

ORNIS COMMITTEE

MINUTES of the Ornis Committee Meeting held on 5 September 2024 at 16.00 at the Wild Birds Regulation Units Offices in Gozo and online.

Members Present:

- Dr Joseph Grech (Chairman)
- Mr Darrin Stevens (ERA representative)
- Mr Anthony Caruana (Independent Member)
- Mr Joseph Grech (Independent Member)
- Dr Gaynor Saliba (Independent Member)
- Mr Joe Perici Calascione (Member representing persons licensed to hunt and, or, to take) [Federation for Hunting and Conservation Malta (FKNK)]
- Perit Andrew Psaila (Member representing persons licensed to hunt and, or, to take)
- Mr Mark Sultana (Member representing persons knowledgeable in, or working for, the protection of avifauna) [BirdLife Malta (BLM)]
- Mr Mark Gauci (Member with knowledge of, and experience in avifauna)
- Mr Lucas Micallef (Member with knowledge of and experience in hunting and taking of birds)
- Mr Jean Paul Portelli (Secretary)

In attendance:

- Mr Richard Lia (Head, Wild Birds Regulation Unit)

Excused:

- Mr Nicholas Barbara (Member representing persons knowledgeable in, or working for, the protection of avifauna)

1. Approval of minutes of the previous meeting

The vote on the minutes of the meeting dated 2 April 2024 was postponed.

2. Request for research derogation: Live sampling of blood, feathers and cloacal swabs from Italian Sparrows (in Malta, postage of collected blood, feather and cloacal samples to a laboratory abroad)

The Committee was presented with a request for a research derogation from Mr Alex Lawrence seeking approval for a research derogation to collect blood samples from up to 10 Italian Sparrows. The purpose of this research is to analyse the samples at Land University, Sweden and to generate a state-of-the-art reference genome for these birds. The assembled genome will serve as a crucial tool for identifying evolutionary distinctions of the Maltese sparrows, contributing significant insights into their adaptation and diversity within the region.

This reference genome will underscore the distinctiveness of Maltese Sparrows, serving as an invaluable resource for future research. By assembling the Maltese sparrow genome, our study will enable comparative analyses with sparrows from across the Mediterranean, offering a comprehensive understanding of their evolutionary adaptations and unique characteristics. Trained personnel will safely capture the birds using mist nets, a standardized practice for bird capture and

ringing. Blood samples will be collected using established methods, ensuring the birds' well-being. Following sampling, all birds will be promptly released to minimize stress and disruption to their natural behaviours.

Mr Joe Perici Calascione said that all research projects should be evaluated on equal grounds and according to uniform criteria. He said that the finches research project was a case in point.

Mr Darrin Stevens said that whilst he did not wish to address the notion of a level playing field, he understood that the Committee evaluates each application individually, considering the submitted application, the information provided and relevant legal stipulations. He said that in principle all research projects should be assessed using consistent criteria.

Mr Mark Gauci asked about the discrepancies in the application about blood sampling from the Italian Sparrow, noting that the documentation suggested otherwise, and referenced transportation concerns abroad.

Mr Richard Lia clarified that Malta is within the range of the Italian Sparrow, known locally as 'Tal-Bejt ta' Malta' or *Passer hispaniolensis*, which may occasionally be misidentified in literature as *Passer italiae*. Mr Lia stated that any permit issued would be for *Passer hispaniolensis*. He said that the sampling must involve live capture in Malta, with immediate re-release of the birds, aligning with a recently agreed amendment prohibiting exportation.

Following further discussions, a decision was reached to take a vote on the project, subject to the conditions that the blood samples are collected from 10 *Passer hispaniolensis* and that the birds are released immediately at their capture site to ensure minimal impact on their natural habitat.

The members voted as follows:

	In favour	Against	Abstention
Chairman	1		
ERA	1		
FKNK	1		
BLM	1		
Mr Anthony Caruana	1		
Mr Joseph Grech	1		
Dr Gaynor Saliba	1		
Total	7		

The proposal by Mr Alex Lawrence (as amended) was unanimously approved by the Committee, subject to the conditions that the research is confined to obtaining blood samples from a maximum of ten (10) *Passer hispaniolensis* specimens and that all sampled specimens must be immediately released back into their natural habitat at the site of capture.

3. Approval of a Memorandum of Understanding on Salvage Permits and Road Kills

Mr Richard Lia presented a Memorandum of Understanding (MOU) on the Procedure on Salvage Permits. He recalled previous discussions at working group level on the matter and that following those discussions a consensus had been reached with the Malta Taxidermy Federation. He said that previous concerns were taken into consideration and as much as possible have been addressed in the final draft MOU.

Mr Lia stated that the draft MOU outlines the current procedures and proposed next steps. A flowchart detailing the operational processes is also being included.

He explained that notwithstanding the procedure outlined, it was agreed by all parties that if a species from Annex A is confirmed by the government appointed veterinarian to be acquired illegally, the corresponding species is immediately struck off the list and Annex A updated accordingly following approval by the Committee. He said that following adoption, any changes to the MOU would have to be approved by the Committee.

