Report on the Outcome of the 2018 Spring Hunting Season in Malta

May 2018

Wild Birds Regulation Unit

Parliamentary Secretariat for Agriculture, Fisheries and Animal Rights

Ministry for the Environment, Sustainable Development and Climate Change

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1. Introduction

1.1 This report has been prepared in addition to Malta's formal reporting obligation under Article 9 of the Birds Directive. The report provides an overview of the implementation of Malta's spring hunting derogation for Common Quail (*Coturnix coturnix*) in April 2018, 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 2017; 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 2018 spring season and the reported hunter catches; the enforcement efforts in place to ensure the strict supervision of hunting during the 2018 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 moratorium will remain in force until such time that the maintenance of the population of this species at satisfactory level is scientifically ascertained at EU level. For this reason, derogation for spring hunting of the Turtle-dove has not been considered in 2018. The present report therefore covers implementation of the derogation for Quail only.

2. Legal and policy basis for the application of a derogation permitting spring hunting of Common Quail in 2018

2.1 As was also the case in previous years, a derogation permitting spring hunting in 2018 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*".

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

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

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

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

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

3. Consideration by the Malta Ornis Committee

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

3.2 On 22 November 2017[4], the Committee was presented with the results of the independent scientific study on estimated migratory influx of Turtle-dove and Quail during September and October 2017 (enclosed in Annex I to this Report). The Committee further considered the results of this study in conjunction with hunting bag data for these two species, as described in subsequent parts of this report below.

[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
[4] https://msdec.gov.mt/en/Document%20Repository/WBRU/2018/ornisCommittee/Minutes%2022-11-17.pdf

3.3 At its sitting on 24 January 2018[5], the Committee considered an updated assessment of the conservation status of Quail (enclosed in Annex II to this Report). The findings of this assessment are discussed further below in subsequent sections of this report.

3.4 At the same sitting, 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 Quail in spring 2018. Although the dates of the season and the various options were discussed during a follow-up meeting held on 21 February[6], no agreement was reached by the Committee. A final recommendation to Government on the dates of the season was made during another meeting held on 27 February[7], namely to open the season from 5 April until 25 April, with an individual daily bag limit of five birds and an individual seasonal limit of ten birds. However, following Ornis Committee recommendation, the Government opted to open the season between 1 April and 21 April, inclusive of both dates.

4. Consideration of the conservation status of Common Quail

4.1 As was also the case in previous years, prior to further consideration by the Malta Ornis Committee on whether or not to recommend to Government the application of a derogation, the Wild Birds Regulation Unit carried out an assessment of all latest available scientific data pertaining to the population status of Common Quail (*Coturnix coturnix*). This assessment was presented to the Malta Ornis Committee on 24 January 2018 and is contained in Annex II to this report, which also includes an update on the conservation status of the Turtle-dove.

4.2 According to this assessment, the European Environment Agency continued to categorise 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 remained "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

[5] http://msdec.gov.mt/en/Document%20Repository/WBRU/2018/ornisCommittee/Minutes%2024-01-2018.pdf
[6] https://msdec.gov.mt/en/Document%20Repository/WBRU/2018/ornisCommittee/Minutes%2021-02-2018.pdf
[7] https://msdec.gov.mt/en/Document%20Repository/WBRU/2018/ornisCommittee/Minutes%2027-02-2018.pdf

Common Quail within EU27 is estimated by Birdlife International (2018) to constitute 40% of the total European population.

4.4 This species is not included in the Pan-European Common Bird Monitoring Scheme (European Bird Census Council[8]). 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. Pairs: +23.49%; Max. Pairs: +27.40%). However, this percentage increase should be interpreted with caution given that it is based on data pertaining to only 69% 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".

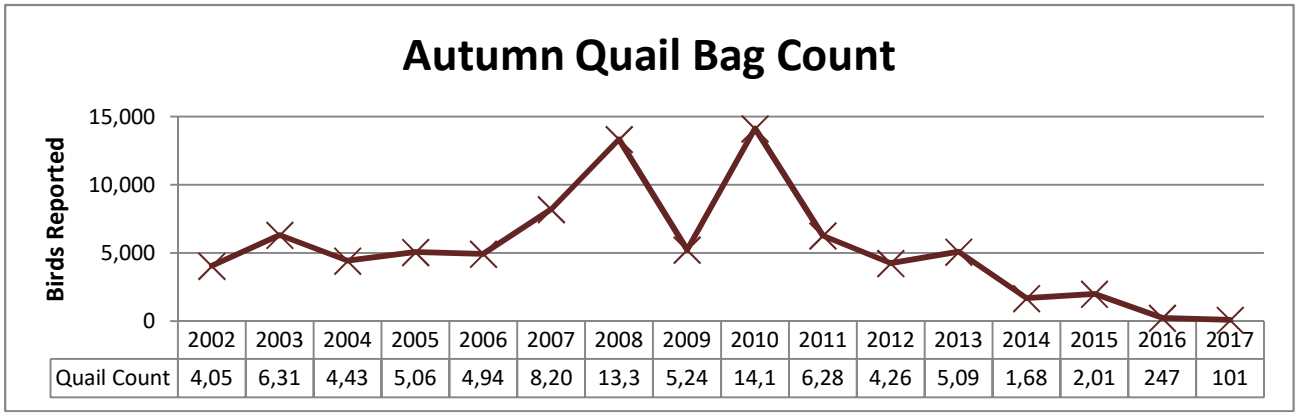
5. Consideration of autumn 2017 bag statistics, migration data and enforcement parameters

5.1 In 2017 there were 10,467 persons licensed to hunt birds on land. During the period of open autumn hunting season (1st September 2017 – 31st January 2018), a total of 101 Common Quail were reported hunted, as follows: 47 in September, 49 in October and 5 in November 2017. No Quail bags were reported in December 2017 and January 2018.

5.2 The total number of Quail reported hunted during the 2017 autumn season was lower than in 2016 (247 Quail) and was the poorest on record since 2002 (Figure 1).

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

Figure 1 – Quail bags reported during autumn seasons since 2002[9]



	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Quail Count	4,05	6,31	4,43	5,06	4,94	8,20	13,3	5,24	14,1	6,28	4,26	5,09	1,68	2,01	247	101

Source: Wild Birds Regulation Unit, 2017

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

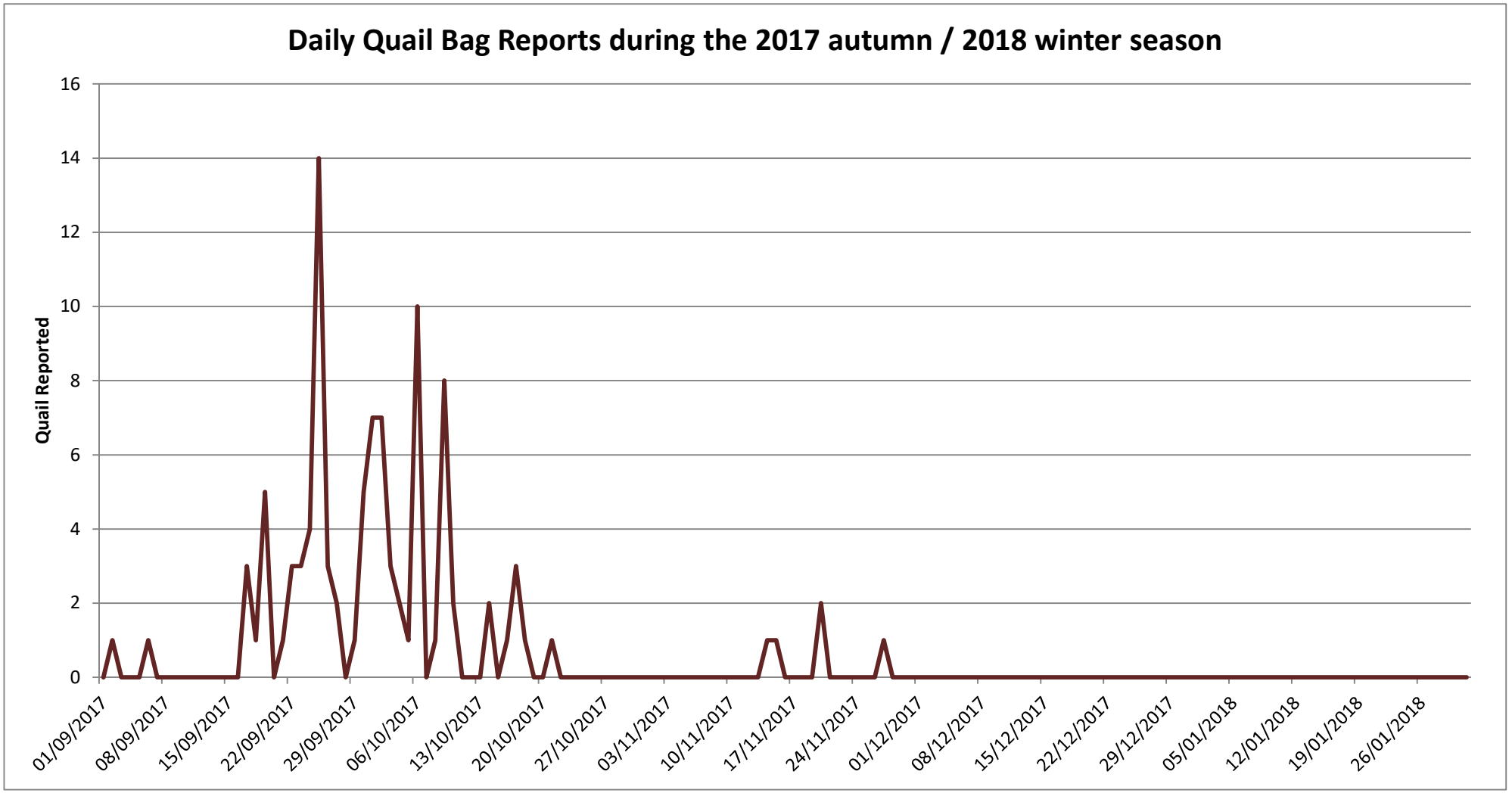
Table 1 – Monthly catches of Common Quail in the autumn of 2017/ winter 2018

Month	Quail
September '17	47
October '17	49
November '17	5
December '17	0
January '18	0
Total	**101**

Source: Wild Birds Regulation Unit, 2018

[9] 2002–2005 figures included both hunting and trapping data; in 2014 autumn season was suspended between 20th September and 11th October

Figure 2 – Daily reported catches for Quail between September 2017 and January 2018



5.4 An independent **migration study** to estimate the influx of Turtle-dove and Quail during the peak migration period in the autumn of 2017 was conducted. The study aimed at surveying and scientifically monitoring the daily influx of Turtle-dove and Common Quail between 1st September and 31th October 2017 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 2017 survey was identical to that used in surveys made by the same company in autumn 2015 and autumn 2016 (Ecoserv, 2015; 2016) and during the spring migration studies (Ecoserv, 2011; 2012; 2013; 2014; 2015; 2016; 2017; 2018).

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.

Migration observations of Common Quail

5.8 Raw daily counts for Common Quail recorded from the 21 sites during the present study varied between 0 and a maximum of 9, while the mean daily counts ranged between 0 and 1.5. The recorded counts did not vary appreciably between the different sites: at the higher end, a total of 13 individuals were recorded from grid location 3881 located in north western Malta, while at the lower end, no Quail were recorded throughout the survey period from grid location 5277 located in eastern Malta.

5.9 Values of mean daily counts and total counts of Common Quail recorded during the period 1 September to 31 October 2017 from present 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) in Figure 3. The daily mean counts recorded during the period 1 September to 31 October 2017 are overall lower than those recorded in 2008 and 2009 (Thomaidis, nd) for the same period, but similar to those recorded in 2014–2016. No migration peaks (with a mean count >2) were recorded during the autumn 2017 survey. The general pattern from all years being compared is a main migratory influx between mid-September and the beginning of October.

5.10 Values of the grand mean for Common Quail counts for 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 2017 survey is lower than that recorded during the 2008 and 2009 (Thomaidis, nd) surveys, but marginally higher than values recorded during the 2014 and 2016 surveys (Ecoserv, 2014; 2016).

