

**State of Enforcement:
Summary of the latest efforts to eradicate illegal killing, trapping and trade in
wild birds in Malta**

Institutional and policy developments to strengthen the fight against illegal killing, trapping and trade in wild birds

Over the past year, the following institutional and policy developments have taken place in Malta:

1. A dedicated governance structure, called the Wild Birds Regulation Unit, within the Ministry for Sustainable Development, the Environment and Climate Change, was established in July 2013. This Unit has a wide range of statutory functions, including: hunting governance policy, administration of licensing and control processes, coordination of enforcement effort, hunter education, reporting and liaison with the stakeholders. The Unit has a dedicated Specialist Enforcement Branch, which assists the police and law enforcement entities in complex investigations and forensic analysis involving bird-related crime, as well as in prosecutions. The Specialist Enforcement Branch is allocated almost half of the Unit's human resources (3 officers out of 7). This underscores the importance given to the enforcement function and the fight against illegal killing of wild birds. It is notable that over 97% of all criminal prosecutions carried out in 2013 with the assistance of the Specialist Enforcement Branch resulted in convictions, which is an excellent rate when compared to best practices in this field.
2. A comprehensive proposal for the setting up of a national Wildlife Crime Investigation Unit within the Malta Police Force has been drawn up. This proposal envisages the establishment of a permanent structure within the police force which will be dedicated entirely to wildlife crime issues. The setting up of this structure would require a range of significant changes within the structure of the police force, including re-assignment of responsibilities amongst the different police units, provision of specialised training and capacity building for wildlife crime enforcement officials, internal restructuring as well as allocation and development of appropriate human resources.
3. A working group which aims to develop a national strategy for the eradication of illegal killing, trapping and trade in wild birds in Malta was formed in October 2013. The working group consists of key stakeholders including the Government, the Malta Police Force, the Malta Environment and Planning Authority (MEPA), the Federation for Hunting and Conservation in Malta (FKNK) and Birdlife Malta. The working group reports to the Malta Ornis Committee. It is envisaged that the draft strategy should be available for wider stakeholder consultation in 2014.
4. The Malta Ornis Committee, which acts as the national consultative platform on all matters concerning conservation of wild birds, has continued to discuss and oversee matters concerning implementation and enforcement of national legislation concerning conservation of wild birds. In particular, since May 2013, the Committee has considered a number of proposals including in relation to enforcement, strengthening of the legal regime, safeguard measures concerning passage of protected birds and proposals related to procedures for the treatment and rehabilitation of injured wild birds.

Strengthening Malta's legal regime to deter illegal killing of wild birds

The Conservation of Wild Birds Regulations (SL 504.71), which is the principal national legal instrument transposing the provisions of the Birds Directive in Malta, were amended on 25 October 2013 in order to strengthen the legal deterrent against bird-related crime and to render the present system of dealing with certain types of offences much more effective. The amendments, *inter alia*, resulted in a considerable increase in the penalties for all types of offences, the inclusion of a number of minor offences that are subject to swift automatic administrative fines, and the introduction of a probationary system and possibility of mandatory community service as part of the range of applicable penalties. Offences involving illegal targeting of wild birds incur the harshest penalties, which include imprisonment of up to 2 years, a fine of up to €15,000, confiscation of the *corpus delicti* and revocation of a hunting licence for life. These penalties may be considered to be amongst the harshest in the EU.

In parallel, the amendments enacted in October 2013 considerably strengthened the legal protection regime for an additional 10 flagship bird species which previously did not enjoy the highest level of protection, such as Mute Swan, Grey Heron, Barn Owl, Common Kestrel, Common Buzzard and Eurasian Hobby. Any offences involving these birds are now subject to the same level of penalties as those applicable in relation to crimes committed against birds enjoying the highest level of protection.

A new administrative fines system for minor offences was also introduced in October 2013. Until 28 March 2014, 356 individuals have been fined under this new system, of whom 20 individuals were fined between €250 and €500 each for illegal use of bird callers or possession of shotgun having a magazine capable of holding more than 2 shots, whilst 336 persons were fined between €50 and €130 each for failure to return their *Carnet de Chasse* to the Wild Birds Regulation Unit within the deadline stipulated by law. The latter fines resulted in an unprecedented 99.6% rate of collection of *Carnet de Chasse*, which has in turn also improved the precision of autumn hunting statistics.