Dr Gaynor Saliba asked why the MOU needed the Committee’s approval. Mr Lia said that approval was required since the MOU implemented a derogation under Article 9(1)(b) of the Birds Directive.

Mr Lucas Micallef questioned whether the MOU had a termination date. He said that given that the formation of the Ornis Committee was subject to change from time to time, it was advisable any changes to the MOU to the Committee.

Mr Lia stated that a clause could on future changes to the MOU could be inserted.

Mr Darrin Stevens asked whether the birds transferred to the Malta Taxidermy Federation are recorded in the Derogation Report as per Article 12 of the Birds Directive. Mr Lia confirmed that such transfers were included.

A vote on the MOU was taken. The members voted as follows:

	In favour	Against	Abstention
Chairman	1		
ERA	1		
FKNK	1		
BLM		1	
Mr Anthony Caruana	1		
Mr Joseph Grech	1		
Dr Gaynor Saliba	1		
Total	6	1	

The MOU was approved with six votes in favour and one vote against. In view of discussions on the matter, approval was contingent on including a paragraph under “Proposed Procedure” to make it clear that any amendments to the MOU should be referred to Ornis Committee for discussion. The text “As approved by Ornis Committee on 5 September 2024” was to be included under Version 1.1 (January 2024). Moreover, the Committee requested that the MOU be signed by Wild Birds Regulation Unit and the Malta Taxidermy Federation.

4. Amendments to the Conservation of Wild Birds Regulations (Subsidiary Legislation 549.42) on the Transfers of Tagged Registered Stuffed Birds (Transfer Notification)

Mr Richard Lia was invited to join the meeting in view of some clarifications requested by the Committee.

With reference to proposed amendment, Mr Darrin Stevens stated that in his view, the draft amendment should include a proviso to ensure a permitting clause to remove the legal gaps, particularly in view of Regulation 4 of the Subsidiary Legislation. The need for permits or certificates

as per Regulation 4 would still persist in view that these permits/certificates are person-related. This is not catered for in this version and may have implications on enforcement.

Mr Lia suggested the inclusion of a provision which states that once a notification has been submitted and provided that everything is in compliance, a relevant permit or certificate is issued.

Mr Joe Perici Calascione expressed his reservation on the proposed amendment.

Mr Lia explained that the purpose of the notification is to update the Stuffed Bird Regulation System when a tagged bird changes ownership. When a bird is tagged and the current owner wishes to transfer it, instead of requiring preauthorization from the WBRU, a notification is submitted. This notification includes details of both the current and new owners. Once these details are received by the WBRU, the system is updated accordingly, transferring the bird's profile from person A to person B within the system.

The Chairman suggested that a proviso is added and that Mr Lia amended the current draft accordingly.

Mr Mark Sultana explained that the purpose of this process is to ensure that anyone acquiring a bird from the original owner receives all necessary legal documentation, thereby providing legal protection.

Mr Lucas Micallef proposed that the notification should also be stamped by the WBRU to validate it.

Mr Lia clarified that the law refers to "other documents", which includes the notification form in this context. When a collection is tagged by the WBRU, all relevant documents are presented during inspections. This practice helps maintain an updated record of the location of stuffed birds. Thus, if a tagged bird is transferred to someone else, the WBRU updates its records to reflect the new location, as indicated by the stamped notification. While the WBRU currently cannot issue certificates for every bird collection in Malta and Gozo, the notification procedure serves to prevent potential abuses. If a bird is tagged but not being transferred, the tag suffices, but a notification is necessary if a transfer is involved.

Mr Mark Gauci asked whether the transfer of birds could be considered a form of amnesty.

FKNK rejected the term "amnesty", emphasising the need for clarity around the process. Mr Lia was asked whether WBRU had the capacity to manage such transfers.

Mr Lia stated that once a bird is tagged, the transfer is legally recognised as a legitimate specimen transfer. The WBRU maintains comprehensive records that include tag numbers and historical possession information. Upon receiving a notification, the WBRU will verify whether the current possessor of the bird is listed in the historical data. He noted that the notification itself does not constitute authorisation necessary measures will be taken if any issues arise.

BLM noted Mr Lia's explanation, stating that once birds are tagged, a "Certificate to Keep" will be issued to the last registered owner. However, if there is any missing link in the documentation, this certificate will not be issued.

Mr Lia clarified that tags are specifically detailed rather than generic and he assured the Committee that the tagging process is proceeding swiftly as part of ongoing efforts.

A vote was taken on the proposed amendment, subject to the inclusion of a proviso by WBRU following discussion.

The members voted as follows:

	In favour	Against	Abstention
Chairman	1		
ERA	1		
FKNK	1		
BLM			1
Mr Anthony Caruana	1		
Mr Joseph Grech	1		
Dr Gaynor Saliba	1		
Total	6		1

The Committee approved the legal amendment with six votes in favour and one abstention, provided that such notification is still subject to issuance of a written authorisation by WBRU. The Chairman confirmed that the amendment, as revised by WBRU, would not need to be presented to the Committee again.