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
1-Sep-17	0.00	± 0.00		0	0
2-Sep-17	0.00	± 0.00		0	0
3-Sep-17	0.00	± 0.00		0	0
4-Sep-17	0.00	± 0.00		0	0
5-Sep-17	0.17	± 0.41		1	987
6-Sep-17	0.00	± 0.00		0	0
7-Sep-17	0.00	± 0.00		0	0
8-Sep-17	0.17	± 0.41		1	745
9-Sep-17	0.00	± 0.00		0	0
10-Sep-17	0.17	± 0.41		1	1295
11-Sep-17	0.00	± 0.00		0	0
12-Sep-17	0.00	± 0.00	0.224	0	0

Date	Mean Count ± SD		Total Area Surveyed (km^2)	Total count	Estimated Daily Influx
13-Sep-17	0.00	± 0.00	0.171	0	0
14-Sep-17	0.00	± 0.00	0.233	0	0
15-Sep-17	0.17	± 0.41	0.297	1	1050
16-Sep-17	0.33	± 0.52	0.224	2	1490
17-Sep-17	0.67	± 0.82	0.171	4	3946
18-Sep-17	0.00	± 0.00	0.211	0	0
19-Sep-17	0.17	± 0.41	0.297	1	949
20-Sep-17	0.00	± 0.00	0.224	0	0
21-Sep-17	0.17	± 0.41	0.171	1	987
22-Sep-17	0.33	± 0.52	0.211	2	2589
23-Sep-17	0.17	± 0.41	0.297	1	949
24-Sep-17	0.33	± 0.52	0.224	2	1490
25-Sep-17	1.00	± 1.26	0.171	6	5920
26-Sep-17	0.17	± 0.41	0.211	1	1295
27-Sep-17	0.17	± 0.41	0.297	1	949
28-Sep-17	0.33	± 0.52	0.224	2	1490
29-Sep-17	0.33	± 0.82	0.171	2	1973
30-Sep-17	0.50	± 0.84	0.233	3	3884
1-Oct-17	0.83	± 1.60	0.275	5	4745
2-Oct-17	0.00	± 0.00	0.224	0	0
3-Oct-17	1.50	± 3.67	0.171	9	8879
4-Oct-17	1.17	± 2.40	0.233	7	10423
5-Oct-17	0.50	± 0.84	0.297	3	3149
6-Oct-17	0.33	± 0.82	0.224	2	1490
7-Oct-17	0.17	± 0.41	0.171	1	1096
8-Oct-17	0.67	± 0.82	0.233	4	5178
9-Oct-17	0.67	± 1.03	0.297	4	4198
10-Oct-17	0.17	± 0.41	0.224	1	745
11-Oct-17	0.00	± 0.00	0.171	0	0
12-Oct-17	0.50	± 0.55	0.233	3	4467
13-Oct-17	0.00	± 0.00	0.275	0	0
14-Oct-17	0.83	± 1.17	0.224	5	3726
15-Oct-17	0.17	± 0.41	0.149	1	987
16-Oct-17	1.00	± 1.10	0.211	6	7767
17-Oct-17	0.67	± 1.03	0.297	4	3796
18-Oct-17	0.00	± 0.00	0.202	0	0
19-Oct-17	0.67	± 1.21	0.171	4	4382
20-Oct-17	0.00	± 0.00	0.211	0	0
21-Oct-17	0.00	± 0.00	0.297	0	0
22-Oct-17	0.00	± 0.00	0.224	0	0
23-Oct-17	0.00	± 0.00	0.149	0	0
24-Oct-17	0.00	± 0.00	0.233	0	0
25-Oct-17	0.17	± 0.41	0.297	1	949
26-Oct-17	0.00	± 0.00	0.224	0	0
27-Oct-17	0.00	± 0.00	0.171	0	0
28-Oct-17	0.00	± 0.00	0.233	0	0
29-Oct-17	0.00	± 0.00	0.297	0	0
30-Oct-17	0.00	± 0.00	0.202	0	0
31-Oct-17	0.00	± 0.00	0.171	0	0
Sum total				**92**	**97965**

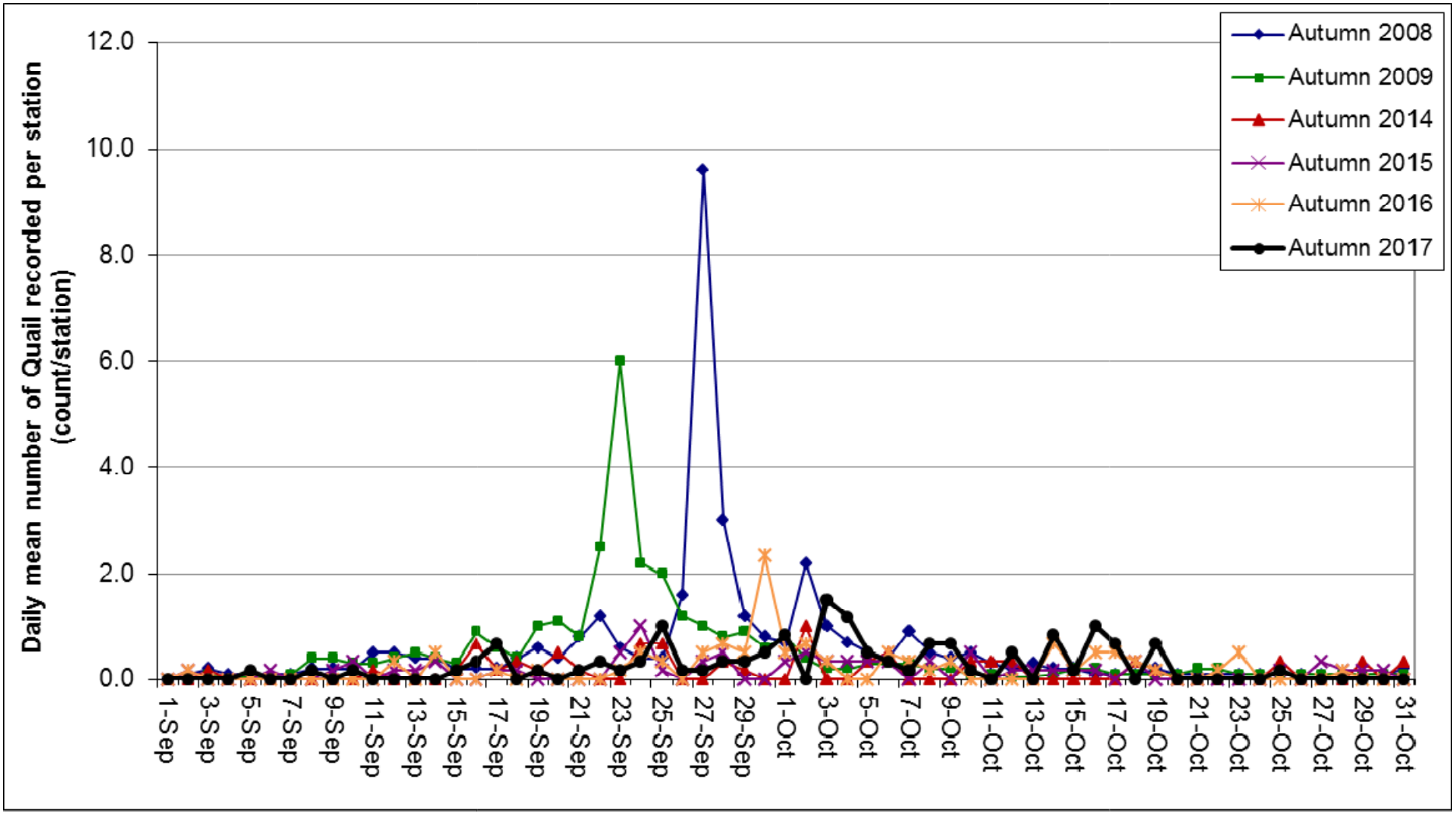
Source: Ecoserv, 2017

5.11 The highest mean count was recorded from Ċirkewwa (Grid 3881) located in north western Malta, while overall high counts were recorded from study sites located in the western half of Malta. The lowest mean counts were recorded from the eastern parts of Malta.

5.12 As has been done in previous surveys undertaken in autumn (Ecoserv, 2014; 2015; 2016) and spring (Ecoserv, 2011; 2012; 2013; 2014; 2015; 2016; 2017), 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.

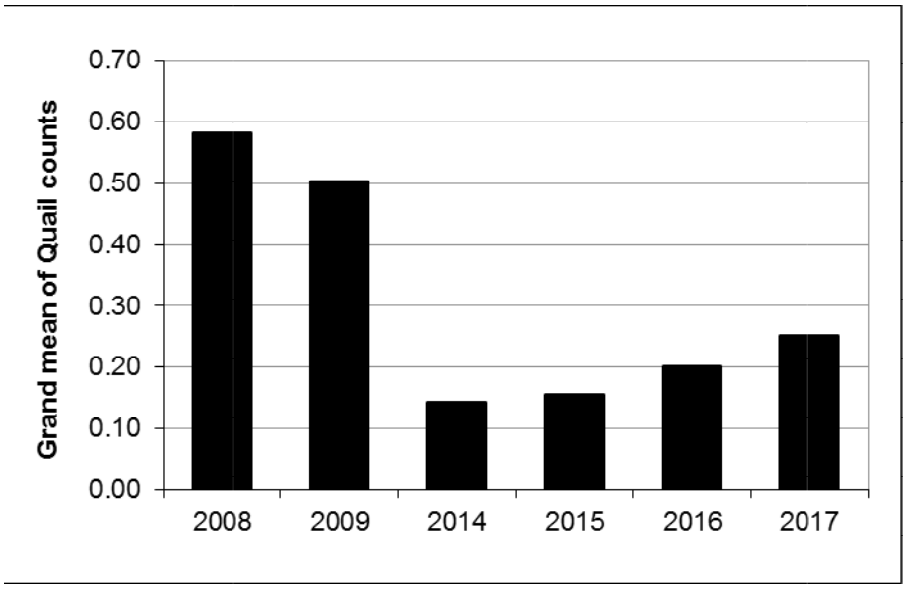
5.13 It was furthermore noted that Quail also tends to appear in certain localities before others (Fenech, 2010; Fenech, *in. litt.*). This is highlighted by one of the data records from the present study—a total of 13 individuals were recorded from grid location 3881 located in northwestern Malta, while at the lower end, no Quail were recorded throughout the survey period from grid locations 5277 located in eastern Malta. 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 Quail.

Figure 3 - Daily mean counts of Common Quail per station (= site) recorded during the period 1 September – 31 October 2017, together with values of the same statistic for autumn 2008 and 2009 as reported in Thomaidis (nd) and for autumn 2014 as reported in Ecoserv (2014), for autumn 2015 as reported in Ecoserv (2015) and for autumn 2065 as reported in Ecoserv (2016)



