Report on the Outcome of the 2013 Spring Hunting Season in Malta

May 2013

Table of Contents

1.	Introduction	3
2.	Legal and policy basis for application of a derogation permitting spring hunting in 2013	3
3.	Consideration of the conservation status of Quail and Turtle Dove	5
4.	Determination of the 2013 spring hunting bag limit	6
5.	Issuance of special spring hunting licenses	8
6.	SMS data	9
7.	Spring migration study	15
8.	Comparison between migratory study data & SMS reports	22
9.	Enforcement efforts	24
10.	Infringements detected	28
11.	Conclusions	33

Enclosures

Annex 1: Licence for 2013 Spring Hunting Season

Annex 2: Report on a survey of the influx of migratory Common Quail and Turtle Dove over the Maltese Islands (April 2013)

1. Introduction

1.1 This report aims at providing a review of the derogation allowing a 2013 spring hunting season in Malta. In this regard, this report will consider various relevant aspects, including (i) the present conservation status of the two relevant species, that is, Quail (*Coturnix coturnix*) and Turtle Dove (*Streptopelia turtur*); (ii) the migratory influxes of these species during the 2013 spring season;(iii) the directly-reported hunter catches; (iv) the enforcement efforts in place to ensure the strict supervision of hunting during the season; (v) the illegalities detected and corresponding enforcement action taken; and (vi) the legal and other management aspects of relevance. This information is ultimately intended to inform the European Commission of the outcome of the 2013 spring hunting season in Malta.

2. Legal and policy basis for application of a derogation permitting spring hunting in 2013

2.1 Reference is hereby made to Article 9(1) of Council Directive 2009/147/EC 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*". Reference is also made to the judgment delivered by the Court of of Justice of the European Union (CJEU) on 10 September 2009, in case C-76/08, which 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*"[1]. This judgment therefore recognises the right to apply a

[1] Case C-76/08 *Commission v Malta*, ECR I-8213, paragraph 63

derogation for spring hunting in Malta subject to the strict conditions laid down in Directive 2009/147/EC.

2.2 The Conservation of Wild Birds (Framework for Allowing a Derogation Opening a Spring Hunting Season for Turtle Dove and Quail) Regulations (Legal Notice 221 of 2010, as subsequently amended) establishes a series of measures to be implemented in the case of the application of a derogation allowing spring hunting. The measures set out through this Legal Notice include, but are not limited to, the following:

- The issuance of a special spring hunting licence, without which any hunting during the spring hunting season will be prohibited;
- The parameters for the establishment of overall national bag limits as well as seasonal and daily bag limits per licence for the two relevant species;
- Requiring licensees to immediately report shot birds by means of a text messaging service, and to indicate birds shot on the *Carnet de Chasse* document; and
- Carrying out of on-the-spot checks by the police throughout the spring hunting season.

2.3 During its meeting of 23 March 2013, the Malta Ornis Committee discussed the matter of spring hunting. Having taken into consideration scientific information concerning the conservation status of the two species of interest (discussed further in Section 3 below), and having taken into account the provisions of Article 9(1)(c) of Council Directive 2009/147/EC as well as all relevant national legislation and the Policy Guidelines for Hunting and Trapping of Birds in Malta, the Committee recommended the opening of a spring hunting season in 2013, from 10 to 30 April 2013, both days inclusive. The Malta Ornis Committee also recommended that the same seasonal and daily bag limits per licence, established for the 2012 spring hunting season should be maintained for the 2013 season; the establishment of bag limits especially the overall national limit is discussed further in Section 4 of this report below.

2.4 In line with the provisions of Directive 2009/147/EC, and after having given due consideration to the recommendations of the Malta Ornis Committee, relevant scientific data, the above-mentioned legal provisions, and the Policy Guidelines for Hunting and Trapping of Birds in Malta, the Government published the Conservation of Wild Birds (Declaration on a Derogation for a 2013 Spring Hunting Season for Turtle Dove and Quail) Regulations (Legal Notice 123 of 2013). This Legal Notice established a limited spring hunting season spanning from 10 to 30 April 2013, both dates included. Moreover, during this period hunting was only permitted from Monday to Friday from two hours before sunrise until three o'clock in the afternoon, and on Saturday from two hours before sunrise until noon. No hunting was allowed on Saturday afternoons, Sundays and public holidays.

3. Consideration of the conservation status of Quail and Turtle Dove

3.1 Taking into consideration the provisions of the above-cited Article 9(1) (c) of Council Directive 2009/147/EC, the Government assessed available scientific data regarding the conservation status of the two species in question, that is, *Coturnix coturnix* and *Streptopelia turtur*. In line with the "judicious use" requirement, this review of scientific data was undertaken in order to ascertain that the conservation status of these two species, would not be threatened by the application of a spring hunting derogation in 2013. It should be noted that this analysis did not show any significant new scientific insight pertaining to the conservation status of Turtle Dove and Quail over the past year, that is, since the assessment of available scientific data on the conservation status of these two species was undertaken in 2012 prior to the application of a derogation for spring hunting in Malta in 2012.

3.2 On the basis of this evaluation, the Government maintains that the key conclusions that may be drawn from relevant and currently available scientific data, are (i) that these two species very rarely breed in Malta, and (ii) that these two species are only present on the Maltese Islands in very limited numbers during a short period of migration. The Government also maintains

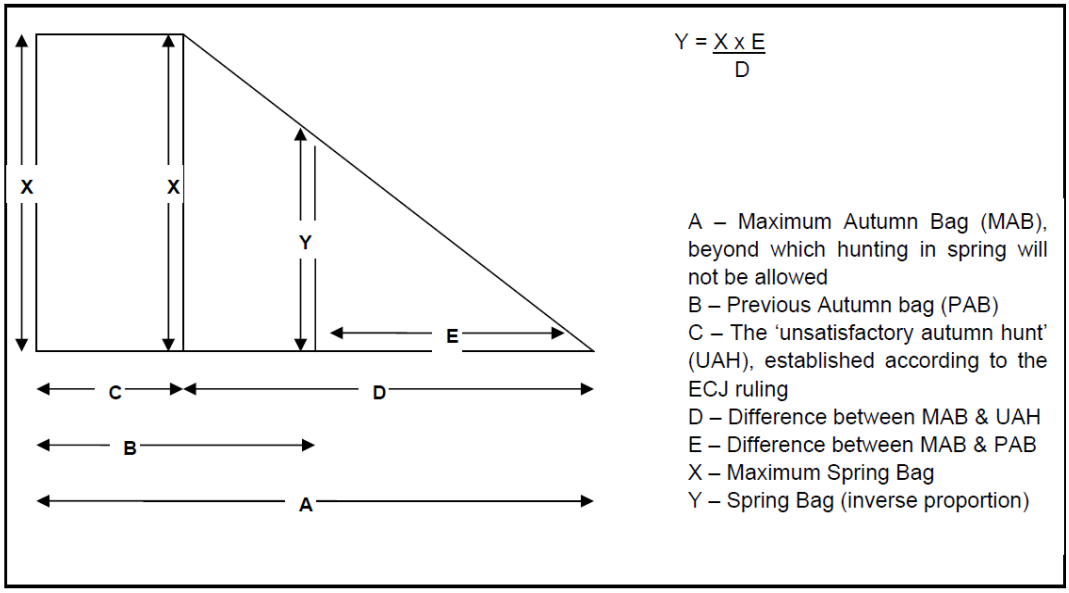
that there are no scientific indications that the application of a spring hunting derogation in Malta could in any way threaten the global, European, or EU populations of either Quail or Turtle Dove.