In addition, on 28 March 2014, the Government further increased legal deterrent against the most serious bird-related crime which involves the targeting of protected species listed in Schedule I and Schedule IX of the Conservation of Wild Birds Regulations (SL 504.71). Through the publication of LN 110/14 which amends these Regulations, any hunting or taking, or attempting to hunt and or take protected bird species listed in Schedules I and IX, even in the case of a first time offence, will automatically incur a penalty comprising of a fine of €5,000 and / or imprisonment for one year, as well as permanent revocation or ban on obtaining a licence, and the confiscation of the *corpus delicti*. In case of a second or subsequent offence, the applicable penalty comprises an automatic fine of €10,000 and / or imprisonment for two years as well as permanent confiscation of the *corpus delicti*. These measures represent a ten-fold increase in the previously applicable minimum fine for a first time offence and for subsequent offences. Permanent revocation of licence, and imprisonment, which previously, only applied to repeat offenders, will also apply in the case of a first time offence in such cases.

The increase in penalties for bird-related crime enacted in October 2013 and in March 2014 is summarised in the table below:

Offences	Previous min penalty (€)	Previous max penalty (€)	New min penalty (€)	New max penalty (€)	% increase min	% increase max
1 st conviction under Regulation 27 (2): fine	239.94	4,658.75	500	5,000	108	7
1 st conviction under Regulation 27 (2): suspension of license	1 year	2 years	2 years	5 years	100	150
Subsequent conviction under Regulation 27 (2): fine	465.87	9,317.49	1,000	10,000	115	7
Subsequent conviction under Regulation 27 (2): imprisonment	2 months	2 years	6 months	2 years	200	0
1 st offence under Regulation 27 (3): fine	239.94	2,329.37	500	2,500	108	7
Subsequent conviction under Regulation 27 (3): fine	465.87	4,658.75	1000	5,000	115	7
Subsequent conviction under Regulation 27 (3): suspension of license	1 year	3 years	2 years	5 years	100	67
Offences without license (2nd proviso to Regulation 27(3)): fine	6,988.12	13,976.24	7,000	15,000	0.2	7
Offences involving hunting or taking of protected birds listed in Schedules I and IX: first conviction*	Fine €500 Suspension of license 2 years	Fine €5,000 Suspension of license 5 years	Automatic fine of €5,000, permanent revocation or ban on obtaining license, imprisonment for 1 year		1,000% increase in min fine, permanent revocation of license and imprisonment introduced even in case of first time offence	
Offences involving hunting or taking of protected birds listed in Schedules I and IX: second or subsequent conviction*	Fine €1,000 Imprisonment 6 months Permanent suspension of license	Fine €10,000 Imprisonment 2 years Permanent suspension of license	Automatic fine of €10,000, permanent revocation or ban on obtaining license (if prior offence was committed prior to entry into force and license was not already revoked), imprisonment for 2 years		1,000% increase in min fine, 4-fold increase in min imprisonment term	

*Penalties introduced on 28 March 2014

Specific legal framework governing Autumn 2013 hunting and live-capturing seasons

The Autumn 2013/14 hunting and trapping seasons were established under two pieces of legislation, namely the Conservation of Wild Birds (Declaration of the periods for Hunting in Autumn - Winter 2013-2014) Regulations (SL 504.95) and the Conservation of Wild Birds (Declaration on a Derogation for a 2013 Autumn Live-Capturing Season for Song Thrush and Golden Plover) Regulations (SL 504.121). SL 504.95 established that:

(a) the hunting of birds on land shall be permitted between the 1st September 2013 and the 31st January 2014, between two hours before sunrise and two hours after sunset on any day between Monday and Saturday, and between two hours before sunrise and 1 o'clock in the afternoon (1.00 p.m.) on Sundays and Public Holidays:

Provided that hunting on land between the 15th September 2013 and the 7th October 2013 shall not be permitted from Monday to Saturday after 7.00 pm and two hours before sunrise of the next following day;

(b) the hunting of birds at sea shall be permitted between the 1st October 2013 and the 31st January 2014.

Provided that hunting at sea between the 1st October and 7th of October 2013 shall not be permitted from Monday to Saturday between 7.00 pm and two hours before sunrise of the following day: Provided further that hunting of birds at sea between 8th October and 31st January shall be allowed between two hours before sunrise and two hours after sunset on any day between Monday and Saturday, and between two hours before sunrise and 1 o'clock in the afternoon (1.00 p.m.) on Sundays and Public Holidays, as well as on Sunday 6th October.