Source: Ecoserv, 2017

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

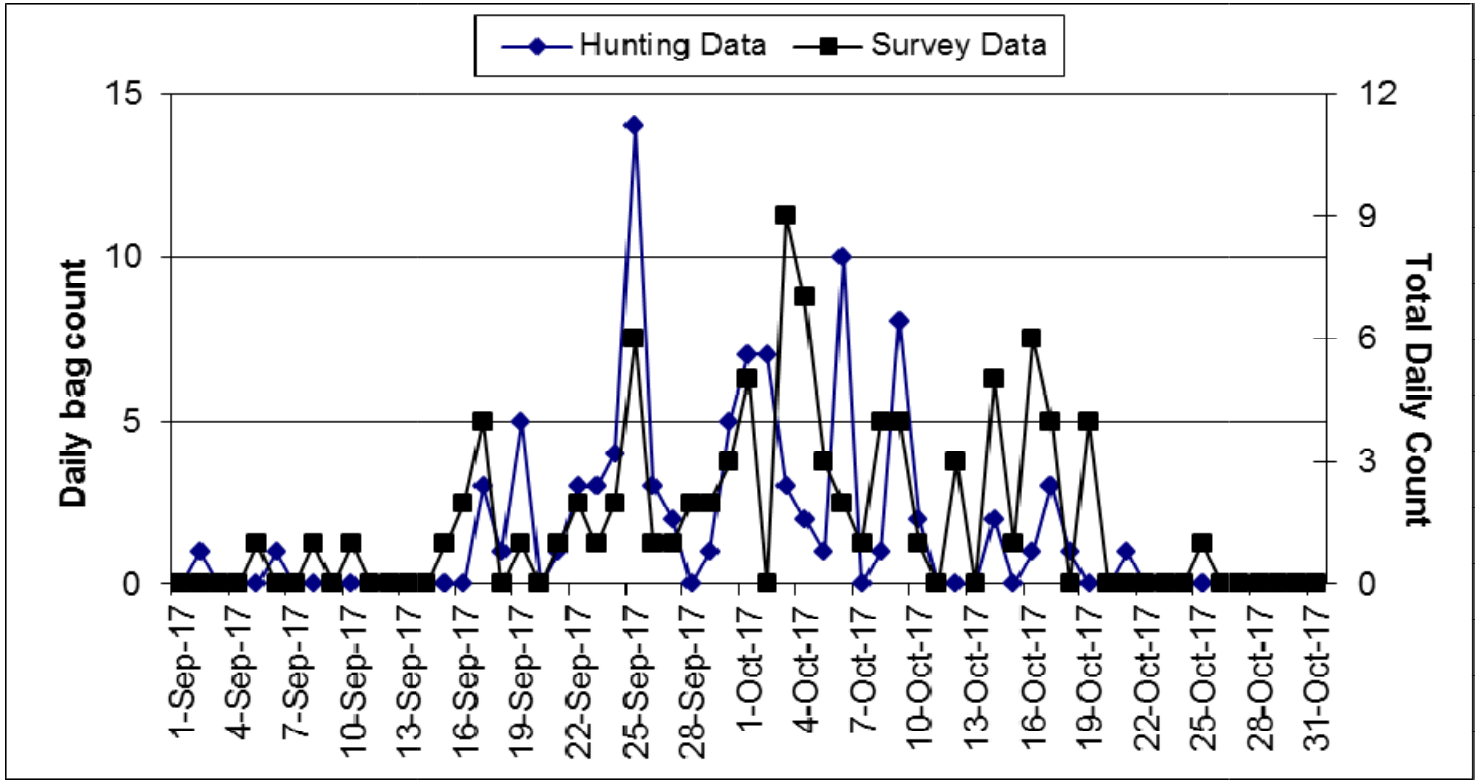


Source: Ecoserv, 2017

Correlation of migration observations with reported bags

5.14 As was also the case in 2016, 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 2017 (blue line; values on left-side y-axis), together with the total daily counts recorded during the 2017 survey (black line; values on right-side y-axis), for the period 1 September – 31 October 2017.



Source: Ecoserv, 2017[10]

[10] http://msdec.gov.mt/en/Document%20Repository/WBRU/2018/otherReports/MSDEC_Survey%20of%20Influx%20Turtle%20Dove.pdf

5.15 The above data on reported catches and observation trends were considered also in the context of the enforcement statistics pertaining to the 2017 autumn season summarised below.

Summary of enforcement during 2017 autumn hunting season

5.16 During the period of the autumn hunting season, the authorities deployed a total complement of 74 officers tasked with overseeing compliance with the parameters of the season. This complement consisted of 17 officers of the Administrative Law Enforcement Unit (ALE) of the police, 28 officers of the Armed Forces of Malta (AFM), 26 police officers temporarily seconded with the ALE from other police units and three officers of the Wild Birds Regulation Unit's Specialist Enforcement Branch. This enforcement complement was deployed gradually, ranging from a minimum of 12 officers deployed daily during each shift in early September, reaching maximum of 45 officers by early October, averaging at 32 officers deployed daily over the entire span of the season. The officers conducted field patrols split into two shifts between 0500 hours and 2100 hours daily.

5.17 As was also the case in previous years, the officers received specialised training during four training sessions (two in Malta and two in Gozo) on enforcement priorities and techniques organised by the Wild Birds Regulation Unit. Over 60 officers were trained in basic ornithology, wildlife crime detection techniques, inspection procedures, applicable regulations and prosecution processes.

5.18 The officers utilised a combination of techniques, including vehicular patrols, covert observation, stationary observation posts, foot patrols, physical inspections and spot-checks on individual hunters, and road-blocks. During the season, the officers conducted 32,854 field patrols to specific locations / site inspections (24,888 in Malta and 7,966 in Gozo) and 2,351 spot-checks on individual licensees (1,788 in Malta and 563 in Gozo), which is 13% more than the number of spot-checks and inspections conducted during the same period in 2016 (31,089), and almost double the total number of inspections conducted during the same period in 2015 (19,895).

5.19 In the course of field surveillance, inspections and spot-checks, the authorities detected a total of 38 infringements, which led to legal action being taken against 37 offenders, including 13 persons subjected to criminal prosecution and 24 persons subjected to an administrative fine.

5.20 A comparison of the enforcement statistics with the corresponding metrics for previous years is presented in Table 3 below.

Table 3 - Offences disclosed during autumn hunting / trapping seasons (1st September - 31st January) over the past 6 years

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

Source: Wild Birds Regulation Unit and Malta Police Force, 2018

5.21 The above table (Table 3) also lists bird-related offences that are unrelated to the hunting season (e.g. illegal possession of protected birds; illegal sale / smuggling cases), but which were disclosed during the period in question. It should be noted that the above table lists only those 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.

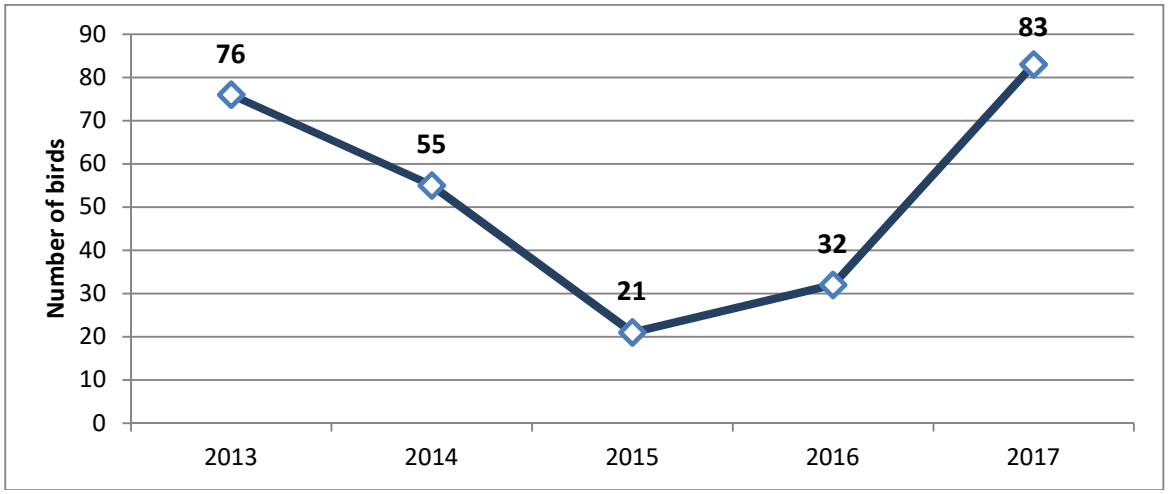
5.22 The statistics evidently points to the continuation of the overall positive trend towards reduction in the incidence of most categories of bird-related crime, which proportionately mirrors increased intensity of inspections and surveillance. The statistics do not include alleged or suspected illegalities reported to enforcement officials during the period under review where no or insufficient evidence was available to enable identification of perpetrator and appropriate judicial action.

5.23 In parallel with implementing an information campaign, in order to enforce compliance, 153 inspections at points of entry, namely Customs and Cargo Sections of the Malta International Airport (MIA) and the Sea Passenger Terminal were carried out. Five of these were surprise inspections at MIA. This represents a 30% increase in inspections

from the previous year (n_{2016} = 118). During these inspections 17,549 bird specimens were examined for compliance with the regulations. Around 85 specimens were seized due to insufficient proof of legal acquisition but were subsequently released upon provision of adequate documented proof. During 2017, the Specialist Enforcement Branch of the Wild Birds Regulation Unit together with the Administrative Law Enforcement Unit of the Police conducted five inspections at private residences during which 1,449 stuffed bird specimens held in private collections were examined. Legal action was taken against one person for illegal possession of a protected bird specimen and illegal disposal of 27 stuffed protected birds which had been declared with the authorities amongst other irregularities.

5.24 Throughout 2017, the authorities recovered around 215 wild birds belonging to numerous species that were provided with the appropriate veterinary care and rehabilitation. Of these, 83 protected birds were confirmed to have suffered gunshot wounds as a result of illegal targeting (Figure 6). Most of these birds were retrieved during the period of the autumn hunting season. A procedure coordinated by the Wild Birds Regulation Unit was put in place in conjunction with the ALE, BirdLife Malta and a government-appointed veterinarian to provide appropriate veterinary care and, where possible, coordinate rehabilitation of such birds. Below figure presents a comparison of the number of illegally shot protected birds recovered by the authorities over the past five 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 2018

5.25 The Specialist Enforcement Branch of the Wild Birds Regulation Unit maintained a leading coordinating role ensuring effective operational liaison between enforcement entities and other stakeholders. Whilst providing a 24/7 enforcement hotline for the public and NGOs, the Unit also assisted the police in field surveillance operations.

6. Determination of the 2018 spring hunting bag limit and other parameters

6.1 Regulation 5 of the Framework Regulations (S.L. 549.57[11]) stipulates the requirement for the establishment of an overall bag limit for a spring hunting season for Quail, on the basis of figures contained in Annex 1 to the same Regulations. The same Regulations also stipulate the requirement of taking into consideration the conservation status of the species concerned and the maintenance of the population of the species at a satisfactory level when establishing the overall bag limit. Regulation 5 also provides for the requirement of establishing seasonal and daily bag limits per hunting licence.

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

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

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

6.3 Since the total bag for the autumn 2017 hunting season was 101 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 again established the individual season's bag limit to the maximum of ten Quail per

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

hunter per season, and the daily bag limit to five Quail per hunter as enacted by means of Legal Notice 91 of 2018[12] which declared the parameters of the derogation.

6.5 Based on the above, the 2018 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 21 April 2018. Each Spring Hunting Licence established a daily bag limit of five birds and a seasonal bag limit of ten birds per licence, or however many below that number might have been hunted before the season closed.

7. Application process and issuance of special spring hunting licences

7.1 In order to be eligible for a Special 2018 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 2018;

(c) Valid third party liability insurance cover for 2018;

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

7.2 Applications for a special spring hunting licence were received during a 10-day period from 12th March to the 21st March 2018. In 2018 a new application procedure was established to improve the logistics and to simplify the application process. Applicants were required to call the game reporting phone number (77070009) during said period and register their application by following the voice prompts. This telephone system automatically vetted the callers to ensure that the number they are calling from is registered with the Wild Birds Regulation Unit and that they thus have a valid general licence to hunt birds on land. Callers not registered in the system as eligible for a Spring Hunting 2018 licence were informed of such ineligibility and the application automatically rejected. A confirmation SMS was sent to each successful applicant informing them of their licence number.

7.3 The Wild Birds Regulation Unit received a total of 6,754 applications to obtain a special spring hunting licence. Upon verification, all these applications were considered as valid. The number of applications for the 2018 spring hunting season was approximately 1% higher than in 2017 (6,653) and 37% lower than in 2016 (9,252).

7.4 A total of 5,583 licences were subsequently issued to applicants resident in Malta and 1,171 to applicants resident in Gozo.

7.5 Spring hunting licence conditions were established according to the provisions of the Framework Regulations (S.L. 549.57[13]) and the provisions of Legal Notice 91 of 2018[14]. Additionally, all licensed hunters were required to abide by the regulations laid down in the Conservation of Wild Birds Regulations (S.L. 549.42[15]). 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 confirmation SMS bearing the special licence code at all times. They were also expected to immediately report their catches through the telephonic game reporting system, to abide by the time restrictions, and respect the daily bag limit of 5 birds and a season bag limit of 10 birds. These conditions were strictly monitored, supervised and enforced, as described in the enforcement section of this report.

8. Telephonic reports of catches made

8.1 In accordance with Regulation 5(d) of the Framework Regulations (S.L. 549.57[16]), 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 dialling 77070009 via their mobile phones immediately after catching a Quail.

8.2 The telephone system subsequently guided the hunters through the reporting procedure via voice prompts. Each telephonic report was registered in the database in real time, and the hunters concerned received an SMS confirmation of a successful report. The system could only be used by hunters in possession of a Special Licence, and rejected calls from unlicensed persons.

8.3 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

[13] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11570&l=1
[14] http://justiceservices.gov.mt/DownloadDocument.aspx?app=lp&itemid=28987&l=1
[15] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11548&l=1
[16] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11570&l=1

hunters' reporting obligations. Meetings were held with hunting organisations to encourage dissemination of regulatory information amongst their members, and with several hundred individual hunters to explain regulations and to promote zero-tolerance to non-compliance. 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.