5. Renewal of the Air Safety Control License (calling of common starlings and pigeons as a last resort) for the period between September 2024 and September 2025

The item was discussed and vote was taken on the proposal. The members voted as follows:

	In favour	Against	Abstention
Chairman	1		
ERA	1		
FKNK	1		
BLM	1		
Mr Anthony Caruana	1		
Mr Joseph Grech	1		
Dr Gaynor Saliba	1		
Total	7		

The item was unanimously approved.

6. Legal Amendment on the National Ringing Scheme

The Committee was requested to discuss the proposed wording of an amended intended to ensure legal clarity so that the law recognises the ringing scheme and not the ringer, thereby ensuring that all ringing schemes abide by international standards on specific bird ringing. The precise wording of the legal definition of ringing scheme in Regulation 2 of Subsidiary Legislation 549.42 was also to be discussed.

FKNK were still awaiting legal advice and thereby the item was postponed.

7. Outcome of the Golden Plover and Song Thrush Satellite-Tagging Project (2023-2024) and Proposed Renewal for 2024-2025

Mr Richard Lia provided an overview of the outcome of the 2023-2024 Satellite-Tagging Project.

Regarding the Song Thrush, he stated that breeding locations included two in Romania, two in Bulgaria, one in Hungary, one in Slovakia, and one in Ukraine.

Mr Lia noted that there is a historical record of Song Thrushes in Slovakia and Ukraine. For the 2024 tagging initiative, it has been decided that operations will commence in the last week of February and extend through the first days of March.

Regarding the Golden Plover, Mr Lia reported that two individuals were killed, with their tags returned to the WBRU, while one tag has not been returned. Tracking data revealed that one Golden Plover was located in Russia, another in Siberia, and three nested in Sweden, along with two in Finland and two in Norway. He said that tracking data indicates the migration pathway of the Golden Plover from Siberia is heading southeasterly.

He further explained that should the Committee recommend the continuance of the tagging efforts, two of the tags currently used for the Golden Plover will need to be decommissioned due to prolonged charging times. He stated that research on the Song Thrush has ceased as all tags have been either utilised or decommissioned, meaning future research will focus solely on the Golden Plover.

Mr Lia said that no new research will be initiated until the last functioning tag has stopped working, at which point he will present the final report to Committee and to the European Commission, who has authorised this project to be conducted in Malta.

Mr Joe Perici Calascione inquired about the potential for continuing this valuable research in the upcoming year.

Mr Lia said that he would propose the continuation and funding of the project.

A vote was taken on the proposal to renew the research project for 2024-2025. The members voted as follows:

	In favour	Against	Abstention
Chairman	1		
ERA	1		
FKNK	1		
BLM	1		
Mr Anthony Caruana	1		
Mr Joseph Grech	1		
Dr Gaynor Saliba	1		
Total	7		

The proposal was unanimously approved.

8. Update on the Conservation Status of the Golden Plover and Song Thrush

Mr Richard Lia provided a status updated on the conservation status of Golden Plover and Song Thrush. He stated that he conducts this assessment annually and confirmed that both the Golden Plover and Song Thrush populations are currently stable, with short-term and long-term security.

Although there has been a slight long-term decline in the Song Thrush population of approximately 3%, it remains stable, complemented by an increase in both the short-term and long-term trends for the Golden Plover. Additionally, there has been a short-term increase noted in the Song Thrush population.

Referring to the report circulated, he noted that some of the countries mentioned are not part of the EU and do not contribute to Malta's reference population. He clarified that the comparisons made between the previous and current EBCC updates are for informational purposes only. The EBCC updates provide composite data on population trends from all contributing countries, including those outside Malta's EU reference population. However, since the EBCC updates do not offer segregated data on population levels and trends for each country, it is not feasible to utilize EBCC composite data for updating the assessment of species at Malta's EU population level.

Mr Lia explained that the most recent data available for assessing species status, segregated by country, is published by the European Environment Agency as part of the Article 12 reporting for the Birds Directive covering the period from 2013 to 2018. Looking ahead, he noted that the upcoming Bird Reporting for the period 2019-2024 has a submission deadline of July 2025.

In response to a question from the Chairman, Mr Lia said that the reference population is historically calculated from ringing recovery data, which is less accurate compared to satellite tracking data that provides more detailed insights. He emphasised that when applying for a derogation, it must be done cautiously, as the presence of a particular species over Maltese territory does not necessarily mean it belongs to Malta. The natural boundaries of bird migration cannot be controlled, making it essential to apply the small number criteria correctly to ensure proper implementation of the Bird Directive.

9. Hunting at Sea (Proposal submitted by FKNK)

Mr Darrin Stevens recommended that technical recommendation from the WBRU in line with the Birds is prepared to enable the Committee to proceed with the discussion.

10. Legal amendment to Safeguard School Grounds and Boundaries (Proposal submitted by BLM)

Mr Mark Sultana explained that all documents will be forwarded to the Committee for members to have sufficient time to review prior to next meeting. Discussion and voting were postponed.

The meeting was concluded and adjourned.