4. Determination of the 2013 spring hunting bag limit

4.1 Article 5 of the above-mentioned Legal Notice 221 of 2010 (as amended) stipulate the requirement for the establishment of an overall bag limit for a spring hunting season for Quail and for Turtle Dove, 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 two species concerned and the maintenance of the population of both species at a satisfactory level when establishing the overall bag limit. Article 5 also provides for the requirement of establishing seasonal and daily bag limits per hunting licence.

4.2 The Regulations in question 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 and 11,000 for Turtle Dove, based on the principle of 1% of the total annual mortality of each of the species respectively. 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 and 21,000 in the case Turtle Dove, with each species considered separately. Furthermore it should be noted that (i) the maximum bag limit for a spring hunting derogation may be fully allowed in cases when the number of Quail or Turtle Dove hunted during the previous autumn season does not exceed 10,000 for each species respectively, 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 for each species in the previous autumn season. These principles translate into the formula shown in Figure 1

Figure 1
Formula for the calculation of inverse proportion, applicable in those cases when the previous autumn bag is between 10,000 and 21,000 for Turtle Dove, and 10,000 and 20,000 for Quail.



4.3 The total bag for the autumn 2012 hunting season was reported at 3,696 Turtle Dove and 4,262 Quail[2]. The maximum limits of birds hunted in autumn established by the Regulations in question (20,000 for Quail/21,000 for Turtle Dove), which would have resulted in a situation where the spring hunting season could not be opened, had therefore not been reached. On the contrary, the numbers hunted did not exceed 10,000 in the case of either species. For this reason, the maximum bag limit allowed by law could therefore be applied.

4.4 Based on the above, the 2013 overall bag limit was thus set at 11,000 for Turtle Dove and 5,000 for Quail on condition that the season would be terminated immediately by means of a press release should this national overall bag limit be reached before 30 April 2013. Each Spring Hunting

[2]A total of 9,501 hunters declared the following catches for the period 1 September 2012 to 31 January 2013: 3,296 *Streptopelia turtur;* 3,801 *Coturnix coturnix*; 182 unidentified specimens of either *Streptopelia turtur* or *Coturnix coturnix*. Since there were 10,654 persons licensed to hunt on land until the end of 2012, the above data does not include reports by a further 1,153 hunters, who did not submit their *Carnet de Chasse* booklet by March 2013. The above-mentioned data was therefore extrapolated to reflect the likely total figures, as follows: 3,696 *Streptopelia turtur;* 4,262 *Coturnix coturnix*; 203 unidentified specimens of either *Streptopelia turtur* or *Coturnix coturnix*.

Licence established daily bag limits of two (2) birds and a seasonal bag limit of four (4) birds per licence, or however many below that number might have been hunted before the season closed.

5. Issuance of spring hunting licenses

5.1 In 2013, the Malta Environment and Planning Authority (MEPA) received a total of 9,494 formal applications to obtain a spring hunting licence. Of these, five applications were considered to be invalid, either because the applicants did not hold a valid 2013 hunting licence (licence to carry a firearm for the purpose of bird hunting on land) or because the applicants failed to fulfill one or more of the conditions required for purposes of the application, by the closing date of the spring hunting licence application (2 April 2013). Thus, and as indicated in Table 1 below, a total of 9,489 spring hunting licences were issued for the 2013 spring hunting season, of which 9,437 were collected.

Table 1
Issuance of spring hunting licences (2013).
(Data source: Malta Environment and Planning Authority)

Number of applicants	9,494
Number of non-eligible applicants	5
Number of licences issued	9,489
Number of uncollected licences	52
Number of licensed hunters	9,437

5.2 Spring hunting licence conditions were established as per provisions of the above-mentioned Legal Notice 221 of 2010 (as subsequently amended) and the provisions of Legal Notice 123 of 2013. Additionally, all licensed hunters were required to abide by the regulations laid down in the Conservation of Wild Birds Regulations (Legal Notice 79 of 2006, as amended). A copy of the

spring hunting licence is attached in Annex 1 to this report, including details of the licence conditions.

5.3 Hunters were required to carry their spring hunting licence at all times. They were also expected to report their catches in real time through an SMS system and through their *Carnet de Chasse* before leaving the hunting zone, abide by the time restrictions and respect the daily bag limit of 2 birds and a season bag limit of 4 birds. These conditions were strictly monitored, supervised and enforced.

6. SMS data

6.1 As per Article 5(d) of the above-mentioned Legal Notice 221 of 2010 (as amended), hunters in possession of the spring hunting licence were obliged to send a blank text message (SMS) via their mobile phones, immediately after shooting a bird. Shot Turtle Doves were to be reported on the number 99180020, whilst shot Quails were to be reported on the number 99180021. Hunters were also required to document shot birds on their *Carnet de Chasse* document before leaving the hunting zone.

6.2 The Malta Environment and Planning Authority established a system for the daily logging of these SMS reports; these reports were closely monitored throughout the season, with a view to keeping track of various variables, including (i) the total number of birds per species caught per day, (ii) cumulative totals, and (iii) daily and seasonal bag limits per licence. Furthermore, MEPA deployed a filtering / verification system which ensured that the mobile phone numbers from which SMS reports were received actually corresponded to pre-registered mobile phone numbers of registered licence holders. The relevant data for Turtle Dove are presented in Table 2 and Figure 2, with data for Quail presented in Table 3 and Figure 3.

Table 2
Shot Turtle Doves (as reported through the SMS system). The cumulative total is indicated in bold.
(Data source: Malta Environment and Planning Authority)

Date	**Daily total**	**Cumulative total**
10th April	0	0
11th April	1	1
12th April	10	11
13th April	2	13
14th April	Sunday – hunting not permitted	
15th April	12	25
16th April	7	32
17th April	14	46
18th April	158	204
19th April	44	248
20th April	59	307
21st April	Sunday – hunting not permitted	
22nd April	125	432
23rd April	130	562
24th April	92	654
25th April	85	739
26th April	90	829
27th April	241	1070
28th April	Sunday – hunting not permitted	
29th April	932	2002
30th April	1,173	**Total: 3,175**

Figure 2
Daily and cumulative total Turtle Doves shot over the spring hunting season – as reported through the SMS system.
(Data source: Malta Environment and Planning Authority)