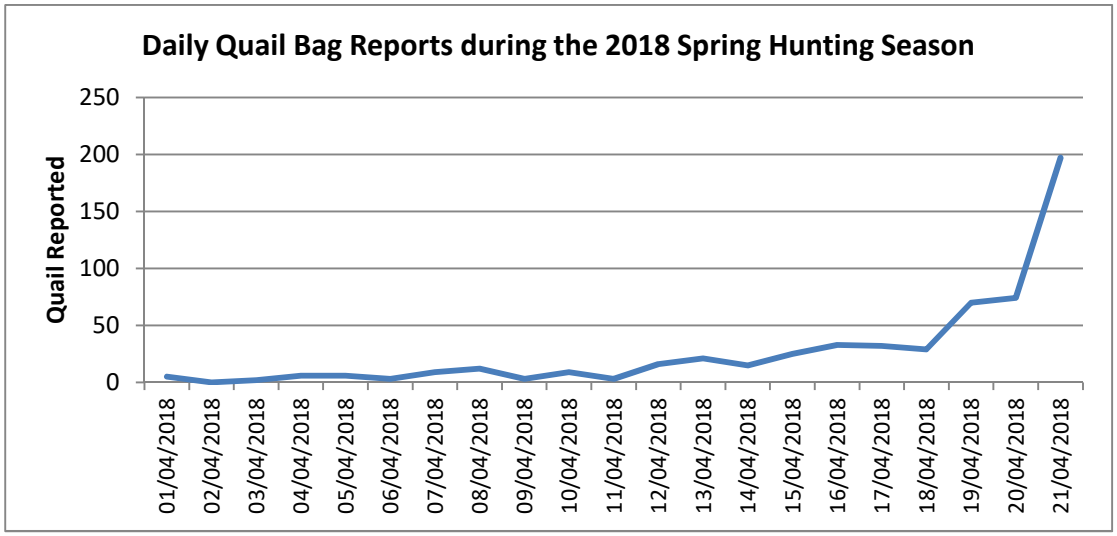
8.4 During the period of the derogation, the Wild Birds Regulation Unit made use of the telephonic game reporting system for the daily logging of hunters' reports. These reports were monitored in real time throughout the season, with the view of keeping track of a number of variables, including: (i) the total number of birds caught per day, (ii) cumulative totals, and (iii) the uptake of the daily and seasonal bag limits per licence.

8.5 Furthermore, the system deployed a filtering / verification system which ensured that the mobile phone numbers from which reports were received actually corresponded to pre-registered mobile phone numbers of registered licence holders. The relevant data for reported Quail is presented in Table 4 and Figure 8 respectively.

Table 4: Number of Quail reported through the telephonic system (Game Reporting System, 2018)

Date	Quail	Cumulative
01/04/2018	5	5
02/04/2018	0	5
03/04/2018	2	7
04/04/2018	6	13
05/04/2018	6	19
06/04/2018	3	22
07/04/2018	9	31
08/04/2018	12	43
09/04/2018	3	46
10/04/2018	9	55
11/04/2018	3	58
12/04/2018	16	74
13/04/2018	21	95
14/04/2018	15	110
15/04/2018	25	135
16/04/2018	33	168
17/04/2018	32	200
18/04/2018	29	229
19/04/2018	70	299
20/04/2018	74	373
21/04/2018	197	570
Total		**570**

Figure 8: Daily total number of Quail reported during the 2018 spring hunting season – as reported through the telephonic system. (Game Reporting System, 2018)



8.6 As was also the case in previous years, 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 than these limits. The total number of Quail reported by hunters during the spring hunting season of 2018 equates to 11.4% of the limit permitted by law. Table 5 provides data on the number of Quail caught by hunters. There were a total of 311 hunters who caught between one and ten birds during the 2018 spring hunting season. Only 5% of hunters reported a catch, with the majority (6,443 hunters) not reporting a single catch.

Table 5: Number of Quail caught by hunters

Quail reported shot by hunter	Number of hunters declaring catches
0	6,443
1	171
2	84
3	23
4	12
5	15
6	3
7	3
8	0
9	0
10	0

Source: Wild Birds Regulation Unit, 2018

8.7 The individual daily bag limit of five birds was reached by four individuals during the season. As indicated in Table 5, no hunters reached the individual seasonal bag limit of 10 birds.

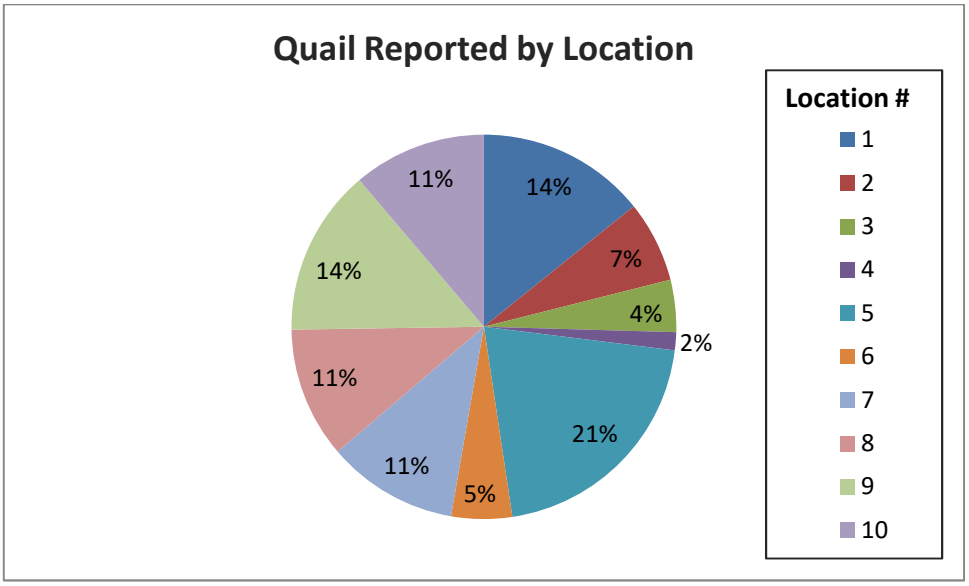
8.8 When reporting game caught, hunters were also requested to specify the location. Alongside with the bird reporting codes, the information booklet contained a map of the Maltese Islands as shown in Figure 9. This grid map had numbers corresponding to certain localities to allow the hunters to determine which area they were in.

Figure 9: Numbers allocated to the localities of the Maltese Islands for reporting purposes as presented in the information booklet.



8.9 Figure 10 shows the spatial distribution of reports of bagged quail. 21% of all bagged Quail reports were received from the Northern part of Malta (Location #5). The lowest share of reports was from location 6 in Malta and from locations 2, 3 and 4 in Gozo. The reported catches from the rest of the locations were evenly distributed.

Figure 10: Common Quail caught according to location number



Data Source: Game Reporting System, 2018

8.10 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	4
06:00 - 07:00	13
07:00 - 08:00	20
08:00 - 09:00	22
09:00 - 10:00	20
10:00 - 11:00	21
11:00 - 12:00	1

Data source: Wild Birds Regulation Unit, 2018

9. Independent bird migration study in spring 2018

9.1 As was also the case in previous years, an independent scientific study was carried out in Spring 2018, 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 (2018) with the following main objective: *To survey and scientifically monitor the daily influx of the Turtle Dove*[17] *and Common Quail; to estimate the overall presence (influx) of these two species per day and for the whole study period and to analyse observed and estimated migration trends in conjunction with the trends recorded in past studies, and in conjunction with any hunting data on the species surveyed.* Although, both species were observed, for the purpose of this study, only data related to Common Quail will be featured in this report, since no derogation was opened for the Turtle-dove. The geographical scope of the study extended across the three inhabited islands of the Maltese archipelago (that is, Malta, Gozo and Comino), with data gathered between 1st April and 21st April 2018. 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 2011–2017. 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

[17] Notwithstanding the fact that the 2018 derogation was applied for Quail only, Turtle-dove monitoring was included in the scope of the 2018 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.

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

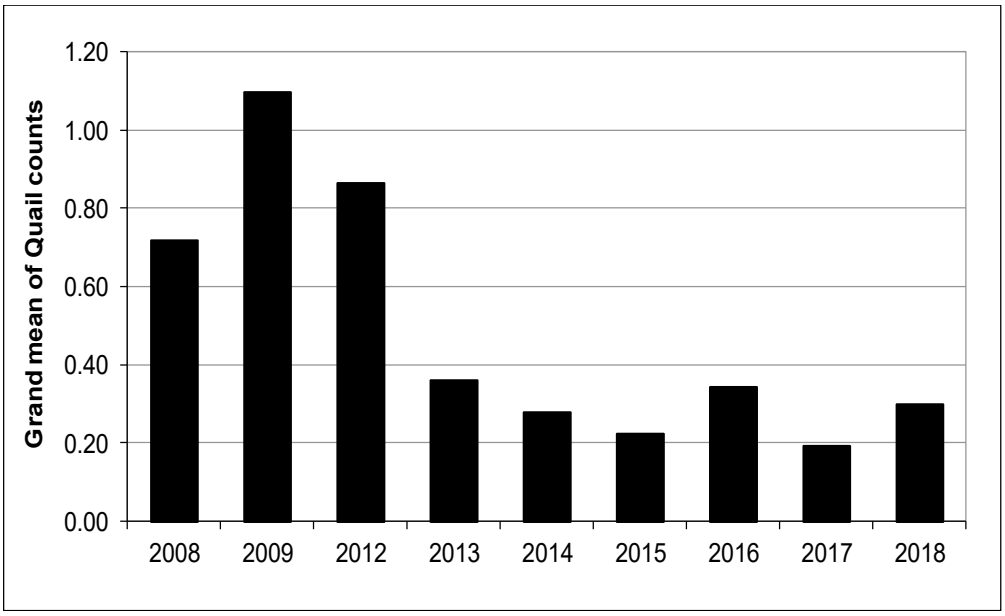
Date	Quail
Sunday, 1 April2018	2
Monday, 2 April 2018	2
Tuesday, 3April 2018	1
Wednesday, 4 April 2018	2
Thursday, 5 April 2018	3
Friday, 6 April2018	2
Saturday, 7April 2018	1
Sunday, 8 April 2018	3
Monday, 9 April 2018	2
Tuesday, 10 April 2018	9
Wednesday, 11 April 2018	1
Thursday, 12 April 2018	3
Friday, 13 April 2018	7
Saturday, 14 April 2018	0
Sunday, 15 April 2018	8
Monday , 16 April 2018	5
Tuesday, 17 April 2018	2
Wednesday, 18 April 2018	2
Thursday, 19 April 2018	1
Friday, 20 April 2018	4
Saturday, 21 April 2018	3
Total	**63**

Data source: Ecoserv, 2018

9.3 Daily raw counts for Common Quail recorded from the 28 sites during the present study varied between 0 and a maximum of 9 (Table 7 and Figure 12). The daily mean counts recorded during the period 1 to 21 April 2018 (present survey) are overall lower than those obtained in 2009 (Thomaidis, nd) during the same period, and also lower when compared to values recorded on 10 April and subsequent dates by Thomaidis (nd) in spring 2008, and by Ecoserv (2012) in spring 2012. On the other hand, values recorded in 2018 are overall similar to those recorded in spring 2017 by Ecoserv (2017) for the period

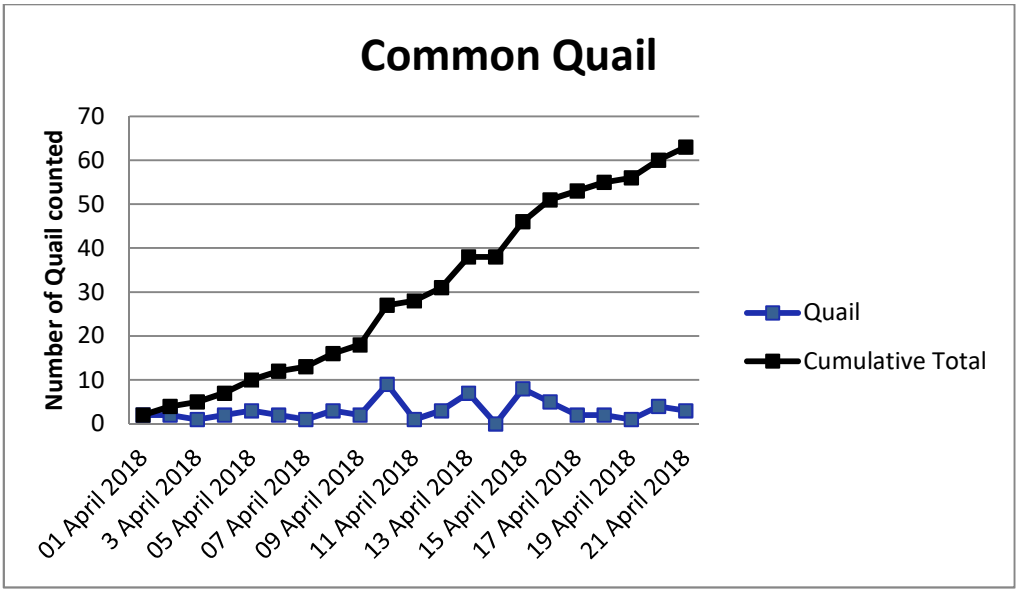
1–14 April, and to those recorded in spring 2013–2016 by Ecoserv (2013; 2014; 2015; 2016) during 10–21 April. Values of the grand mean of Common Quail counts recorded during the period 1–21 April from the spring 2018 survey, together with values of the grand mean for the same period in 2009 (Thomaidis, nd), for the period 9–14 April in 2012 (Ecoserv, 2012), for the period 10–14 April in 2008 (Thomaidis, nd), 2013, 2014 and 2016 (Ecoserv, 2012; 2013; 2014; 2016), for the period 14–21 April 2015 (Ecoserv, 2015), and for the period 1–14 April 2017 (Ecoserv, 2017) are shown in Figure 11. The grand mean recorded during the spring 2018 survey is similar to that recorded during the 2013–2017 surveys but lower than that recorded in 2008, 2009 and 2012.

