

Wild Birds Regulation Unit

Annual Report 2019

1. Overview of the Unit's functions and responsibilities

The Wild Birds Regulation Unit was established within the Parliamentary Secretariat for Agriculture, Fisheries and Animal Rights following Government's decision in May 2013 to centralise the relevant regulatory functions pertaining to implementation of the Conservation of Wild Birds Regulations (S.L.549.42) and related subsidiary legislation, and to oversee and drive the implementation of Government policy in relation to sustainable hunting governance and conservation of wild birds. On the national front, the Wild Birds Regulation Unit was tasked with:

- Implementation of a reform of the relevant legislation concerning hunting and live-capturing to ensure simplification, greater effectiveness as well as ensuring enforcement and compliance;
- Coordination of the work of the necessary institutional structures, including Ornithological Committee;
- Centralisation, simplification and streamlining of licensing processes and provision of a one-stop-shop service to hunters and live-capturers;
- Coordination of enforcement effort;
- Promotion of awareness amongst the members of the hunting community, based on the principles of sustainability and wise use of ecological resources;
- Delivery of training programmes for hunters and enforcement officers;
- Administering educational and examination programmes;
- Maintenance of statistics and data quality control;
- Coordination of awareness raising, communication and training activities;
- Commissioning and compilation of technical studies and reports;

- Issuance of various licences and permits and control over compliance with licence conditions;
- Ensuring continuous engagement and liaison with hunting organisations, environmental NGOs and members of the hunting and live-capturing community.

Within the domain of international and EU policy concerning conservation of wild birds and sustainable hunting, the main deliverables of the Unit were as follows:

- Compliance with the provisions of EU and international *Acquis* concerning conservation of wild birds, including but not limited to the provisions of the EU Birds Directive, The Convention on the Conservation of Migratory Species of Wild Animals (CMS), Bern Convention and other relevant EU and international instruments;
- Correct implementation of all Article 9 derogations;
- Preparation and timely submission of reports and monitoring of policy implementation;
- Liaison with the relevant national, EU and international bodies.

2. Main achievements during 2019

2.1 Policy and regulatory processes

During 2019, the Unit has:

- Coordinated preparation, review and submission to the European Commission, Bern Convention and CMS Convention Secretariats five technical reports pertaining to Malta's implementation of derogations, outcome of monitoring programmes and other reporting obligations. All reporting obligations due in 2019 were fulfilled and addressed by the Unit ahead of stipulated deadlines.
- Successfully submitted Malta's Article 12 report under Article 12 of the Birds Directive covering the period 2013–2018. This article requires Member States to report about the progress made with the implementation of the Birds Directive and inform the European Commission about the status and trends of regular breeding and wintering birds as well as those that are observed during migration;

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

- Represented Malta at:
 - Two meetings of the EU Nature Directives Expert Group;
 - Two meetings of the EU Expert Group on reporting under the Birds Directive;
 - Two bilateral meetings with DG Environment of the European Commission;
 - Joint Meeting of the Bern Convention Network of Special Focal Point on Eradication of Illegal Killing, Trapping and Trade in Wild Birds and the UN-Environment/CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean.

- Coordinated the drafting, formulation and subsequent publication of six legal instruments, namely:
 - LN 64/2019: Conservation of Wild Birds (Declaration on a Derogation for a 2019 Spring Hunting Season for Quail) Regulations, 2019;
 - LN 65/2019: Conservation of Wild Birds (Framework for Allowing a Derogation for the Control of Birds in the Interest of Air-safety) (Amendment) Regulations, 2019;
 - LN 66/2019: Conservation of Wild Birds (Declaration of a Derogation for the Control of Birds in the Interest of Air Safety) Regulations, 2019;
 - LN 100/2019: Protection of Wild Rabbit (Amendment) Regulations, 2019;
 - LN 269/2019: Conservation of Wild Birds (Framework for Allowing a Derogation Opening an Autumn Live-Capturing Season for Song Thrush and Golden Plover) (Amendment) Regulations, 2019;
 - LN 270/2019: Conservation of Wild Birds (Declaration on a Derogation for an Autumn 2019 Live-capturing Season for Song Thrush and Golden Plover) Regulations, 2019.

- Conducted a falconry exam session (including practical and written exam) in Malta, in accordance with the falconry licence procedure established in 2016 by virtue of the Conservation of Wild Birds (Falconry) Regulations (SL 549.106);
- Provided ongoing assessment and advice to government policies, programmes, projects and plans having impact on the conservation of wild birds;
- Coordinated the administration of special licensing procedures for spring hunting derogation and the autumn 2019 live-capturing derogation for Song Thrush and Golden Plover, including GIS plotting of registered live-capturing sites submitted with the live-capturing applications, including publication of their coordinates on WBRU's website, in line with Framework Regulations SL 549.74;
- Coordinated and issued a call for tenders for the implementation of a major upgrade to the hunting and live-capturing database and geographic information system;
- Administered general licensing system for five licence categories;
- Issued three new bird ringing licences and oversaw compliance of 30 bird ringers who were issued with a five-year licence in 2016, 2017 and 2018;
- Renewed the taxidermy licence of seven taxidermists and oversaw compliance of another licensee who was issued with a five-year licence in 2017;
- Carried out twelve preparatory course sessions for prospective licence applicants with the aim of educating hunters on applicable laws, huntable species, restrictions, reporting obligations and responsibilities pegged to respective hunting licences;
- Conducted eight sessions (Malta and Gozo) which catered for 473 exams (including resists) for hunting licences;
- Delivered training sessions for police officers involved in enforcement of the Conservation of Wild Birds Regulations (in Malta and Gozo), where over 90 officers were trained in basic ornithology, wildlife crime detection techniques, inspection procedures, use of specialised enforcement information systems, applicable regulations and prosecution processes;