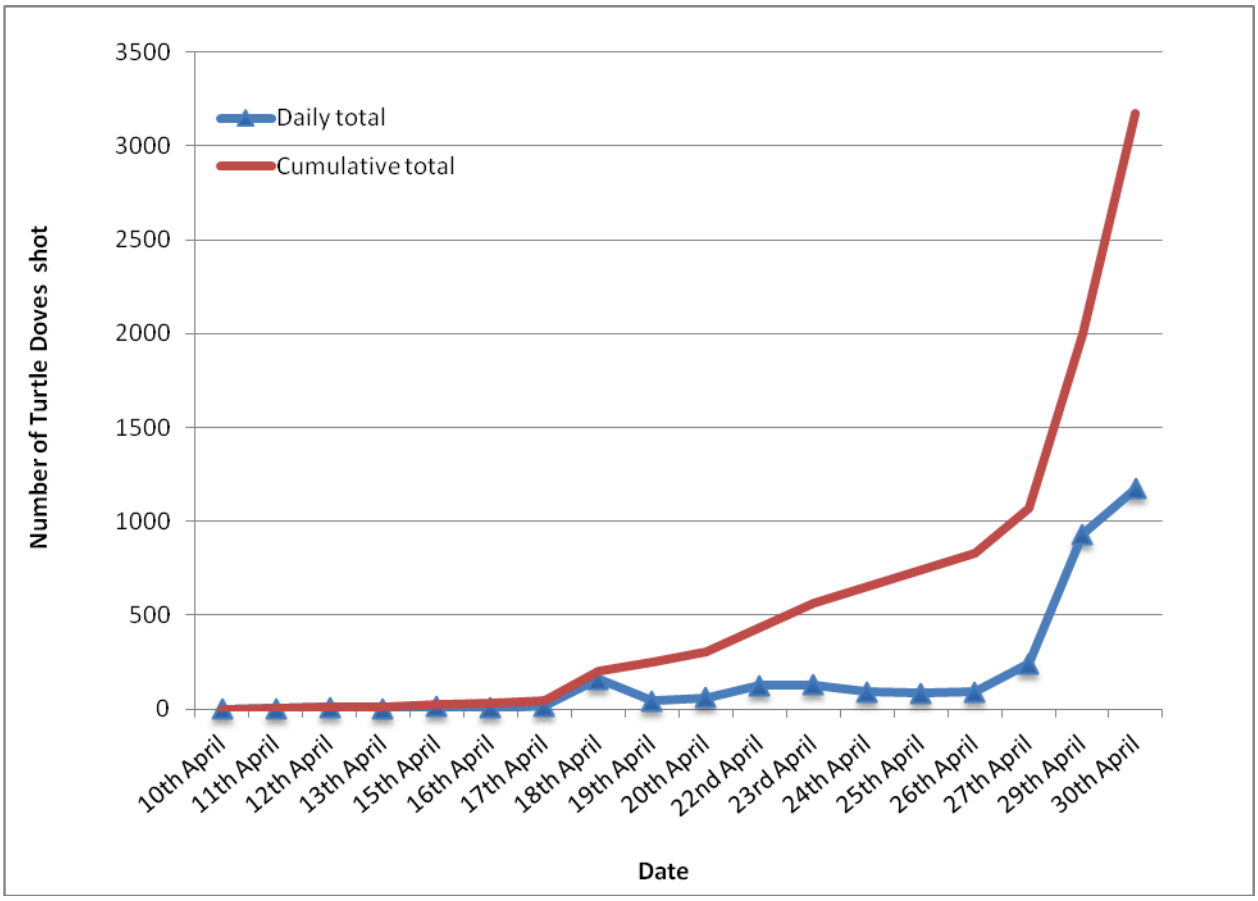
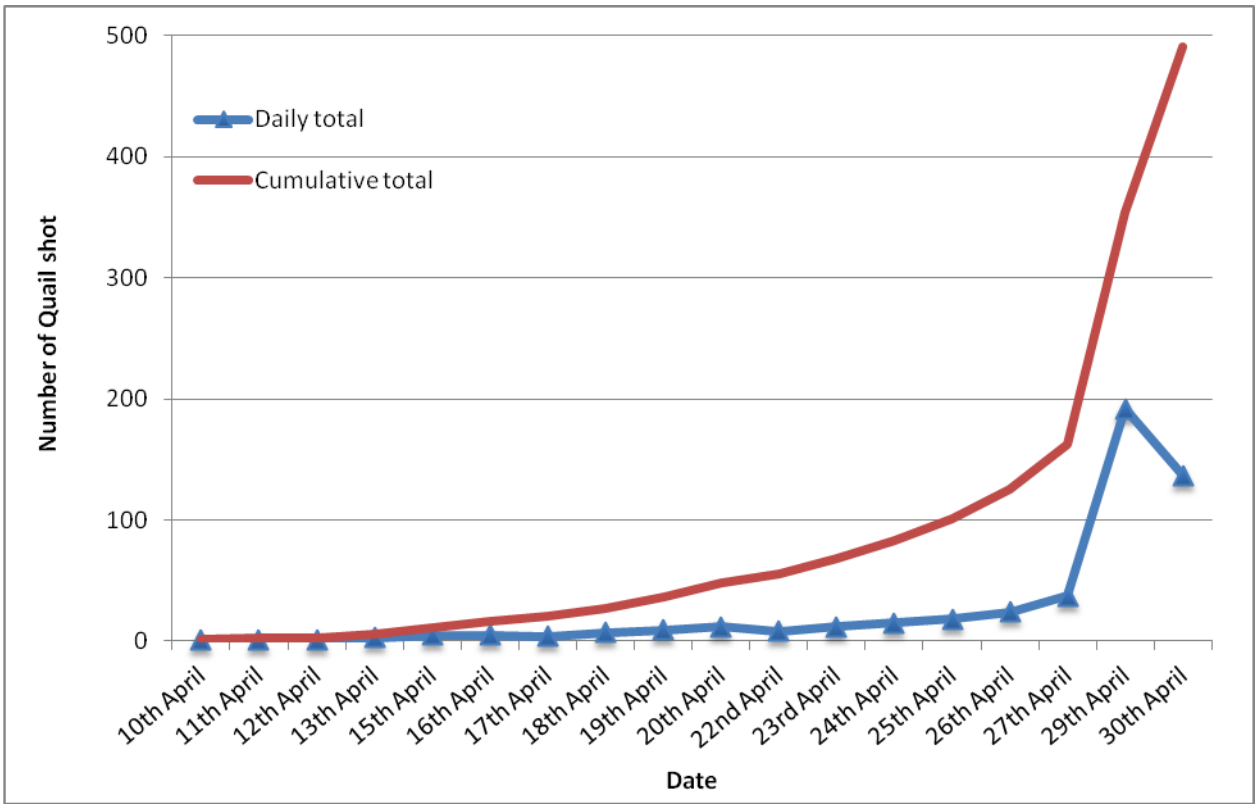


Table 3
Shot Quail (as reported through the SMS system). The cumulative total is indicated in bold.
(Data source: Malta Environment and Planning Authority)

Date	**Daily total**	**Cumulative total**
10th April	1	1
11th April	1	2
12th April	1	3
13th April	3	6
14th April	Sunday – hunting not permitted	

Date	Daily total	Cumulative total
15th April	5	11
16th April	5	16
17th April	4	20
18th April	7	27
19th April	9	36
20th April	12	48
21st April	Sunday – hunting not permitted	
22nd April	8	56
23rd April	12	68
24th April	15	83
25th April	18	101
26th April	24	125
27th April	37	162
28th April	Sunday – hunting not permitted	
29th April	192	354
30th April	137	**Total: 491**