Figure 11: Daily mean counts of Common Quail per station (= site) recorded during the present survey during the period 1 to 21 April 2018, 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), and spring 2017 as reported in Ecoserv (2017)



Data source: Ecoserv, 2018

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



Data source: Ecoserv, 2018

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. 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 1–21 April 2018 of 46,503 individuals, or some 2,214 Quail per day. However, as emphasised in the reports of previous surveys (Ecoserv, 2011; 2012; 2013; 2014; 2015; 2016; 2017), 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.

9.5 The estimated total influx of 46,503 Quail in 2018 is lower than that of 2013 (n=67,460), but higher than that recorded in other years; 2011 (n=22,699); 2012 (n=35,018); 2014 (n=37,771); 2015 (n= 20,211); 2016 (n= 31,266) and 2017 (n=27,615).

Table 8: Estimated total influx of Common Quail in 2017study period

Date	Quail Estimated Daily Influx
Sunday, 1 April2018	1,713
Monday, 2 April 2018	774
Tuesday, 3April 2018	826
Wednesday, 4 April 2018	1,585
Thursday, 5 April 2018	1,208
Friday, 6 April2018	1,642
Saturday, 7April 2018	792
Sunday, 8 April 2018	1,208
Monday, 9 April 2018	1,651
Tuesday, 10 April 2018	7,799
Wednesday, 11 April 2018	403
Thursday, 12 April 2018	2,702
Friday, 13 April 2018	5,546
Saturday, 14 April 2018	0
Sunday, 15 April 2018	7,204
Monday , 16 April 2018	3,962
Tuesday, 17 April 2018	805
Wednesday, 18 April 2018	1,642
Thursday, 19 April 2018	792
Friday, 20 April 2018	1,547
Saturday, 21 April 2018	2,702
Total	**46,503**

Data source: Ecoserv, 2018

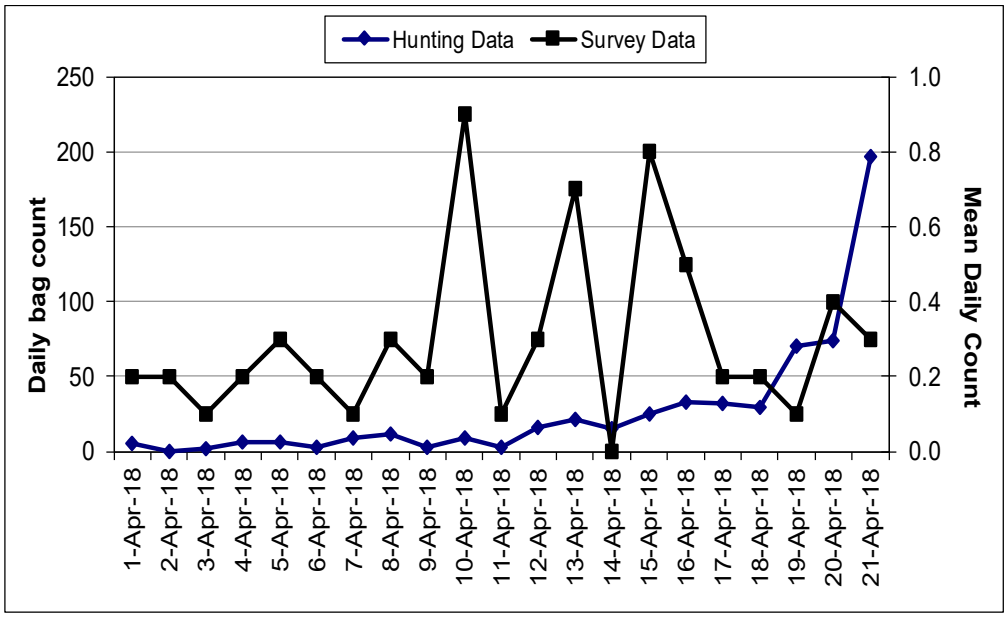
10. Comparison between migratory study data and telephonic reports

10.1 In order to validate the reporting system, data obtained from the telephonic reports during spring derogation period (1st April – 21st April) was compared with the counts and estimates generated through the 2018 spring migration study during the same period.

10.2 The daily counts made during the 2018 survey include day-to-day fluctuations, with the highest counts being made on 10 April, 13 April and 15 April 2018 (Figure 13), which

seem to indicate overall elvated counts during the period 10–15 April; but apart from this, 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 increase, especially towards the end of the survey period. Bag counts reported between 1–11 April range between 0 and 12 birds; those reported between 12–18 April range between 16 and 33 birds, and the highest bag counts of 70, 74 and 197 birds were reported on 19, 20 and 21 April 2018 respectively. The increase in bag counts reported in the last three days of the survey period is not reflected in the daily counts made during the 2018 survey. It should be noted, however, that the total daily counts made during the 2018 survey were low, which introduces an additional difficulty in making interpretations of these comparisons.

Figure 13: Daily bag count of Common Quail during 2018 (blue line; values on left-side y-axis), together with the mean daily counts recorded during the 2018 survey (black line; values on right-side y-axis), for the period 1 – 21 April 2018.



Data source: Ecoserv, 2018

10.3 Following closure of the season, WBRU conducted a survey amongst holders of the 2018 spring hunting licence to analyse the mismatch between the number of Quail reported by hunters (n = 197 Quail) and those recorded in the migration study during the last day of the season (n = $3_{\text{raw counts}}$ | $2{,}702_{\text{extrapolated}}$). A statistically representative random sample of 80 licence holders was initially selected from the individuals who reported a catch during the last day of the season (n = 123 hunters), thus providing a 95% confidence level at 6.5% confidence interval (margin of error: ±6.5%).

10.4 The sampled licence holders were surveyed telephonically, and asked whether they caught any Quail on 21 April and to provide details about their hunting region. 83.75% of survey participants confirmed that they caught Quail during the last day of the season, as reported via the game reporting system (including the region[18]). The remaining 16.25% (n = 13) stated that they reported a catch (a combined total of 20 Quail) on the last day of the season despite not having caught anything on the day. When questioned further, these participants stated that the Quail reported on 21 April were in fact caught earlier during the season. Thus, a total of **13 hunters confirmed that they failed to fulfil their legal obligation to <u>immediately</u> report their catch**, as specified in condition 7 of the special licence. A total of 13 administrative fines have thus been issued against these individuals, as follows:

- €50 (nine individuals who failed to immediately report one bird)
- €100 (two individuals who failed to immediately report two birds)
- €150 (one individual who failed to immediately report three birds)
- €200 (one individual who failed to immediately report four birds)

10.5 Based on this survey, it could be inferred that out of the 123 hunters who reported a catch during the last day of the season, a total of 20 hunters did not fulfil their reporting obligation. Contemporary researchers forewarn that extrapolating this percentage to the entire population (n = 6,754 licence holders) will not provide statistically robust data even if a rigorous sampling method was followed and, that extrapolation and generalisation should be restricted to the sampling frame (Stern *et al*., 2004[19]; Bryman, 2008[20]). If it were, it would reveal an alarming ballpark figure of more than 1,000 hunters who failed to comply with their reporting obligation. In fact, the survey was immediately extended to include **all** the remaining hunters who reported a catch during the last day of the season. All 43 participants stated that the Quail caught during the last day of the season were reported immediately.

10.6 Although, as outlined in the next section on enforcement, the number of spot-checks and road-checks carried out on individual hunters during the season do not support the assumption that there was a *widespread* problem of non-reporting, the survey nonetheless confirmed that failure to <u>immediately</u> report a catch is an issue that cannot be ignored. However, on the basis of this survey, the mismatch between the reporting data and the migration study data for the last day of the season remains, for the most part, unresolved.

[18] The reporting regions specified by hunters who confirmed having caught Quail during the last day of the season tallied with the respective game reporting data, as follows: 8% Gozo | 30% Northern, 10% Central and 52% Southern region.
[19] Stern, R.D., Coe, R., Allan, E.F. and Dale, I.C. (2004). Eds. *Good statistical practice for natural resources research*. Wallingford: CABI Publishing.
[20] Bryman, A. (2008). *Social research methods.* 3rd ed. Oxford: Oxford University Press.

11. Enforcement

11.1 During the 2018 spring hunting season, the Maltese authorities sought to further consolidate and improve upon the level of enforcement effort deployed in the previous year, which, as described in Malta's report on the outcome of the 2017 spring hunting derogation, was already unprecedented in terms of its intensity.

11.2 The Framework Regulations (S.L. 549.57[21]) 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 6,754 hunters were in possession of a spring hunting licence in 2018 and therefore a maximum of 47 enforcement personnel were needed in accordance with national legislation to supervise the derogation period (roughly 40 officers in Malta and 7 in Gozo). However, as was also the case in 2017, the Government opted to increase the enforcement effort beyond this legal requirement, in order to ensure the strictest supervision of the spring hunting season possible, in line with the Birds Directive.

11.3 As was also the case in previous years, 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, from the Mounted Police Section and from the Armed Forces of Malta.

11.4 Prior to commencement of the season, enforcement officers received specialised training delivered by officials of the Specialist Enforcement Branch of the Wild Birds Regulation Unit. Two training sessions were held: one on 27 March 2018 in Malta (Figure 14) and another on 28 March 2018 in Gozo (Figure 15). In all, around 70 members of enforcement personnel participated in this training, during which they received a detailed briefing on:

- 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

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

Figure 14: Police training seminar in Malta



Figure 15: Police training seminar in Gozo



11.5 Furthermore, officers received a specialised briefing organised by the Wild Birds Regulation Unit on the objectives of the enforcement operation which were defined as follows:

- 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 (that is, 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, etc);

- To ensure that specific regulations applicable to the spring hunting derogation are enforced (enforcement of bag limits, spot-checks to determine that bags have been duly reported through telephonic game reporting system, etc). Reschedule

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

a) **Vehicular patrols** 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.

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

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

11.8 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[22]) and the Regulations opening the spring 2018 season (S.L. 549.57[23]);
- Ensure that no species other than Quail, were being targeted;
- Ensure compliance with bag limits and time restrictions.

11.9 During the period of the derogation, an overall daily field complement reaching up to around 85 officers (76 in Malta and 9 in Gozo) was deployed. Daily field deployment consisted of a complement that ranged between 31 and 50 officers (29–45 officers in Malta and 2–5 officers in Gozo) deployed during morning shift[24] and between 30 and 35 officers (29–31 officers in Malta and 1–4 officers in Gozo) during the afternoon shift.

11.10 During the period of the derogation, between 1st April and 21st April 2018, when the season was open, field officers from the Administrative Law Enforcement, Gozo police and the Wild Birds Regulation Unit carried out a total of 5,924 field inspections / patrols (4,405 in Malta and 1,519 in Gozo) and 692 spot-checks on individual hunters (514 in Malta and 178 in Gozo). In addition, ALE officers carried out 667 road checks with the aim of ensuring that all legal obligations of the spring hunting special licence and other regulations concerning the carrying of firearms are being respected. This enforcement effort cumulatively amounts to **7,283** inspections, spot-checks and road checks (Figure 16). On each day of the derogation, every patrol noted low number of hunters present in the field. Nonetheless, authorities maintained constant enforcement presence and high levels of inspections throughout the whole season.