SL 504.121 established a live-capturing season for Song Thrush 'between the 20th October 2013 and the 31st December 2013, both dates included'; and a live-capturing season for 'Golden Plover between the 20th October 2013 and the 10th January 2014, both dates included.' These regulations also established a national seasonal bag limit and a seasonal bag limit per licensee for each species concerned.

In addition to the above, the activity of hunting and trapping and ancillary activities regulating wild bird exploitation are governed by the provisions of the Conservation of Wild Birds Regulations (SL 504.71) which, *inter alia*, prohibit these two activities within restricted areas such as Bird Sanctuaries; establish a list of species that can be legally taken from the wild; prohibit certain means of capture; regulate the trade and marketing of birds and establish a system of penalties depending on the gravity of the crime.

Furthermore limited live-capturing of birds in Autumn in small numbers under strictly supervised conditions was also regulated by virtue of a special licence issued under the Conservation of Wild Birds (Framework for Allowing a Derogation Opening an Autumn Live-Capturing Season for Song Thrush and Golden Plover) Regulations (SL 504.113), which licence, amongst other restrictions, obliged the holder to trap on registered sites and to report catches by virtue of a Short Message Service (SMS); prohibited the use of nets with a mesh size smaller than 30mm X 30mm; restricted the deployment of live decoys on site up to a maximum of ten marked birds; and prohibited trapping on *garrigue* areas within Natura 2000 sites.

Doubling enforcement during peak raptor migration period (1 September – 7 October 2013)

Throughout the period in question, the Administrative Law Enforcement Unit (ALE), within the Police Force, was the core law enforcement entity entrusted with enforcement coordination and patrols in the countryside in order to ensure compliance with the pertinent regulations and to deter and prosecute any infringements.

During the period between 1 September and 7 October 2013, the routine ALE complement of circa 26 officers was doubled to 48 personnel. The ALE was supported by over 30 officers from district police units, 4 Mounted Police officers and 4 members of the Police Dogs Section who conducted routine patrol and surveillance of the countryside around specific areas to ensure additional protection of roosting birds. Personnel from the Rapid Intervention Squad also provided assistance with response to suspected breaches of the Conservation of Wild Birds Regulations, whilst the Armed Forces of Malta detailed additional officers in five patrol vehicles to reinforce police work around known hotspots. Sea patrols were also conducted to prevent and, where detected - prosecute

any instances of illegal targeting of birds at sea. Furthermore, two members of the Specialist Enforcement Branch of the Wild Birds Regulation Unit assisted the Police in field inspections, investigations and prosecutions of bird-related crime.

It is estimated that overall, during the peak raptor migration period from 1 September until 7 October 2013 more than 95 enforcement personnel from various entities were deployed to oversee the hunting season. This is double the enforcement personnel deployed in the same period in 2012. During this peak migration period, these officers carried out 4,170 field inspections, contributing around 10,000 man hours on the beat, which is 40% more than the number of hours contributed during the same period in 2012.

This ratio of enforcement deployment, amounting to roughly one officer for every 2 km² of Malta's countryside is unprecedented anywhere in the EU and possibly in the world. In addition, the countryside was monitored by several dozen local and foreign volunteers from various NGOs, which closely cooperated with the authorities and provided valuable input to surveillance and enforcement operations.

Field inspections carried out during the period between 15 September and 7 October 2013 resulted in the disclosure of 40 offences of various categories, including one case of illegal shooting of a protected bird, one case involving suspected targeting of protected birds at sea (presently under investigation) and 5 cases of trapping of protected birds. The most common type of offence disclosed during this autumn period was the illegal use of pre-recorded bird calls (15 cases), followed by the possession of a shotgun having a magazine capable of holding more than 2 cartridges (7 cases), followed by hunting within prohibited distances from roads and inhabited areas and illegal trapping. There were no disclosed cases involving hunting in bird sanctuaries or during unpermitted hours. No incidents of illegal targeting of birds of prey after 15:00 from 15 September until 7 October were disclosed. 24 persons are being prosecuted with respect to the above-mentioned offences.