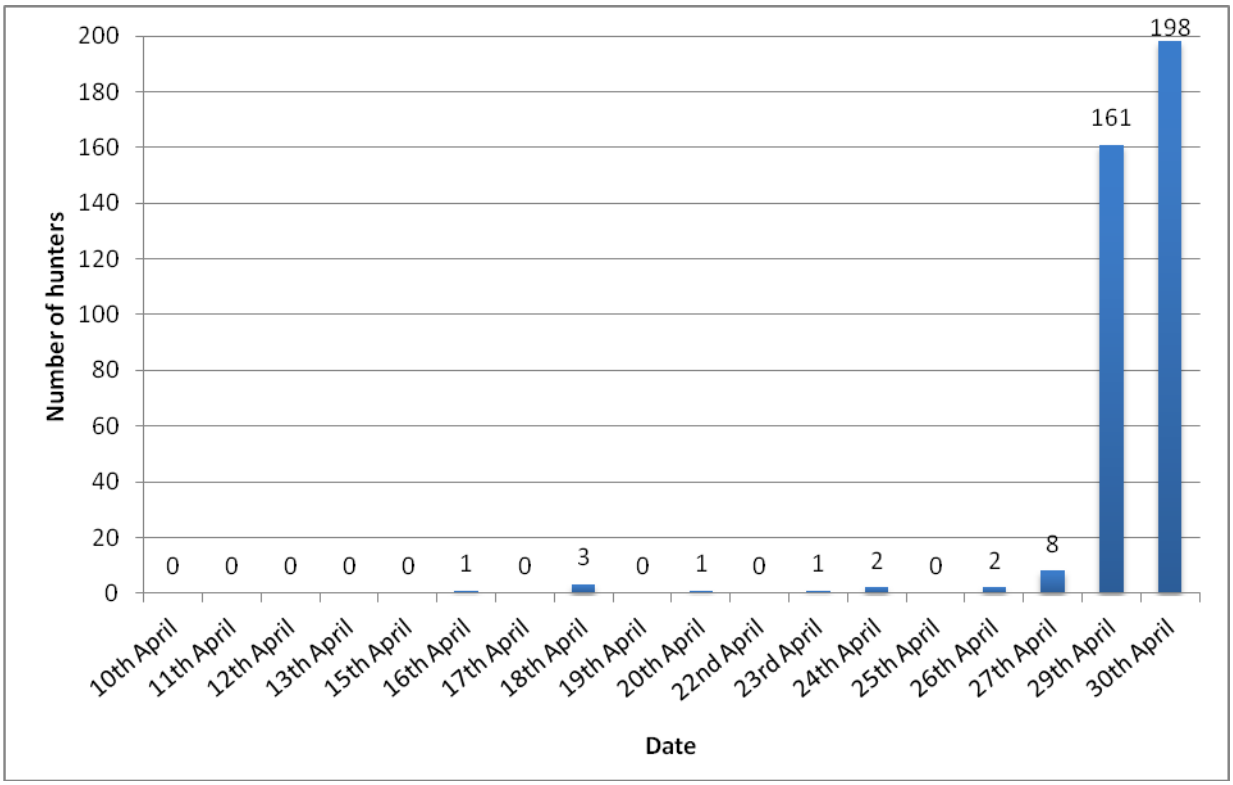
Figure 3
Daily and cumulative total Quail shot over the spring hunting season –
as reported through the SMS system.
(Data source: Malta Environment and Planning Authority)



6.3 In neither case did the total number of birds reported shot exceed the national overall bag limits; on the contrary, the totals based on reported figures are substantially lower than these limits. In the case of Turtle Dove, the total number of 3,175 shot birds amounts to *circa* 28.86% of the total bag limit permitted by law. In the case of Quail, the total number of 491 shot birds equates to *circa* 9.82% of the limit permitted by law.

6.4 As indicated in Figure 4 below, the daily bag limit of two birds appears to have been reached on 377 occasions, spread across a total of 9 days across the season, with 1 day during the first week (10- 16 April), 3 days during the second week (17– 23 April), and 5 days during the final week (24- 30 April).

Figure 4
Number of hunters reaching daily bag limit of 2 birds during the spring hunting season, based on SMS reports.
(Data source: Malta Environment and Planning Authority)



7. Spring migration study

7.1 An independent scientific study was carried out in April 2013, in order to obtain an estimate of migratory influxes of Turtle Dove and Quail over the derogation period. The study, compiled by Ecoserv Ltd., was commissioned by the Malta Environment and Planning Authority, with its stated objectives being the following: *To survey and scientifically monitor the daily influx of the Turtle Dove and Common Quail; to estimate the overall presence (influx) of these two species per day and for the whole study period.* 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 10 and 30 April, 2013. A full copy of the report in question is attached in Annex 2, with key conclusions summarised below.

7.2 The methodology used for this study was identical to the methodology used for similar studies conducted in 2011 and 2012. Twenty-four monitoring stations were set up across the Maltese Islands, with counts obtained from eight different sites each day. Two individuals were posted to each station, in order to conduct counts of individuals of *Coturnix coturnix* and *Streptopelia turtur*. Each group of eight sites was surveyed once every three days, such that over a three-day period, all 24 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 on the coast, which locations would be expected to serve as stop-over points for migrating individuals.

7.3 Counts obtained across this network of observation stations over the survey period are given in Table 5 below.

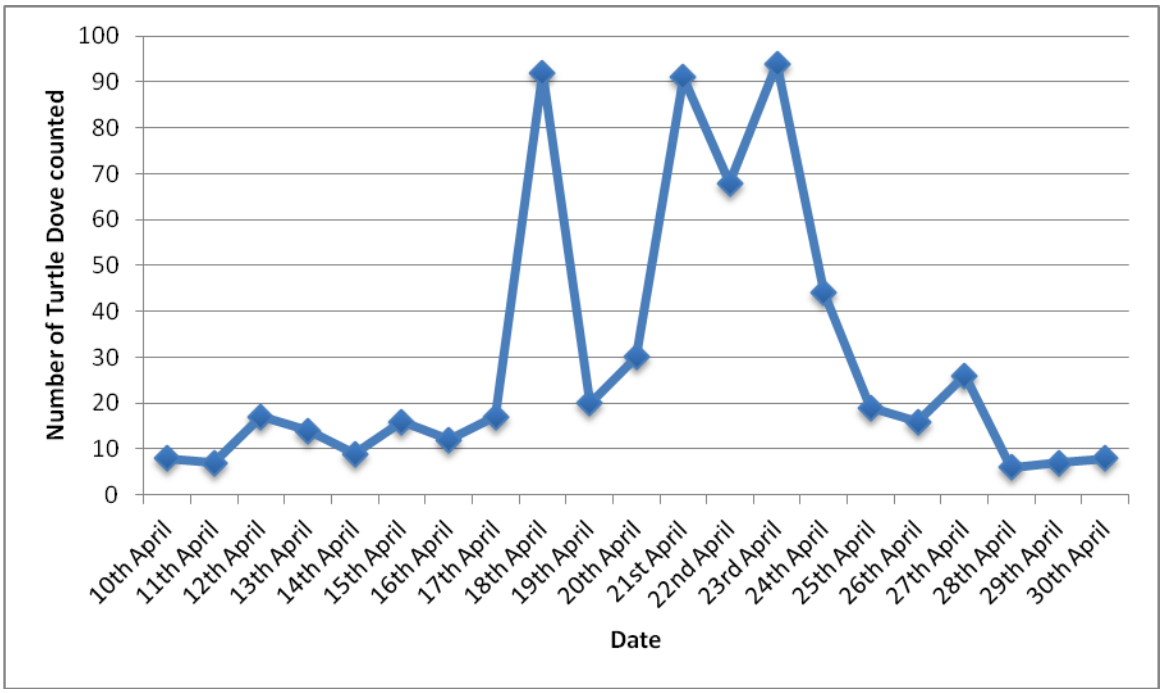
Table 5
Total daily counts of Turtle Dove and Quail compiled through the spring migration study.
(Data source: Malta Environment and Planning Authority/Ecoserv)

Date	Total daily counts	
	Turtle Dove	**Quail**
10th April	8	3
11th April	7	0
12th April	17	2
13th April	14	5
14th April	9	3
15th April	16	4
16th April	12	2
17th April	17	3
18th April	92	1
19th April	20	6