11.11 In addition, enforcement officers carried out a total of five night patrols, four in Malta and one in Gozo. Three of these night patrols were carried out by ALE, on the 5th, 6th and 7th April. During the night patrol of the 5th April, ALE officers detected a bird caller in Binġemma, limits of Mġarr. A follow-up inspection was carried out the following morning with the aim of finding the owner of the bird caller. However, neither the bird caller nor the owner was found on site. On the 6th April, ALE patrolled the South area of

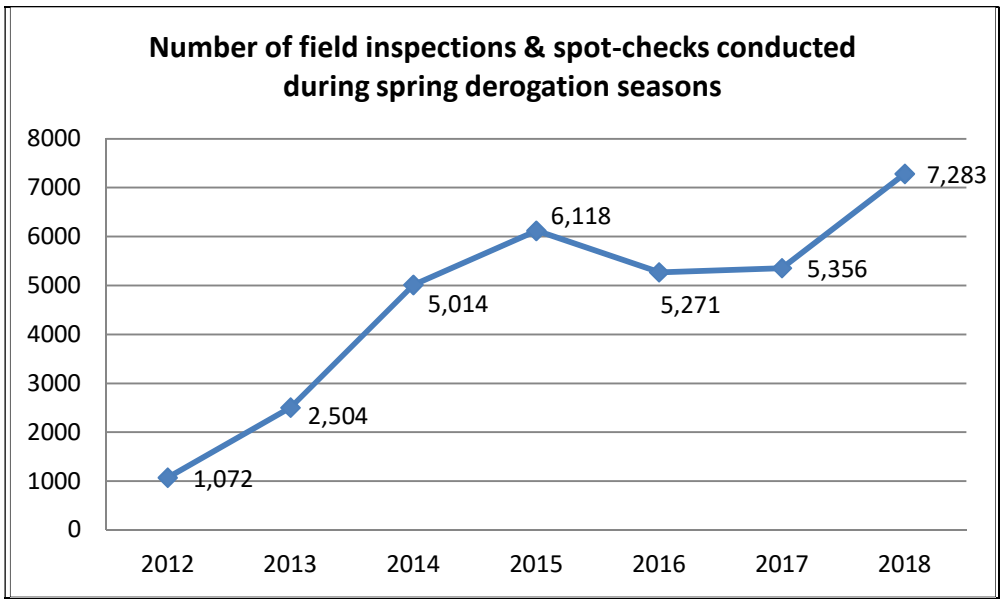
[22] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11570&l=1
[23] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=12044&l=1
[24] In Malta, enforcement officers operated on a two-shift basis: 0500 – 1330 and 1330 – 2130, whilst in Gozo, shift roster followed different pattern: number of officers varied between 0500–0700; 0700–1800 and 1800–2000 periods. In Malta peak number of officers was deployed during the morning shift (0500 and 1330) whilst in Gozo, the highest number of officers on the beat was deployed between 0700 and 1800.

Malta where an active bird caller was detected in Ta' Kandja. The same location was inspected the following day during the morning shift but the bird caller was switched off and no hunters were present. The night patrol of the 7th April targeted the northern side of Malta where no irregularities were detected.

11.12 WBRU assisted CABS in a night inspection on the 6th April in Malta. During this inspection a bird caller was found active in a field in Siġġiewi. The device was immediately dismantled and seized. The GPS coordinates were forwarded to the police for further investigation. Another joint night inspection was carried on the 10th April in Gozo after the illegal use of pre-recorded calls of Eurasian Stone-curlew (*Burhinus oedicnemus*)—listed in Annex I of the Birds Directive and Schedule I of the Conservation of Wild Birds Regulations (SL549.42)—was suspected. The report was not confirmed due to the fact that the alleged bird caller was not in use at time of inspection.

11.13 One joint night patrol was carried between ALE, WBRU and BirdLife Malta on the 11th April along the northwestern part of Malta. During this night patrol, GPS coordinates of six bird callers were identified for subsequent inspection by ALE during the following morning shift with the aim of identifying and charging the perpetrators. Investigations are currently ongoing.

Figure 16: Comparison of number of field inspections and spot-checks performed during the spring hunting seasons over the past 7 years



Source: Wild Birds Regulation Unit / Malta Police Force, 2018

11.14 In the course of these inspections and spot-checks, the officers disclosed a total of 44 offences (32 in Malta and 12 in Gozo), which led to legal action being taken against 14 persons (13 in Malta and 1 in Gozo), of which three persons are being charged for multiple offences. Investigations are still ongoing on 14 cases (8 in Malta and 6 in Gozo), whilst no further action could be taken on the remaining 13 cases (8 in Malta and 5 in Gozo) due to the lack of information on the possible culprits.

11.15 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 2018 spring hunting season.

Date	Number of officers deployed 0500-1500 (ALE / District / AFM)		Number of officers deployed 1500-2100 (ALE / District / AFM)		Night patrols conducted		Number of field inspections conducted (visits to specific areas)		Number of spot-checks on individual hunters		Offences detected (number of cases and nature of offence)	
	Malta	Gozo	Malta	Gozo	Malta	Gozo	Malta[25]	Gozo	Malta	Gozo	Malta	Gozo
01/04/2018	45	4	29	1	0	0	208	94	21	13	0	0
02/04/2018	45	4	29	1	0	0	208	50	23	1	1 offence Illegal trapping[26]	0
03/04/2018	45	4	29	1	0	0	208	91	26	2	0	0
04/04/2018	45	4	29	2	0	0	208	67	17	2	0	0
05/04/2018	45	5	31	3	1	0	208	30	21	7	1 offence Bird caller[27]	0
06/04/2018	45	3	31	1	1	0	208	53	18	0	4 offences 1 case of decoys of protected birds[28] 1 Illegal trapping[29] 2 bird callers[30]	1 offence Illegal shooting of protected bird[31]

[25] 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. In Gozo, enforcement teams conduct patrols throughout the island.
[26] Case refers to an illegal trapping site found by enforcement officers of the Wild Birds Regulation Unit during a patrol in Magħtab, limits of Naxxar. All trapping paraphernalia was seized and case was referred to the police for further investigation with the aim of identifying and charging the perpetrator.
[27] During a night patrol, ALE enforcement officers identified an unattended active bird caller for Quail (*Coturnix coturnix*) in Binġemma, limits of Mġarr. A follow-up inspection was carried out with the aim of identifying the perpetrator however the bird caller was not found and no hunters were on site.
[28] Case refers to plastic decoys of Turtle-doves (*Streptopelia turtur*) found by WBRU enforcement officers on an electricity pole in Baħrija. Given that the species was not huntable during the spring hunting season, case was referred to the police who coordinated the removal and seizure. The owner of these decoys could not be found.
[29] Case refers to illegal trapping of finches during closed season after ALE found a person illegally trapping in Qrendi. All trapping paraphernalia was seized and the birds found on site were immediately released. A person has been charged for illegal trapping during closed season and is currently awaiting court hearing.
[30] Case refers to a bird caller detected during a night inspection between WBRU and CABS, which was seized from a field in Siġġiewi. Details of the case have been forwarded to the police for further investigation. Another bird caller was identified by ALE during a night patrol in Ta' Kandja Siġġiewi. The site was inspected on the following day with the aim of identifying the owner of the bird caller and charge him accordingly. The perpetrator was not on site and the bird caller could not be located as it was switched off. No hunters were in sight.

Date	Number of officers deployed 0500-1500 (ALE / District / AFM)		Number of officers deployed 1500-2100 (ALE / District / AFM)		Night patrols conducted		Number of field inspections conducted (visits to specific areas)		Number of spot-checks on individual hunters		Offences detected (number of cases and nature of offence)	
	Malta	Gozo	Malta	Gozo	Malta	Gozo	Malta[25]	Gozo	Malta	Gozo	Malta	Gozo
07/04/2018	45	5	31	1	1[32]	0	208	45	38	5	0	0
08/04/2018	45	3	29	3	0	0	208	72	18	7	1 offence Illegal shooting of protected bird[33]	0
09/04/2018	45	3	29	3	0	0	208	54	17	28	0	0
10/04/2018	45	3	29	3	0	1[34]	208	57	31	8	0	0
11/04/2018	45	4	29	3	1	0	208	100	16	8	6 offences Bird callers[35]	0
12/04/2018	45	3	29	3	0	0	208	67	12	10	5 offences 1 Illegal shooting of protected birds[36] 1 Illegal shooting of protected birds and illegal possession and	0

[31] Case refers to the illegal shooting of a Marsh Harrier (*Circus aeruginosus*) found in Għasri, Gozo. The protected bird of prey suffered from a shotgun injury to its left wing and is currently being kept under observation by the government-appointed veterinarian.
[32] Patrol north side of Malta, no irregularities were detected.
[33] Case refers to the illegal killing of a Marsh Harrier (*Circus aeruginosus*) found by a cyclist in Miżieb area, culprit is unknown.
[34] This night patrol took place jointly between WBRU and CABS after the illegal use of pre-recorded calls of Eurasian Stone-curlew (*Burhinus oedicnemus*) was suspected. The report was not confirmed due to the fact that the alleged caller was not in use at time of inspection.
[35] Case refers to a joint night patrol between WBRU, ALE and BirdLife Malta along the north-west side of Malta. During this patrol, six bird callers were located for subsequent inspection by ALE the following morning with the aim of identifying and charging the perpetrators. Investigations are ongoing.
[36] Cases refer to the illegal killing of a Pallid Harrier (*Circus macrourus*). The person shooting at this specimen remained unknown.

Date	Number of officers deployed 0500-1500 (ALE / District / AFM)		Number of officers deployed 1500-2100 (ALE / District / AFM)		Night patrols conducted		Number of field inspections conducted (visits to specific areas)		Number of spot-checks on individual hunters		Offences detected (number of cases and nature of offence)	
	Malta	Gozo	Malta	Gozo	Malta	Gozo	Malta[25]	Gozo	Malta	Gozo	Malta	Gozo
											disposal of stuffed birds[37] 2 Illegal trapping[38]	
13/04/2018	45	3	29	4	0	0	208	135	22	22	0	0
14/04/2018	45	4	29	3	0	0	208	64	26	14	0	0
15/04/2018	45	4	29	3	0	0	208	20	21	2	8 offences 1 Hunting within prohibited hours and Arms act[39] 1 Conspiracy of breaking the law [39] 1 Hunting within prohibited hours and illegal possession and	0

[37] Case refers to the illegal killing of a Turtle-dove (*Streptopelia turtur*) in Għaxaq. For the latter case, WBRU assisted in the identification of a taxidermy collection found in possession of the accused. The person is being charged for the illegal killing of a protected bird, illegal possession of four stuffed protected birds: Black-headed Gull (*Larus ridibundus*), Mediterranean Gull (*Larus melanocephalus*), Corn Bunting (*Emberiza calandra*) and Great Reed Warbler (*Acrocephalus arundinaceus*) and for the illegal disposal of registered stuffed protected birds. The case is currently awaiting court hearing.

[38] Case refers to illegal trapping of finches during closed season in Mtaħleb. The police seized all trapping paraphernalia and issued charges against two persons for illegal trapping during closed season. Both cases are awaiting court hearing.

[39] Case refers to an incident of hunting during unpermitted hours in the area of Santu Kristu Chapel in Għaxaq on the 15th April. During an inspection in the area, police found two persons hunting during late afternoon (ie. during non-permitted hours). Both were arrested by members of the Administrative Law Enforcement Unit, and arraigned on the following day. During court hearing of the 16th of April one of the accused pleaded not guilty to having been allegedly out hunting during non-permitted hours, to having conspired to breach hunting regulations, having carried a firearm without the necessary licence and also with having breached the terms of his weapons licence. Bail was granted against a deposit of €200, a personal guarantee of €2,000 and ordered him to sign the bail book once a week. Moreover, the court strictly warned the man not to make use of any of the weapons not registered on his name. The other person was separately charged with having conspired to breach hunting regulations and was handed a €1,500 fine payable within six months after admitting to his wrongdoing. The other person on whom the gun was registered will be charged separately for breaching regulations concerning firearms licence.