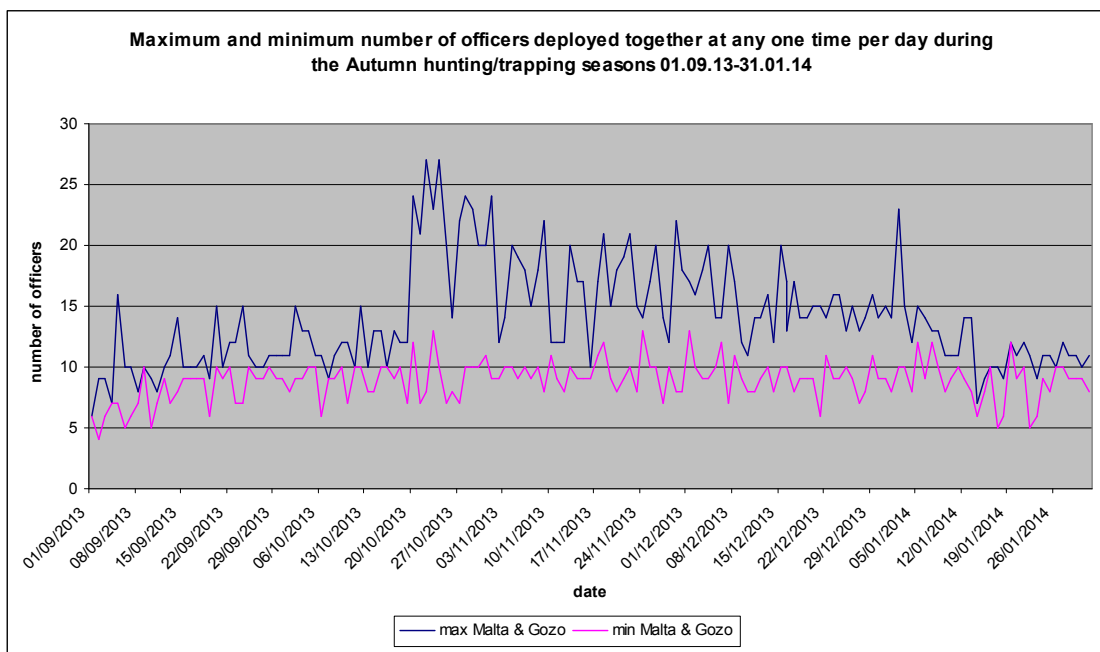
By comparison, in 2012, a total of 32 offences were detected during the same period, of which 4 incidents involved illegal shooting of protected birds. The most common type of disclosed offence during this period in 2012 was hunting within prohibited distances (9 cases), followed by possession of a shotgun having a magazine capable of holding more than 2 cartridges (5 cases) followed by shooting of protected birds (4 cases) and hunting and trapping without a licence (4 cases).

Furthermore, between 15 and 30 September 2012, a total of 49 injured birds suffering gunshot wounds were recovered. During the same period in 2013, 18 birds suffering gunshot wounds were recovered, of which 11 succumbed to their injuries or were euthanized by veterinarians due to the nature of their wounds. Seven birds are being rehabilitated.

Boosting enforcement deployment in the field during the entire Autumn season (1 September 2013 and 31 January 2014)

During the entire Autumn hunting and live-capturing open seasons that collectively span from 1 September 2013 until 31 January 2014, the Police maintained an average daily deployment that ranged between a maximum of 14 officers and a minimum of 9 officers in the field at any point in time from 05:00 to 21:30, effectively covering peak hunting and trapping activity times. The following graph represents the maximum and minimum number of police officers deployed in the field at any point in time during the time period indicated above on each day of the hunting and trapping Autumn season. The numbers shown below indicate police field deployment only, and exclude all other non-field Police staff, and staff from entities other than the Police, such as officers

of the Specialist Enforcement Branch of the Wild Birds Regulation Unit and the Armed Forces of Malta.



During this period a total of 7,619 field inspections and spot-checks were conducted, of which 6,902 inspections were conducted in Malta and 717 inspections took place in Gozo. These inspections gave rise to the disclosure of several offences against which legal action was instituted as indicated in Table 1 and Table 2:

Table 1 – Trapping-related offences disclosed between 01/09/2013 and 31/01/2014			
Offence category	Cases in Malta	Cases in Gozo	Total number of cases
Trapping for protected birds (eg. Finches)	23	6	29
Use of illegal means (eg. Artificial light; vertical nets; bird callers etc.)	15	6	21
trapping using nets of mesh size < 30mm X 30mm	8	4	12
Trapping without licence	15	6	21
Use of unmarked live decoys	2	0	2
Total number of disclosed trapping-related offences	63	22	85