Date	Total daily counts	
	Turtle Dove	Quail
20th April	30	2
21st April	91	3
22nd April	68	4
23rd April	94	1
24th April	44	2
25th April	19	1
26th April	16	5
27th April	26	1
28th April	6	1
29th April	7	2
30th April	8	1

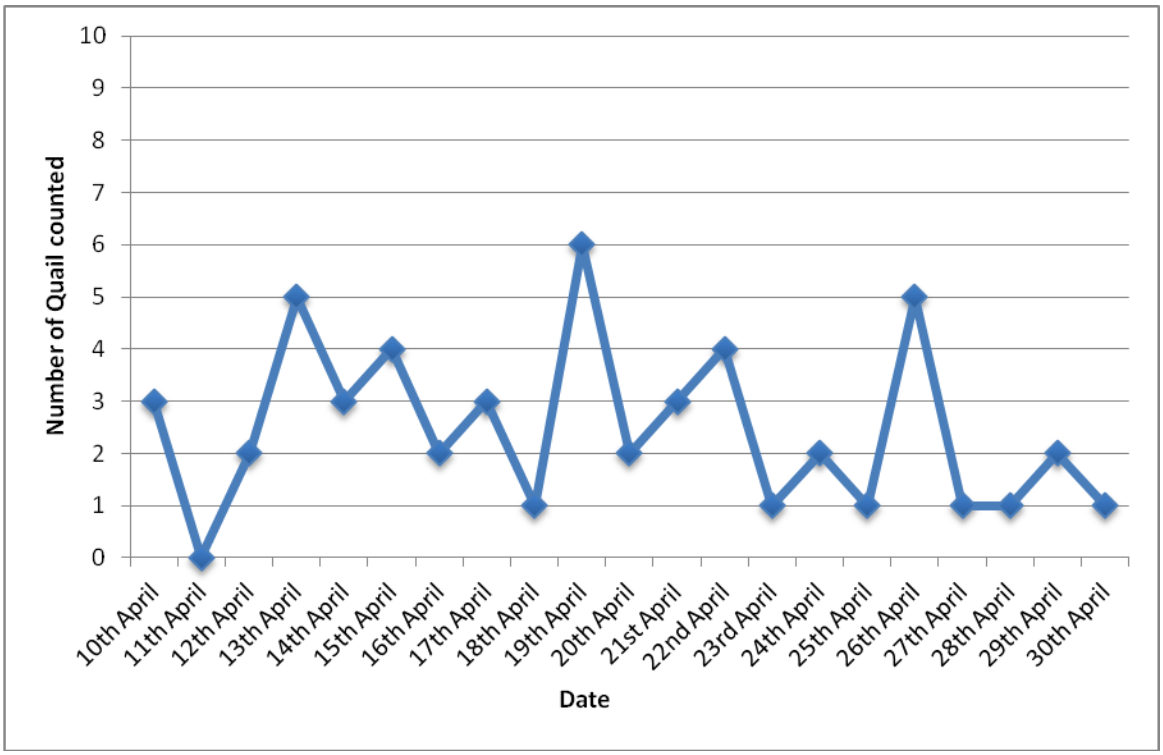
7.4 In the case of Turtle Dove, daily counts at different sites varied from a minimum of 0 to a maximum of 46. Total daily counts varied from a minimum of 6 to a maximum of 94 (Table 5 and Figure 5). Peak numbers of the species occurred on 18 April, and between 22 and 24 April 2013. Based on comparisons between the results of this study and results from previous studies (conducted in 2008, 2009 and 2012), it would appear that the general pattern has remained constant, with steady migratory influxes during the last two weeks of April.

Figure 5
Total daily counts of Turtle Dove compiled through the spring migration study.
(Data source: Malta Environment and Planning Authority/Ecoserv)



7.5 In the case of Common Quail, daily counts at different sites varied from a minimum of 0 to a maximum of 4. Total daily counts varied from a minimum of 0 to a maximum of 6 (Table 5 and Figure 6). Daily mean counts obtained are lower than those obtained in 2009, but comparable to records for 2008 and 2012. However, unlike in these three previous years, no migration peaks were recorded during the present study.

Figure 6
Total daily counts of Common Quail compiled through the spring migration study. (Data source: Malta Environment and Planning Authority/Ecoserv)



7.6 The data from the survey was extrapolated, to obtain an estimate of the total number of *Streptopelia turtur* and *Coturnix coturnix* that may have migrated over Malta on each day of the study period (Table 5 and Figure 7). Whilst it is emphasised that these estimates should be treated with caution, given inherent limitations and assumptions which are detailed in the spring migration report, mean daily influxes calculated from the study are approximately 2,025 Turtle Dove per day and 3,212 Quail per day. These figures are derived from estimated total seasonal influxes (over the survey period) of 42,521 Turtle Dove and 67,460 Quail. Daily estimated influxes of Turtle Dove varied between a low of 407 individual (on 28 April), and a high of 6,374 individuals (on 23 April), whilst those for Quail varied between a low of 0 (on 11 April) and a high of 13,115 (on 19 April).

7.7 The total estimated influx of 42,521 Turtle Doves in 2013 is slightly lower than the corresponding estimate for 2012 (57, 160 individuals), but higher than the estimate for 2011 (18,057 individuals). The estimated total influx of

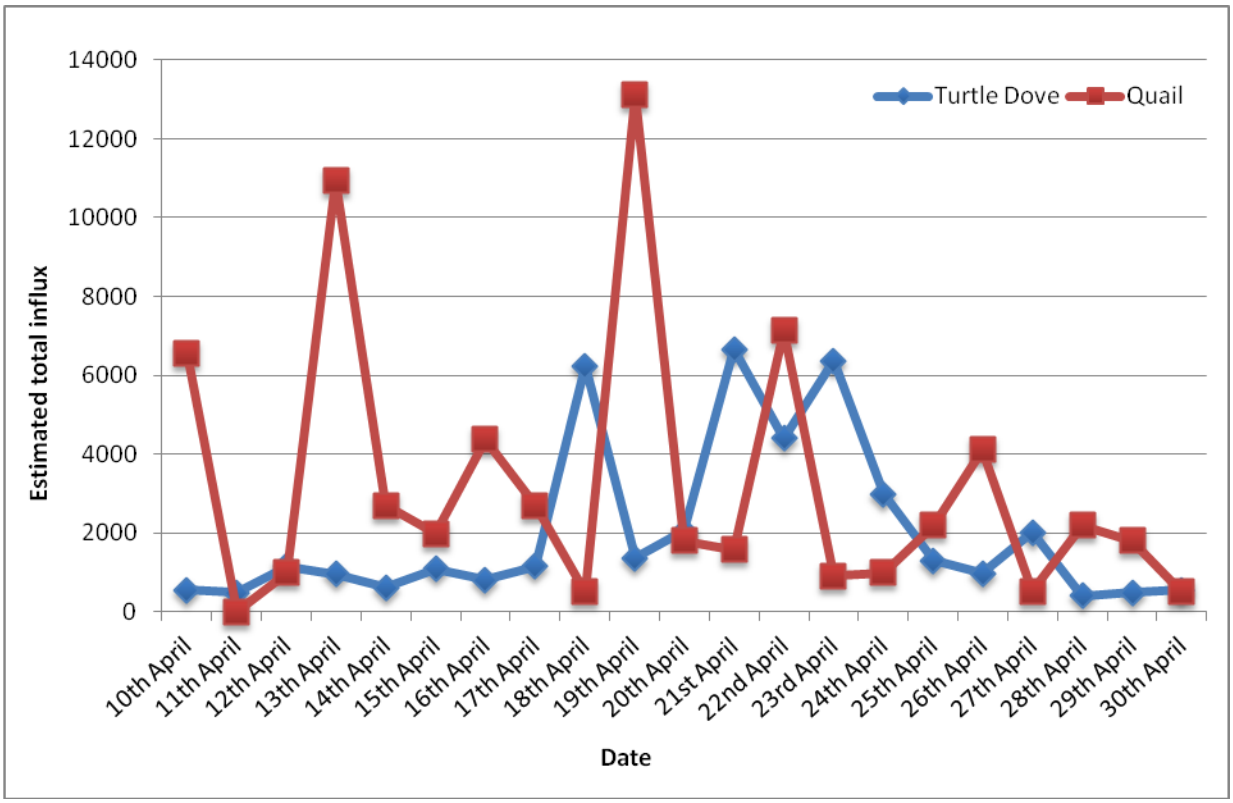
67,460 Quails in 2013 is higher than estimated influxes in 2012 and 2011, with 35,018 individuals and 22,699 individuals respectively, in these two years.