Date	Number of officers deployed 0500-1500 (ALE / District / AFM)		Number of officers deployed 1500-2100 (ALE / District / AFM)		Night patrols conducted		Number of field inspections conducted (visits to specific areas)		Number of spot-checks on individual hunters		Offences detected (number of cases and nature of offence)	
	Malta	Gozo	Malta	Gozo	Malta	Gozo	Malta[25]	Gozo	Malta	Gozo	Malta	Gozo
											disposal of stuffed birds[40] 2 Arms Act[39] [40] 1 Hunting without special licence[41]	
16/04/2018	45	3	29	3	0	0	208	61	23	6	2 offences 1 Illegal shooting of protected bird[42] 1 Arms Act[43]	0
17/04/2018	45	3	29	2	0	0	208	130	20	9	0	0
18/04/2018	45	4	29	2	0	0	208	54	23	6	0	0
19/04/2018	45	2	29	1	0	0	208	98	47	8	3 offences 2 cases of illegal shooting of a protected bird[44]	0

[40] During inspections on the 15th April, ALE found a person hunting outside the legal-time window using a modified firearm in Tarxien. Enforcement officers of the Wild Birds Regulation Unit assisted the police in the identification of a collection of stuffed birds found in his residence. From inspection it was found that the accused had disposed of a number of registered birds without prior authorisation from the authorities and was in possession of two protected specimens: a Brent Goose (*Branta bernicla*) and a Black-necked Grebe (*Podiceps nigricollis*), which were subsequently seized. The man was arrested and was later granted police bail before charges were pressed against him during court hearing on the 17th April. The man was charged with breaching conditions of the hunting licence, using a modified firearm and other offences against the firearms regulation. Bail was granted against a personal guarantee of €5,000 was ordered to sign the bail book on a daily basis until the date of judgment, Another person in connection with this case has been charged for offences related to firearms regulations.

[41] Case refers to a person found hunting during the spring hunting season without the relevant special licence. The person has been charged and case is currently pending hearing.

[42] Case refers to the illegal shooting of a Turtle-dove (*Streptopelia turtur*). The bird was recovered by a member of the public from an area known as il-Bidni in Żabbar and handed over to the Administrative Law Enforcement Unit. The culprit remains unknown.

[43] During road checks conducted in Żejtun by ALE enforcement officers, a person was found carrying a firearm and ammunition in his vehicle. Charges have been issued for irregularities concerning weapons regulations which case is currently awaiting court hearing.

Date	Number of officers deployed 0500-1500 (ALE / District / AFM)		Number of officers deployed 1500-2100 (ALE / District / AFM)		Night patrols conducted		Number of field inspections conducted (visits to specific areas)		Number of spot-checks on individual hunters		Offences detected (number of cases and nature of offence)	
	Malta	Gozo	Malta	Gozo	Malta	Gozo	Malta[25]	Gozo	Malta	Gozo	Malta	Gozo
											1 Illegal possession and disposal of stuffed birds[45]	
20/04/2018	45	3	29	2	0	0	208	71	32	10	0	8 offences 5 Cage traps[46] 1 Illegal trapping[47] 2 Illegal shooting of protected bird[48]

[44] Case refers to the illegal shooting of a Turtle-dove (*Streptopelia turtur*) in the limits of Kunċizzjoni in Rabat, Malta. Members of BirdLife Malta provided the police with a video footage of the incident. The culprit is expected to be charged in the coming days. On the same day, WBRU enforcement witnessed an incident of illegal shooting of Turtle-doves in Ħas-Saptan area; police were informed and assisted to inspect the area however the culprit was not identified.

[45] Case refers to an investigation on the alleged illegal shooting of protected birds. The investigation on illegal shooting did not yield any results however following an inspection in the accused's residence, police found a collection of stuffed birds. WBRU enforcement officers assisted the police in inspecting a number of live birds and in the identification of the stuffed birds collection. Although nothing irregular was found with respect to the live birds, the accused was found to have illegally disposed of registered stuffed protected birds without authorisation and was also in possession of two stuffed protected birds: Green Sandpiper (*Tringa ochropus*) and European Honey Buzzard (*Pernis apivorus*) which were subsequently seized. The perpetrator has been charged and is currently awaiting court hearing.

[46] Case refers to a joint patrol carried out between Gozo police, CABS and WBRU enforcement officers targeting illegal trapping sites found by CABS volunteers. During this patrol, five illegal cage traps were identified. One active cage trap in Żebbuġ contained a Song Thrush (*Turdus philomelos*) and twelve Starlings (*Sturnus vulgaris*), which were released on site. Another cage trap found in Żebbuġ contained several Turtle-doves (*Streptopelia turtur*), but given that at time of inspection the birds were raising a number of chicks it was decided not to release the birds as yet in order not to disrupt the nests. Another two cage traps in Xagħra containing a total of 13 Turtle-doves (*Streptopelia turtur*) which were all released on the spot. The fifth cage trap was found in Marsalforn. It comprised of an upper section aimed at catching birds and a lower aviary housing Turtle-doves (*Streptopelia turtur*) which act as decoys to lure other birds to the trap. On first inspection the cage trap was found inactive with its door open. Given the lack of substantial evidence of illegal trapping, the birds in the lower avairy were not released. The cage trap was inspected again on the 30th April with volunteers from BirdLife Malta, and at this time the cage trap was found to be active and contained a freshly-caught Turlte-dove (*Streptopelia turtur*). During this second inspection, a total of 16 Turtle-doves (*Streptopelia turtur*), 15 from the lower aviary and one freshly caught from the upper chamber, were seized and released on site. Investigations are currently ongoing with the aim of identifying and charging the perpetrators.

[47] Case refers to an illegal trapping site targeting wader species found during a joint inspection between CABS, WBRU and Gozo police in Xagħra. All trapping paraphernalia was seized by the police, investigations are currently ongoing to identify and charge the perpetrator(s).

[48] Case refers to the illegal killing of a Turtle-dove (*Streptopelia turtur*) which was presented dead to the police after it was incidentally retrieved by a dog in Xagħra and another case of illegal shooting of a Turtle-dove witnessed by WBRU. Perpetrators could not be identified.

Date	Number of officers deployed 0500-1500 (ALE / District / AFM)		Number of officers deployed 1500-2100 (ALE / District / AFM)		Night patrols conducted		Number of field inspections conducted (visits to specific areas)		Number of spot-checks on individual hunters		Offences detected (number of cases and nature of offence)	
	Malta	Gozo	Malta	Gozo	Malta	Gozo	Malta[25]	Gozo	Malta	Gozo	Malta	Gozo
21/04/2018	45	3	29	2	0	0	208	95	22	7	1 offence Illegal shooting of protected bird[49]	3 offences 1 Cage trap[50] 2 Illegal trapping[51]
Total					4	1	4,368[52]	1,508[53]	494[54]	175[55]	32	12

Source: Wild Birds Regulation Unit / Malta Police Force, 2018

[49] Case refers to illegal killing of a Turtle-dove (*Streptopelia turtur*) in Siġġiewi. A person is currently being investigated in relation to this case.
[50] Case refers to a cage trap found in Marsalforn during a joint patrol between CABS and Gozo police. The case is currently under investigation to identify and charge the perpetrator.
[51] Case refers to a joint inspection carried out between CABS and Gozo police where a net and cages containing two Common Quails (*Coturnix coturnix*) were found in a field in Xagħra. The equipment was seized and the quails were immediately released, the perpetrator is unknown to the police. In the other case, a trapper was caught red-handed in Marsalforn, charged and is expected to be taken to court soon.
[52] This total represents the field inspection conducted by ALE, an additional 37 field inspections conducted by WBRU enforcement team must be added to this amount to obtain the cumulative total of 4,405 field inspections which were carried out in Malta.
[53] This total represents the field inspections conducted by Gozo police, an additional 11 field inspections conducted by WBRU enforcement team must be added to this amount to obtain the cumulative total of 1,519 field inspections which were carried out in Gozo.
[54] This total represents the number of spot-checks conducted by ALE, an additional 20 spot-checks conducted by WBRU enforcement team must be added to this amount to obtain the cumulative total of 514 spot-checks which were carried out in Malta.
[55] This total represents the number of spot-checks conducted by Gozo police, an additional 3 spot-checks conducted by WBRU enforcement team must be added to this amount to obtain the cumulative total of 178 spot-checks which were carried out in Gozo.

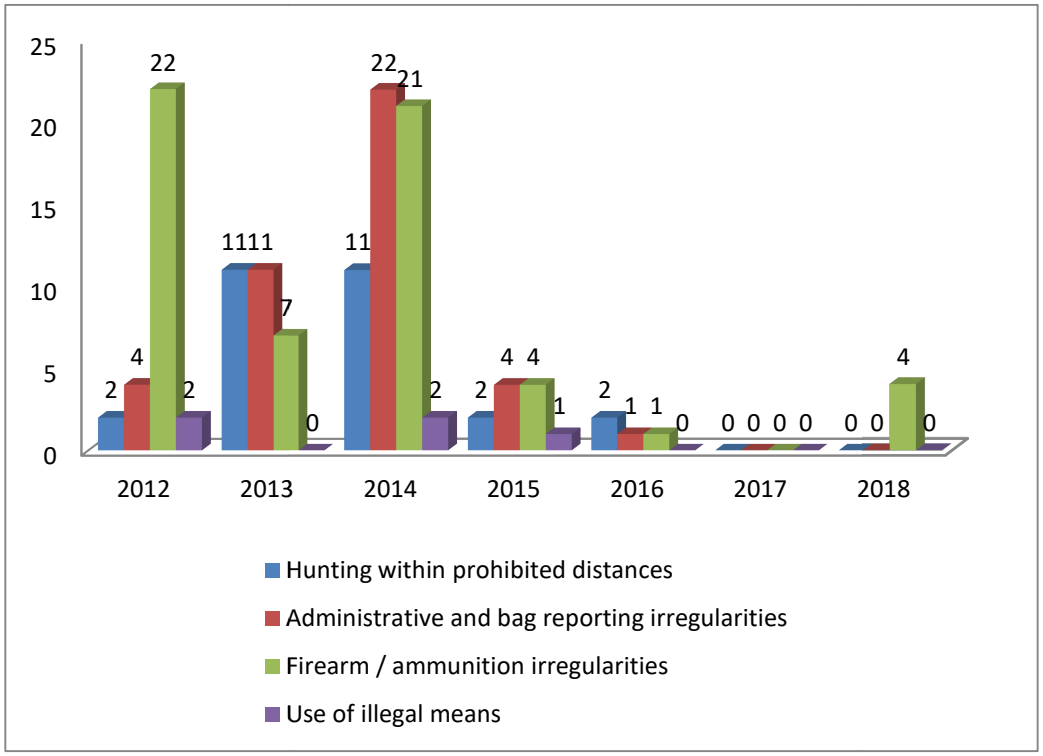
11.16 Table 10 below compares the number and nature of the offences detected on which legal action was taken during 2018 spring hunting season with the corresponding statistics for the previous seasons. Figures 17 and 18 analyse the trends pertaining to detection and legal action of minor (Figure 17) and major (Figure 18) offences during the period of spring hunting derogation over the past six years.