Table 2 - Hunting-related offences disclosed between 01/09/2013 and 31/01/2014			
Offence category	Cases in Malta	Cases in Gozo	Total number of cases
Shooting at protected birds	5	1	6
Hunting within prohibited distances (eg. 50m from road; 200m from inhabited area; at sea <3km from shore)	11	1	12
Hunting during unpermitted times/closed-season	1	0	1
Use of illegal means (eg. Shot > 3.3mm diameter; shotgun having magazine capable of being loaded with >2 shots; bird caller etc.)	52	2	54
Total number of disclosed hunting-related offences	69	4	73

By comparison, the total number of trapping-related offences disclosed during the same period in 2012 against which legal action was instituted amounted to 405 cases, of which 137 cases related to illegal trapping for protected species, whilst the total number of hunting-related offences disclosed during the same period in 2012 and against which legal action was taken amounted to 79 cases, of which only two cases related to illegal shooting of protected birds. The following tables (Table 3 and Table 4) give a more detailed breakdown of the various hunting and trapping offence categories disclosed during the same period in Autumn 2012/13 against which legal action was instituted.

Offence category	Cases in Malta	Cases in Gozo	Total number of cases
Trapping for protected birds (eg. Finches)	124	13	137
Use of illegal means (eg. Artificial light; vertical nets; bird callers; cage-traps; small cages; protected bird decoys etc.)	111	6	117
Trapping during unpermitted times/closed-season	9	0	9
trapping using nets of mesh size < 30mm X 30mm	18	5	23
Trapping without licence	75	0	75
Use of unmarked live decoys	5	0	5
Trapping on an unregistered site	4	1	5
Other (eg. breach of licence conditions)	34	0	34
Total number of disclosed trapping-related offences	380	25	405

Offence category	Cases in Malta	Cases in Gozo	Total number of cases
Shooting at protected birds	2	0	2
Hunting within prohibited distances (eg. 50m from road; 200m from inhabited area; at sea <3km from shore)	17	0	17
Hunting during unpermitted times/closed-season	7	0	7
Use of illegal means (eg. Shot > 3.3mm diameter; shotgun having magazine capable of being loaded with >2 shots; bird caller etc.)	46	5	51
Hunting without licence	1	0	1
Other	1	0	1
Total number of disclosed hunting-related offences	74	5	79

The number of persons apprehended and subsequently charged by the authorities for breaching the Conservation of Wild Birds Regulations during the Autumn 2013-2014 hunting and trapping seasons whilst trapping or hunting were 31 and 56 persons respectively. In comparison, legal action was taken against 170 persons for trapping illegally and 56 persons for hunting illegally during the same period during the Autumn 2012-2013 season.

Other enforcement efforts

In addition to inspections in the field to deter illegal hunting and trapping, 35 inspections were carried out by the Police assisted by members of the Specialist Enforcement Branch in private residences or other premises. The majority of such jointly investigated cases related to suspected illegal possession and taxidermy of protected species. Members of the Specialist Enforcement Branch were also called in to assist in the expert identification of specimens seized by the Police in conjunction with investigations pertaining to the suspected illegal shooting and trapping of wild birds. During these inspections a total of 2,739 specimens were examined, of which 1,025 were seized since they were found to be of protected species. A total of 415 protected bird specimens were also found to have been illegally disposed without the necessary permits. As a result of these

inspections 19 persons were apprehended possessing stuffed protected birds or dead birds held for the purposes of taxidermy or live protected birds held for illegal aviculture purposes.

Government is also taking further steps to increase field surveillance. Amongst other measures, the Police shall be deploying the recently acquired specialised unmanned aerial surveillance vehicle, which will greatly increase anti-poaching monitoring capabilities. Furthermore, preparations are underway to establish a specialised training course for enforcement personnel. Once established, this training course will result in a core group of officers being professionally trained in disciplines related to wildlife crime surveillance and prevention. These officers will subsequently form the core of the proposed Wildlife Crime Investigation Unit which will be set up within the Malta Police Force.

Zero-tolerance for infringements: Legal action in respect of offences disclosed between 1 September 2013 and 31 January 2014.

As at 6 March 2014, nine of the disclosed cases referred to above have been brought before and subsequently decided by the Courts of Law. The following table outlines the cases in question and the Court decisions.