Table 6
Estimated influxes of migratory individuals.
(Data source: Malta Environment and Planning Authority/Ecoserv)

Date	Total estimated daily influx	
	Turtle Dove	**Quail**
10th April	542	6,557
11th April	475	0
12th April	1,153	989
13th April	949	10,929
14th April	610	2,689
15th April	1,085	1978
16th April	814	4,372
17th April	1,153	2,689
18th April	6,238	494
19th April	1,356	13,115
20th April	2,034	1,793
21st April	6,664	1,564
22nd April	4,400	7,127
23rd April	6,374	896
24th April	2,983	989
25th April	1,288	2,186
26th April	964	4,100
27th April	2,015	521

Date	Total estimated daily influx	
	Turtle Dove	Quail
28th April	407	2,186
29th April	475	1,793
30th April	542	494
Total	**42,521**	**67,460**

Figure 7
Estimated daily influxes of Turtle Dove and Common Quail, compiled through the spring migration study.
(Data source: Malta Environment and Planning Authority/Ecoserv)

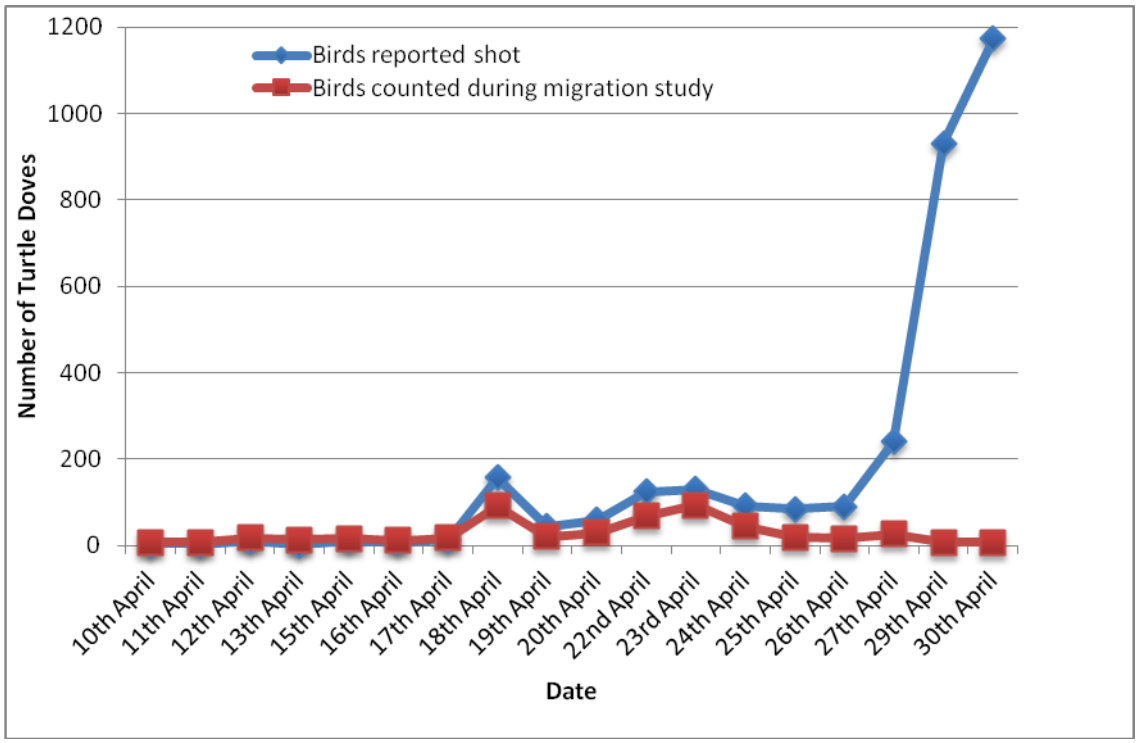


8. Comparison between migratory study data & SMS reports

8.1 In order to validate the SMS reporting system (discussed in Section 6 above), data obtained from the latter was compared with the counts and estimates generated through the spring migration study (discussed in Section 7 above).

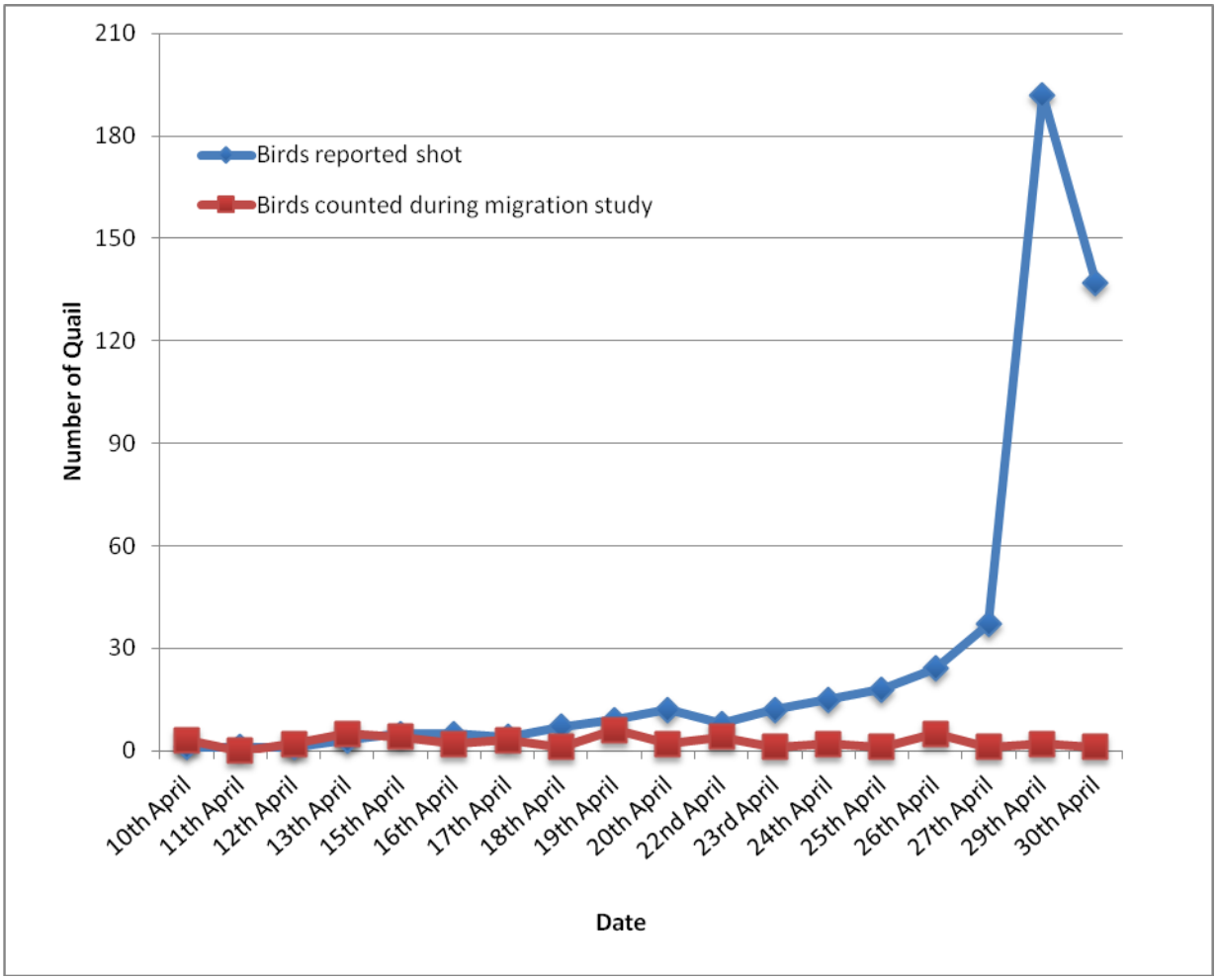
8.2 The spring migration study recorded peak influxes of Turtle Dove on 18 April, and between 22 and 24 April. Similar peaks were recorded in SMS reports of shot birds, as can be noted in Figure 8 below. The three Sundays falling within the hunting season have been excluded from the figure, given that no hunting is allowed on Sundays and that, therefore, no SMS reports of shot birds were received. As can be noted from Figure 8, for the most part, the two trend lines closely mirror each other, except for the last 3 days of the season where the two trends diverge.