Table 10: Comparison of offences detected on which legal action was taken during 2012 – 2018 spring hunting seasons

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

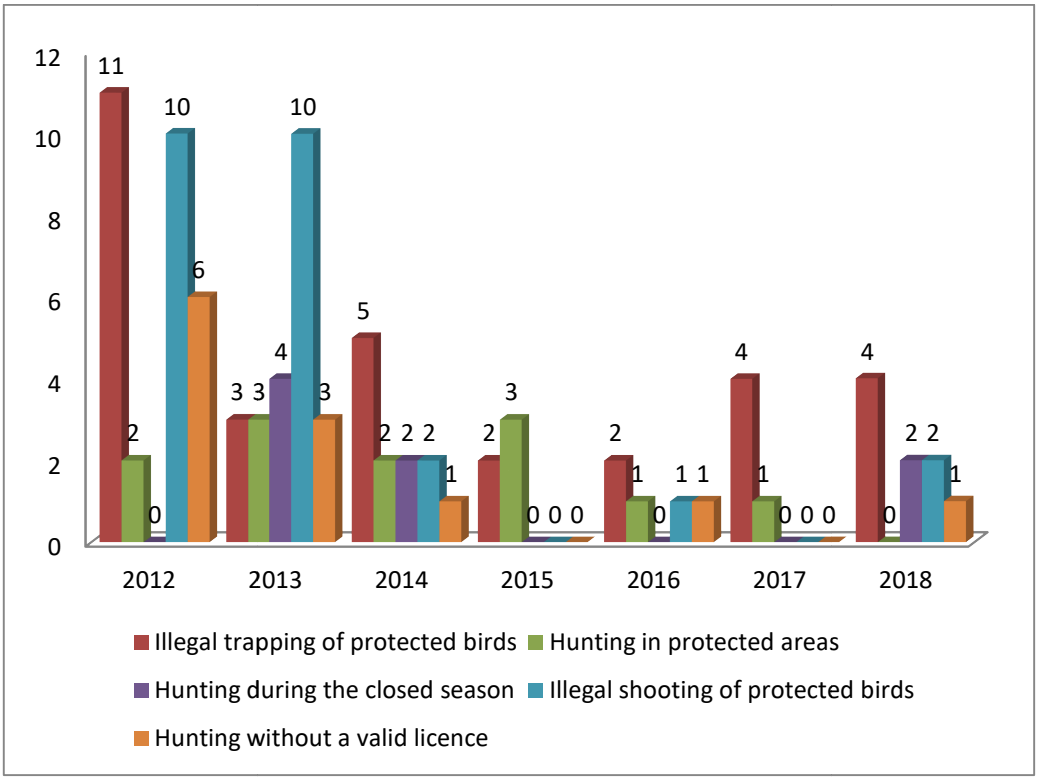
Source: Wild Birds Regulation Unit / Malta Police Force, 2018

Figure 17: Analysis of the trends pertaining to detection and legal action on relatively minor offences during the period of spring hunting derogation over the past six years



Source: Wild Birds Regulation Unit / Malta Police, 2018

Figure 18: Analysis of the trends pertaining to the detection and legal action on major offences during the spring hunting seasons over the past six years



Source: Wild Birds Regulation Unit / Malta Police, 2018

11.17 Table 11 below provides a comparison between the total number of birds confirmed to have been illegally shot during the 2017 and 2018 spring hunting seasons.

Table 11: Birds confirmed to have been illegally shot during the 2017 and 2018 spring hunting seasons. Entries in light grey are birds illegally shot outside season.

2017 spring hunting season (24/03/2017 – 14/04/2017)			**2018 spring hunting season (01/04/2018 – 21/04/2018)**		
Date of retrieval	**Species**	**Retrieved from**	**Date of retrieval**	**Species**	**Retrieved from**
25/03/2017	-	-	25/03/2018	-	-
26/03/2017	Marsh Harrier (*Circus aeruginosus*)	Selmun	26/03/2018	Yellow-legged Gull (*Larus michahellis*)	Unspecified
27/03/2017	-	-	27/03/2018	-	-
28/03/2017	Common Kestrel (*Falco tinnunculus*)	Unspecified	28/03/2018	-	-
29/03/2017	-	-	29/03/2018	-	-
30/03/2017	Common Swift (*Apus apus*)	L-Aħrax - Mellieħa	30/03/2018	-	-
31/03/2017	-	-	31/03/2018	-	-
01/04/2017	Hoopoe (*Upupa epops*)	Siġġiewi	01/04/2018	-	-
	Marsh Harrier (*Circus aeruginosus*)	Qormi		-	-
	Marsh Harrier (*Circus aeruginosus*)	Għasri - Gozo		-	-
02/04/2017	Hoopoe (*Upupa epops*)	Siġġiewi	02/04/2018	-	-
	Barn Swallow (*Hirundo rustica*)	Marsa		-	-
03/04/2017	Marsh Harrier (*Circus aeruginosus*)	Mġarr	03/04/2018	-	-
04/04/2017	Lesser Kestrel (*Falco naumanni*)	Gozo	04/04/2018	-	-
05/04/2017	Eurasian Stone-curlew (*Burhinus oedicnemus*)	Pembroke	05/04/2018	-	-
06/04/2017	-	-	06/04/2018	Marsh Harrier (*Circus aeruginosus*)	Għasri - Gozo
07/04/2017	-	-	07/04/2018	-	-
08/04/2017	-	-	08/04/2018	Marsh Harrier (*Circus aeruginosus*)	Miżieb
09/04/2017	-	-	09/04/2018	-	-
10/04/2017	-	-	10/04/2018	-	-
11/04/2017	-	-	11/04/2018	Turtle-dove (*Streptopelia turtur*)	Xemxija
12/04/2017	Marsh Harrier (*Circus aeruginosus*)	Miġra l-Ferħa	12/04/2018	Pallid Harrier (*Circus macrourus*)	Marsascala
				Turtle-dove (*Streptopelia turtur*)	Għaxaq
13/04/2017	Eurasian Stone-curlew (*Burhinus oedicnemus*)	L-Aħrax - Mellieħa	13/04/2018	Moorhen (*Gallinula chloropus*)	Marfa
14/04/2017	Hoopoe (*Upupa epops*)	Gozo	14/04/2018	Common Kestrel (*Falco tinnunculus*)	Żebbuġ
	Turtle-dove (*Streptopelia turtur*)	Safi			
15/04/2017	Purple Heron (*Ardea purpurea*)	Unspecified	15/04/2018	Turtle-dove (*Streptopelia turtur*)	Birżebbuġa
16/04/2017	-	-	16/04/2018	Common Kestrel (*Falco tinnunculus*)	Marsascala
17/04/2017	-	-	17/04/2018	Marsh Harrier (*Circus aeruginosus*)	Mrieħel
18/04/2017	-	-	18/04/2018	-	-
19/04/2017	Common Kestrel (*Falco tinnunculus*)	Żejtun	19/04/2018	Common Kestrel (*Falco tinnunculus*)	Siġġiewi
				Turtle-dove (*Streptopelia turtur*)	Delimara
20/04/2017	-	-	20/04/2018	Turtle-dove (*Streptopelia turtur*)	Fawwara
				Turtle-dove (*Streptopelia turtur*)	Xagħra, Gozo
				Turtle-dove (*Streptopelia turtur*)	Dwejra, Malta
21/04/2017	-	-	21/04/2018	Common Kestrel (*Falco tinnunculus*)	Birżebbuġa
				Turtle-dove (*Streptopelia turtur*)	Delimara
	Total	**15** (+2 outside season)		**Total**	**17** (+1 outside season)

Source: BirdLife Malta (2017; 2018) & Wild Birds Regulation Unit (2017; 2018)

11.18 As shown in Table 11 above, during the 25 March – 31 March period (2017 season), the ratio of illegally shot birds was $3:1_{(2017:2018)}$, whereas during the 1 April – 14 April period (the period when the season was open during both years), the ratio of illegally shot birds was $12:7_{(2017:2018)}$. The table also shows that during the 15 April – 21 April period (2018 season), the ratio of illegally shot birds was $1:5_{(2017:2018)}$ with Turtle-doves constituting the majority of casualties, coinciding with an influx of this species on 19 April (Ecoserv, 2018).

11.19 In addition to enforcement deployment by the authorities, around 52 hunting marshals were deployed by the Federation for Hunting and Conservation (FKNK) to assist the authorities in surveillance, whilst *Kaċċaturi San Ubertu* (KSU) deployed around 20 observers monitoring the extent of migration and also assisting 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 any irregularities throughout the season.

11.20 In respect of the offences detected during the 2018 spring hunting season, criminal action is being taken against 14 persons. 10 persons (9 in Malta and 1 in Gozo) are being charged for offences against the Conservation of Wild Birds Regulations (S.L. 549.42), another three charged for firearms related offences (all in Malta) and one for conspiracy of breaking the law (Malta). Together these persons committed a total of 17 offences.

11.21 Two weeks prior to the opening of the Spring hunting season for Quail, the Specialist Enforcement Branch of the Wild Birds Regulation Unit with the assistance of the police, intensified its routine patrols and maintained a regular presence in the field for two subsequent weeks after the closure of the spring season. The outcome of these inspections is outlined below.

11.22 During a patrol carried out on 18 March 2018, WBRU enforcement officers discovered an illegal trapping site being used in the Magħtab area. Although the two suspects present attempted to flee the site, these were apprehended shortly after. Concealed in the nearby foliage enforcement officers together with ALE personnel discovered four Linnets (*Linaria cannabina*) and a bird caller. The site was dismantled and all related equipment confiscated, including the bird caller. From further examination it was found that all four Linnets were fitted with a fake closed ring which was subsequently removed before release. Legal action has been initiated against the two individuals.

11.23 In another patrol carried out on 24 April, WBRU enforcement officers together with Gozo police found an illegal trapping site in Għarb being used for the capture of Turtle-doves (*Streptopelia turtur*). The perpetrator was not on site at time of inspection. All trapping equipment was dismantled and seized. In the vicinity of the trapping site, enforcement officers found a cage trap intended for the capturing of Turtle -doves. Inside the top compartment, a freshly caught Turtle-dove (*Streptopelia turtur*) was discovered and was immediately released. Investigations are currently ongoing with the aim of identifying and charging the owner. On the same day, Gozo police retrieved a dead Turtle-dove with visible signs of gunshot wounds. The bird was subsequently taken to the Government-appointed veterinarian for a necropsy where it was confirmed to have been illegally shot. Investigations are still ongoing for all above mentioned cases.

11.24 During this period a total of 64 patrols were carried out by WBRU, 48 in Malta and 16 in Gozo. During these patrols a total of 9 offences were detected (2 in Malta and 7 in Gozo). Six of these offences comprised of illegal trapping of finches, one case of illegal hunting of Turtle-dove, and two cases of illegal trapping of Turtle-doves using cage traps. As a result of these pre- and post-hunting season enforcement operations, enforcement officers dismantled six illegal trapping sites and seized trapping paraphernalia including a bird caller and confiscated a total of 30 live protected birds; 13 Linnets (*Linaria cannabina*) and 17 Turtle-doves (*Streptopelia turtur)*. All 30 birds were confirmed to have been illegally caught from the wild and hence released. Three individuals have been charged for illegal trapping of finches during closed season whilst police investigations are still ongoing for another case concerning illegal trapping.

11.25 As noted in Table 9 above, by the date of compilation of this report (02/05/2018), two criminal cases have been heard by the Law Courts. The first case refers to hunting during unpermitted hours in the area of Santu Kristu Chapel in Għaxaq on 15 April. The police had found two persons hunting during late afternoon (ie. during non-permitted hours). Both were arrested by members of the Administrative Law Enforcement Unit, and arraigned on the following day. During court hearing of the 16 April one of the accused pleaded not guilty to having been allegedly out hunting during non-permitted hours, to having conspired to breach hunting regulations, having carried a firearm without the necessary licence and also with having breached the terms of his weapons licence. Bail was granted against a deposit of €200, a personal guarantee of €2,000 and ordered him to sign the bail book once a week. Moreover, the court strictly warned the man not to make use of any of the weapons

not registered on his name. The other person was separately charged with having conspired to breach hunting regulations and was handed a €1,500 fine payable within six months after admitting to his wrongdoing. The other person on whom the gun was registered will be charged separately for breaching regulations concerning firearms licence.

11.26 The other case refers to an inspection conducted on 15 April where ALE found a person hunting outside the legal-time window using a modified firearm in Tarxien. Enforcement officers of the Wild Birds Regulation Unit assisted the police in the identification of a collection of stuffed birds found in his residence. From inspection it was found that the accused had disposed of a number of registered birds without prior authorisation from the authorities and was in possession of two protected specimens: a Brent Goose (*Branta bernicla*) and a Black-necked Grebe (*Podiceps nigricollis*), which were subsequently seized. The man was arrested and was later granted police bail before charges were pressed against him during court hearing on 17 April. The man was charged with breaching conditions of the hunting licence, using a modified firearm and other offences against the firearms regulation. Bail was granted against a personal guarantee of €5,000 was ordered to sign the bail book on a daily basis until the date of judgment, Another person in connection with this case has been charged for offences related to firearms regulations.

12. Conclusions

12.1 The application of the 2018 spring hunting derogation was preceded by a series of profound 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.

12.3 Throughout the period of this derogation, the authorities ensured that all parameters of the derogation were met in practice. Supervision on the ground was ensured through deployment of appropriately trained and suitably equipped field officers who maintained extremely high intensity of field patrols and spot-checks on individual hunters.

12.4 The overall number of field inspection/patrols and spot-checks held during the 2018 spring hunting season was the highest on record when compared with the previous spring hunting seasons. This unprecedented enforcement presence in the field ensured a sustained level of deterrent against illegalities, signified by the relatively low number of major incidents that occurred during the 2018 spring hunting season.