted effort is needed to address this issue.