Figure 8
Comparison of the number of Turtle Doves reported shot through the SMS system with the number of Turtle Doves counted during the spring migration study. The three Sundays (14 April, 21 April, 28 April) falling within the review period are excluded.
(Data source: Malta Environment and Planning Authority/Ecoserv)



8.3 No peak influxes of Turtle Dove were recorded through the spring migration study. This relatively constant trend line also emerges from SMS reports of shot birds (Figure 9). A minor inconsistency may be noted in data for 20 April; this may, however, be due to methodological issues with the bird migration survey. As in the case of Quail, one may note a discrepancy in the trends for the last days of the survey period. The logical explanation for this divergence is that a significantly greater number of hunters have taken advantage of the proximity of the 1 May public holiday to be out in the field in greater numbers on 27, 29 and 30 April. This circumstance, which was also evident in previous years, is further corroborated following discussions held with the hunting associations.

Figure 9
Comparison of the number of Quails reported shot through the SMS system with the number of Quails counted during the spring migration study. The three Sundays (14 April, 21 April, 28 April) falling within the review period are excluded.
(Data source: Malta Environment and Planning Authority/Ecoserv)



9. Enforcement efforts

9.1 Legal Notice 221 of 2010 as subsequently amended, stipulates that a minimum of seven (7) enforcement officers for every 1,000 licensed hunter are required to be deployed. A total of 9,437 hunting licences were issued in 2013 therefore sixty-seven (67) enforcement personnel were needed in accordance with national legislation to supervise the derogation period. However, as was the case in 2012, the Government opted to increase enforcement efforts beyond this legal requirement, in order to ensure the strict supervision of the spring hunting season, as required by the Birds Directive. Sixty-one (61) enforcement personnel were deployed from within the Administrative Law Enforcement (ALE) section of the Malta Police Force, with additional support from divisional police forces (from the 11 district police areas), and from the Armed Forces of Malta. Additionally, hunting marshals were deployed by the Federation for Hunting and Conservation (FKNK), whilst members of environmental non-governmental organisations (NGOs) (including BirdLife Malta and the Committee Against Bird Slaughter (CABS)) also maintained a close watch for any irregularities throughout the season.

9.2 In accordance with the requirements of the Birds Directive, efforts were made to ensure the strict supervision and monitoring of all hunting activity during the spring hunting season. As noted above, the Government committed itself to further increase enforcement efforts over those implemented in 2012. Furthermore, the Malta Ornis Committee strongly advocated the application of a zero-tolerance policy in the case of any illegalities detected, as a necessary condition for the opening of the spring hunting season. In this regard, it was deemed necessary to ensure the strategic management of enforcement and monitoring efforts throughout the spring hunting season, by means of the setting up of a Derogation Monitoring Board (DMB). This Board was specifically tasked with overseeing the management of the spring hunting derogation, and met frequently throughout the spring hunting season and in the subsequent days thereafter. The Board, chaired by the chairperson of the Malta Ornis Committee, included representatives of the various relevant

stakeholders, namely: (i) BirdLife Malta, (ii) the Federation for Hunting and Conservation (FKNK), (iii) the ALE section of the Malta Police Force, and (iv) the Armed Forces of Malta (AFM). The latter contributed to enforcement efforts during the 2013 spring hunting season, as detailed in paragraph 9.5 below. The efforts of the AFM were additional and complementary to those of the Malta Police Force.

9.3 Between 10 April and 30 April 2013, a total of 2,504 inspections were carried out by the police (Table 7); of these, 1,954 inspections were carried out by the ALE section, while district police carried out 550 inspections. 2,262 inspections were carried out in Malta, with 242 inspections in Gozo. Inspections were carried out at various times of day. Further inspections were also carried out after the closure of the spring hunting season (that is after 30 April 2013), in order to ensure that no further hunting activity was taking place. However, since this report is specifically concerned with the derogation period, the statistics being discussed in this and the subsequent section pertain only to the above-mentioned dates of the spring hunting season (10-30 April 2013). Amongst the sites given priority during the derogation period were a number of identified Marsh Harrier (*Circus aeruginosus*) roosting areas, indicated in Figure 10. These sites were unanimously agreed upon by the various stakeholders sitting on the Derogation Monitoring Board.

Figure 10
Identified Marsh Harrier roosting areas in Malta and Gozo.





9.4 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 the *Carnet de Chasse* records were in accordance with regulations;
- Ensure compliance with the provisions of the Conservation of Wild Birds Regulations (Legal Notice 79 of 2006 as amended), including through appropriate handling of firearms and the Framework Regulations (Legal Notice 221 of 2010 as amended) and the Regulations opening the spring 2013 season (Legal Notice 123 of 2013);
- Ensure that no species, other than Turtle Dove and/or Quail, were being hunted; and
- Ensure compliance with bag limits and time restrictions.

9.5 In order to facilitate the conduct of their duties, enforcement officers had 12 police vehicles at their disposal (in addition to vehicles used by mobile squads and district police units). All of these were equipped with radio communication facilities, in order to enable contact with police officers from other sections/districts, and in order to allow for continuous liaison and coordination with the police headquarters. This also meant that ALE officers could be contacted rapidly by the Police when required to follow up on reports

of illegalities in specific sites. Police officers were also equipped with binoculars to facilitate their investigations on the ground. Police were also provided with a list of licensed hunters which facilitated the immediate identification of any hunters not in possession of the requisite spring hunting licence.