Cases disclosed during the period 01.09.13-31.01.14 and decided by the Malta Law Courts			
Date of disclosure	Case details	Date of Court decision	Sentence meted out
17.09.13	Person charged with trapping for protected species (Dotterel <i>Charadrius morinellus</i>); using protected bird decoys; trapping without licence & during the closed season.	24.09.13	Accused was found guilty and fined EUR 1,000. The court also ordered the confiscation of all trapping equipment and live protected decoys & suspended his hunting licence for a period of one year.
11.09.13	Person charged with being in possession of seven protected bird carcasses and 78 undeclared stuffed protected birds; and the hunting of protected birds in the preceding months; and the unauthorised disposal of 11 declared stuffed protected birds.	04.03.14	Accused was found guilty and fined EUR 2,300. The Court also ordered the confiscation of all dead and stuffed protected birds and the suspension of his licence for a period of one year.
06.10.13	Person charged with shooting a protected bird (Kestrel <i>Falco tinnunculus</i>).	05.02.14	Accused was found guilty and fined EUR 2,000. The Court also ordered the confiscation of the shotgun and bird and also ordered the suspension of his hunting licence for one year.
08.10.13	Person charged with the illegal importation of protected birds; possession of an undeclared stuffed protected bird (Ring Ouzel <i>Turdus torquatus</i>); and disposal of twenty stuffed protected birds without authorization.	05.02.14	Accused was acquitted of the charge of protected bird smuggling due to lack of evidence, however found guilty of all of the other charges. The Court fined accused EUR 500 and ordered the confiscation of the birds.
23.10.13	Person charged with shooting & being in possession of a protected bird (Short toed Eagle <i>Circaetus gallicus</i>) and with being in possession of 75 undeclared stuffed protected birds.	25.10.13	Accused found guilty and fined EUR 4,600. Court also ordered the confiscation of his shotgun, all protected birds and his vehicle which was used in the commission of the crime. The Court also suspended his hunting licence for a period of three years.
05.11.13	Person charged with having used illegal trapping methods (vertical net and pre-recorded bird calls)	05.02.14	Accused was found guilty and fined EUR 1,000. Court also ordered the confiscation of the bird caller and vertical nets.
09.11.13	Person charged with trapping for protected	07.01.14	Accused was found guilty and fined EUR

	species (Finches Fringillidae spp.) & using protected bird decoys		1,700. Court also ordered the confiscation of all live protected decoys and a suspension of his licence for a period of two years.
16.11.13	Person charged with trapping for protected species (Finches Fringillidae spp.); using protected bird decoys & trapping without licence	04.02.14	Accused was found guilty and fined EUR 1,200. The court also ordered the confiscation of all trapping equipment and live protected decoys.
07.01.14	Person charged with being in possession of 16 live protected birds (2 Blue Rock Thrush <i>Monticola solitarius</i> & 14 <i>Emberiza</i> spp.)	12.02.14	Accused was found guilty and fined EUR 1,000. Court also ordered the confiscation of all the live protected birds.

Legal action in the Criminal Courts is in the process of being taken with respect to all other pending cases. Furthermore, besides legal action taken in the Courts in respect of the major offences, a total of 20 persons have been fined between €250 and €500 each for committing minor offences listed in Schedule VIII of the Conservation of Wild Birds Regulations during the 2013-2014 autumn hunting / trapping seasons. The most common type of minor offence subjected to an automatic fine without recourse to criminal proceedings was the use of pre-recorded bird calls (17 individuals) and possession of a firearm with magazine capable of holding more than 2 shots (3 individuals).

Remaining challenges and commitment to eradicate illegal killing, trapping and trade in wild birds in Malta

Notwithstanding the considerable and visible improvement in the enforcement situation during 2013 and the beginning of 2014, which is also explicitly recognised by a number of stakeholders including the Federation for Hunting and Conservation in Malta (FKNK) and Birdlife (Malta), a number of challenges remain to be addressed in the future. These challenges can be summed up as follows:

- **The need for greater collaboration amongst stakeholders:** experience has shown that only concerted effort involving close collaboration between the public, environmental NGOs, hunting organisations and the authorities can lead to marked and sustainable improvement in the overall enforcement situation, with the ultimate objective being total eradication of bird-related crime. Despite considerable progress achieved on this front over the past few months, further effort to build bridges between the hunting organisations, on the one hand, and bird conservation NGOs on the other, is required. As a symbolic measure aimed at reconciling the differences that exist amongst various organisations, on 28 March 2014, the Government appealed to all NGOs active within this sector to publically endorse a Joint Communiqué “on our common resolve to eradicate illegal taking and trade in wild birds in Malta”. This Communiqué has been published in the local media and is available for download from: <http://www.gov.mt/en/Government/Press%20Releases/Pages/2014/March/28/pr140638.aspx>.
- **The need for greater strategic coordination** amongst all stakeholders in a common drive to eradicate illegal killing, trapping and trade in wild birds. Despite considerable strengthening of the appropriate governance structures, most notably – the setting up of the Wild Birds Regulation Unit with a dedicated Specialist Enforcement Branch, there is a pressing need for a national strategy that would channel all enforcement efforts proactively towards attainment of common enforcement objectives. The process of developing such a national strategy was initiated in collaboration with the relevant stakeholders in 2013 and is expected to come to fruition during 2014.
- **The need for further capacity building and strengthening of enforcement structures.** A major step in this direction is envisaged to come in the form of the planned setting up of a

dedicated Wildlife Crime Investigation Unit within the Malta Police force, and further capacity building within the Specialist Enforcement Branch of the Wild Birds Regulation Unit. This capacity building process is a wide ranging exercise encompassing the development and training of the necessary human resources and upgrading of technological and specialist equipment capabilities.

- **The need for greater public awareness of zero-tolerance policy towards bird-related crime.** Despite overall marked improvement and strengthening of enforcement structures, isolated sporadic incidents of illegal targeting of protected birds still occurred during the 2013 autumn season. The most notable incident occurred on 23 October 2013 and involved the illegal shooting of 14 booted eagles (*Aquila pennata*). Whilst enforcement response to that particular incident was extremely swift¹ and resulted in the immediate detection and prosecution of detected perpetrators (one of whom was convicted and handed the maximum penalty within 2 days from the incident occurring), it is felt that there is a need for much greater awareness of the zero-tolerance policy amongst the hunting community in order to prevent and deter any rogue individuals from committing such criminal acts in the future.

Conclusion

An analysis of the enforcement situation during the 2013-2014 autumn season clearly indicates a marked improvement on multiple fronts: ranging from strengthening of governance and coordinating structures to increased enforcement deployment in the field, increased intensity of field inspections, greater inter-agency collaboration and strengthening of legal deterrent. These improvements have resulted into a visible reduction in virtually all categories of bird-related crime, in comparison with the corresponding statistics for the 2012-2013 season.

It is clear that Malta has developed a robust and elaborate legal regime which regulates legitimate exploitation of wild birds in line with the Birds Directive and provides considerable deterrent against bird-related crime. Moreover, Malta's record of prosecution of bird-related infringements shows that its legal regime is being effectively implemented and efficiently enforced. The facts show that Malta's overall institutional and legal system for regulating the sector is robust, and is being continuously improved. The Maltese authorities continue to work with the aim of addressing any remaining challenges; the ultimate aim being eradication of all illegal targeting of protected birds.

Wild Birds Regulation Unit
Ministry for Sustainable Development, the Environment and Climate Change
March 2014

¹ At around 17:00 on 23 October 2013, the Wild Birds Regulation Unit received reports of large flocks of booted eagles (*Aquila pennata*) and short-toed eagles (*Circaetus gallicus*) heading towards the Maltese Islands, as well as reports of illegal targeting of these birds. Enforcement Officials were deployed immediately. In all, 14 eagles were confirmed shot, of which 2 were confirmed shot in Gozo. The area was immediately sealed with the assistance of the Armed Forces of Malta. Additional police units were immediately deployed, with ALE and the rapid response unit providing overnight surveillance. Within hours from the incident, a suspect was apprehended. The suspect was prosecuted the next day, convicted and handed down the maximum penalty: €4,600 fine, confiscation of vehicle, shotguns, as well as suspension of licence for 3 years. A day later, FKNK expelled this individual from the federation, for life. Investigations conducted by the Police with the assistance of the Special Enforcement Branch of the Wild Birds Regulation Unit in the immediate aftermath of this incident led to the disclosure of seven cases, involving illegal possession, taxidermy and illegal disposal of protected birds. Two of the above cases were in Gozo. All offenders are being prosecuted. Six further cases involving suspected illegal possession and disposal of stuffed protected birds are being investigated. Hunting organisations, the Government and Birdlife (Malta) issued strong condemnations. Amendments to the Conservation of Wild Birds Regulations, doubling the penalties for the shooting of protected birds that had been prepared over the preceding weeks, were published on the same day.