- Maintained the procedure concerning treatment and care of injured wild birds through the services of a specialised Government-appointed veterinary clinic. Under this procedure, WBRU coordinated and supervised provision of recovery, treatment, rehabilitation and care for 326 bird specimens belonging to 78 species;
- Coordinated the provision of lifetime care for a Marsh Harrier, which due to its injury could not be released back into the wild. The specimen was entrusted to an experienced licensed handler whose premises were approved by WBRU and the Veterinary Services Department under the call for expression of interest for the provision of lifetime care services for injured wild birds;
- Implemented two major scientific studies on migration of the European Turtle-dove (*Streptopelia turtur*) and Common Quail (*Coturnix coturnix*) in spring and autumn 2019, and a separate study concerning migration of seven species of finches as well as of Golden Plover (*Pluvialis apricaria*) and Song Thrush (*Turdus philomelos*) in autumn 2019;
- Ensured digitisation of 1,895 clap-net pairs ('*mnasab*') linked to the 2019 live-capturing season for Golden Plover (*Pluvialis apricaria*) and Song Thrush (*Turdus philomelos*) on GIS for enforcement purposes;
- Monitored the game reporting system during both hunting and live-capturing seasons;
- Continued to develop and input data into a new state-of-the-art database which will ensure better monitoring of all movements of registered stuffed protected birds and related enforcement;
- Coordinated, compiled and published scientific assessments of the conservation status of European Turtle-dove (*Streptopelia turtur*), Common Quail (*Coturnix coturnix*), Golden Plover (*Pluvialis apricaria*) and Song Thrush (*Turdus philomelos*);
- Compiled and published the Malta Breeding Bird Atlas 2018 which provides the latest snapshot of the state of affairs concerning the conservation aspect of Malta's breeding birds, in collaboration with BirdLife Malta, the Federation for Hunting and Conservation – Malta (FKNK), Kaċċaturi San Ubertu (KSU) and other key experts on avifauna;
- Ensured ongoing customer care and consultations with all stakeholders within the sector, conducted several meetings with a broad range of stakeholders, with representatives of hunting associations,

falconry clubs, representatives of international bodies, taxidermy associations and environmental NGOs;

- Maintained WBRU's website (<https://msdec.gov.mt/en/Pages/WBRU/Wild-Birds-Regulation-Unit.aspx>) with a wealth of information and reports, including statistical data, and coordinated related updates;
- Coordinated the management agreements with the Federation for Hunting and Conservation - Malta (FKNK) and BirdLife Malta (BLM) for Tal-Bagħal and Tal-Bosk farmhouses and monitored the respective ongoing projects and activities;
- Responded to various queries on matters of relevance to the operation of the Unit;
- Issued two public consultations¹ concerning amendments to the Conservation of Wild Birds Regulations (SL 549.42) and the Protection of Wild Rabbit Regulations (SL 549.90);
- Provided ongoing technical and administrative support to the functioning of the Malta Omis Committee, which held ten meetings during 2019. Ensured that all decisions and proceedings of the Committee were made public through WBRU's website, available at <https://msdec.gov.mt/en/Pages/WBRU/ornisCommittee.aspx>;
- Conducted a dissemination of information exercise concerning the importation and possession of birds with organisers of hunting trips, taxidermists, representatives of hunting organisations and other interested stakeholders;
- Coordinated over eight procurement procedures of varying complexity comprising service tenders, calls for quotations and other procedures to ensure the smooth functioning of the Unit;
- Provided ongoing customer service to residents of Gozo by securing necessary arrangements for holding of licence exams in Gozo and by securing, in collaboration with the Ministry for Gozo, appropriate office location to offer customer services on a daily basis;
- Generated circa €38,813.00 in revenue from renewal of general licence fees, special live-capturing licence fees, fees for provision of various services (e.g. exam fees, sale of educational poster, licence

¹ WBRU's public consultations portal is available at: https://msdec.gov.mt/en/Pages/WBRU/pub_cons.aspx

replacement fees), and from a range of administrative fines and penalties for various offences under the Conservation of Wild Birds Regulations and the Protection of Wild Rabbit Regulations;

- All projects proposed under the first call for proposals of the Conservation of Wild Birds Funding Scheme were completed successfully.
- A new call for proposals under the Conservation of Wild Birds Fund 2019 was issued. Five proposals from three different NGOs were received. The applications are still pending approval.

2.2 Enforcement

In the field of enforcement, during 2019, the Unit has:

- Provided technical assistance to the Police and other enforcement entities on matters related to prevention, detection and prosecution of bird-related crime. Coordinated enforcement arrangements with the Police, the AFM and other entities pertaining to the strict supervision of the spring and autumn hunting seasons;
- Conducted seven inspections at private residences during which 750 stuffed bird specimens were examined. 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 and legal action was initiated;
- During the same period, 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 unit extended its support to the police in the identification and verification of legality of other specimens pertaining to ongoing investigations.
- WBRU officers attended and testified during multiple court sittings (each sitting comprising of multiple hearings) which resulted in 28 convictions, 11 acquittals, with the rest of the cases pending further hearings.

- Administered the stuffed birds registration process and received applications to transfer or dispose of stuffed birds that were previously registered with the authorities under the 1998/99 and 2003 schemes;
- Coordinated enforcement efforts with Customs and other stakeholders to ensure that importers and sellers of electronic devices which may, amongst potential legitimate uses, be also used illegally during hunting and trapping activities, were duly warned of the legal consequences of any potential improper use;
- Responded to queries from the public regarding matters related to the Unit's portfolio;
- Maintained the administrative fines system. Ensured the issuance and processing of various administrative fines in respect of 52 individuals.
- Liaised with the Executive Police and coordinated enforcement statistics for reporting purposes.