Table 7
Number of police inspections in Malta and Gozo over the spring hunting period. (Data source: Malta Police Force)

Date	Number of police inspections	
	Malta	Gozo
10th April	134	20
11th April	121	26
12th April	193	38
13th April	161	8
14th April	31	0
15th April	166	24
16th April	140	1
17th April	100	13
18th April	122	16
19th April	145	9
20th April	123	9
21st April	19	0
22nd April	118	11
23rd April	65	9
24th April	135	18
25th April	148	11

Date	Number of police inspections	
	Malta	**Gozo**
26th April	46	9
27th April	84	4
28th April	16	1
29th April	83	3
30th April	112	12
Total	**2262**	**242**

10. Infringements detected

10.1 During these inspections by police forces, a total of 53 infringements were detected, resulting in prosecution and charges, the nature of which is outlined in Table 8 below[3].Court action has been taken against the various offenders; as indicated in Table 9 below, all individuals in question have been charged. To date, the majority of court cases pertaining to hunting offences during the spring 2013 hunting season are pending / ongoing. Three cases have been decided by the Courts so far, with a guilty verdict delivered in all three cases, and with the following penalties being imposed:

- A fine of €4,600 for hunting offences, a further fine of € 85 for being masked, confiscation of the firearm, a ban on possessing a firearm for a period of three years, and suspension of the hunting licence.
- A fine of €1,000 for hunting offences, confiscation of the firearm, suspension of hunting and firearm licences for a period of one year.
- A fine of €4,650 confiscation of firearm and a 3-year suspension of the hunting and firearm licence for hunting in a protected area.

[3]A further 40 minor infringements were detected by District Police; offenders were, in these cases, issued with warnings, but not charged.

Table 8
Infringements detected during the spring hunting season (2013).
(Data source: Malta Police Force)

Nature of infringement	**Number of cases**
Mishandling of firearm (for example hunting within 200 meters of inhabited areas, carrying uncovered shotgun on roads)	11
Not in possession of requisite documents (Hunters are required to be in possession of their 2013 spring hunting licence and their *carnet de chasse* document whilst out hunting)	9

Nature of infringement	Number of cases
Unlicensed hunting/use of firearms (for example hunting without valid spring hunting licence, hunting without valid firearm licence)	8
Firearm/ammunition irregularities (for example in possession of illegal ammunition, firearm with magazine capable of holding more than two shots at a time)	7
Hunting in restricted areas (Hunting in nature reserves)	4
Illegal trapping	3
Hunting during restricted days/times (closed season)	3
Unspecified (noted as illegal hunting)	3
Permitting use of firearm by unlicensed individual/s	2
In breach of spring hunting licence conditions	2
Possession of protected species	1
Total	**53**

Table 9
Infringements detected by the Malta Police Force during the spring hunting season (2013), with breakdown by dates.
(Data source: Malta Police Force)

Date	Nature of infringement	Court action taken?
10th April	Nil	NA
11th April	Firearm/ammunition irregularities	Yes
	Illegal trapping	Yes
12th April	Not in possession of requisite documents	Yes

Date	Nature of infringement	Court action taken?
	Mishandling of firearm	Yes
13th April	Nil	N/A
14th April	Nil	N/A
15th April	Illegal trapping	Yes
	Not in possession of requisite documents	Yes
	Mishandling of firearm	Yes
16th April	Permitting use of firearm by unlicensed individual	Yes
	Unlicensed hunting/use of firearm	Yes
17th April	Not in possession of requisite documents	Yes
	Unspecified (noted as illegal hunting)	Yes
18th April	Unlicensed hunting/use of firearm	Yes
	Hunting in restricted areas & firearm/ammunition irregularities	Yes
	Hunting in restricted areas & firearm/ammunition irregularities	Yes
19th April	Nil	N/A
20th April	Mishandling of firearm	Yes
	Not in possession of requisite documents	Yes
	Unlicensed hunting/use of firearm	Yes
	Firearm/ammunition irregularities	Yes
21st April	Hunting during restricted days/times (closed season)	Yes
	Hunting during restricted days/times (closed season)	Yes

Date	Nature of infringement	Court action taken?
	Hunting during restricted days/times (closed season)	Yes
22nd April	Mishandling of firearm	Yes
	Mishandling of firearm & unlicensed hunting/use of firearm	Yes
	Not in possession of requisite documents	Yes
	Mishandling of firearm	Yes
	Unspecified (noted as illegal hunting)	Yes
	Illegal trapping	Yes
	Hunting in restricted areas	Yes
	Hunting in restricted areas	Yes
	Other charges (not hunting-related)	Yes
23rd April	In breach of spring hunting license conditions & firearm/ammunition irregularities	Yes
24th April	Firearm/ammunition irregularities	Yes
25th April	Mishandling of firearm	Yes
	Unlicensed hunting/use of firearm	Yes
	Not in possession of requisite documents	Yes
	In breach of spring hunting license conditions & in possession of protected species	Yes
	Mishandling of firearm	Yes
	Not in possession of requisite documents	Yes
	Not in possession of requisite documents	Yes
	Mishandling of firearm	Yes

Date	Nature of infringement	Court action taken?
	Unlicensed hunting/use of firearm	Yes
26th April	Nil	N/A
27th April	Permitting use of firearm by unlicensed individual	Yes
	Not in possession of requisite documents	Yes
	Firearm/ammunition irregularities	Yes
	Mishandling of firearm	Yes
	Mishandling of firearm	Yes
	Unlicensed hunting/use of firearm	Yes
28th April	Unspecified (noted as illegal hunting)	Yes
29th April	Nil	N/A
30th April	Unlicensed hunting/use of firearm	Yes

10.2 Enforcement support was also provided by the Armed Forces of Malta (AFM), operating on a day-in, day-out (DIDO) basis. Partial operations by the AFM commenced on 23 April, with full-scale operations underway by 24 April. In order to complement the efforts of the ALE and District Police, the AFM focused its efforts on the island of Gozo, the Foresta 2000 nature reserve, and a specific Marsh Harrier (*Circus aeruginosus*) roosting site in the vicinity of Delimara. 20-24 personnel were deployed for monitoring of the former two sites, whilst 8-12 AFM personnel were monitoring the Marsh Harrier (*Circus aeruginosus*) roosting site. Operations in Gozo were also supported through the use of an Inshore Patrol Craft, enabling monitoring from and at sea.

11. Conclusions

11.1 Based on the data provided in the report and discussed in previous sections, the Government maintains that:

(i) scientific evidence continues to support Malta's assertion that the country does not lie on a main avifaunal migration route;

(ii) the application of a derogation to permit spring hunting has been carried out in accordance with the necessary legal provisions and on the basis of a thorough scientific review;

(iii) Malta has implemented all necessary measures to ensure the strict supervision of the spring hunting derogation, and has, indeed, sought to go beyond legal requirements in this regard; and

(iv) the application of a derogation permitting spring hunting in 2013 has had no significant adverse impacts on populations of *Streptopelia turtur* and *Coturnix coturnix.*

The Government also remains committed to ensuring strict enforcement of the established rules and zero-tolerance policy for infringements. In addition, the Government is also committed to continous improvement of the enforcement regime in relation to the application of any future derogations. In this context, the Government has set up a Sustainable Hunting Unit within the Ministry for Sustainable Development, the Environment and Climate Change, with the aim of enhancing inter-stakeholder coordination, promotion of conservation of wild birds and implementation of sustainable hunting governance in Malta. Amongst other tasks, this Unit shall *inter alia* be coordinating the institutional framework pertaining to hunting governance, as well as embarking onto a prioritisation exercise which will explore the potential for applying a measure of 'on-the-spot' fines for certain hunting violations.