Report on the Outcome of the 2017 Spring Hunting Season in Malta

May 2017

Wild Birds Regulation Unit

Parliamentary Secretariat for Agriculture, Fisheries and Animal Rights

Ministry for Sustainable Development, the Environment and Climate Change

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Annex 1: Report on a survey of the influx of migratory Common Quail and Turtle Dove over the Maltese Islands in autumn 2016

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Annex 4: Report on a survey of the influx of migratory Common Quail over the Maltese Islands in March and April 2017

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 March - April 2017, 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 2016; 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 2017 spring season and the reported hunter catches; the enforcement efforts in place to ensure the strict supervision of hunting during the 2017 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 2017. 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 2017

2.1 As was also the case in previous years, a derogation permitting spring hunting in 2017 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 biogeographic 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 Prior to its sitting on 15 December 2016[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 2016 (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

[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] http://msdec.gov.mt/en/Documents/Downloads/WBRU/2017/OrnisComm/Minutes%2015-12-2016.pdf

report below. At the same sitting, the Committee also 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.

3.3 At its sitting on 1 February 2017[5], the Committee further discussed the potential application of spring hunting derogation for Quail. As a result of its deliberations, the Committee decided to recommend to the government a three-week hunting season for Quail from 25 March to 14 April, with an individual daily bag limit of five birds and an individual seasonal limit of ten birds. The main rationale behind the recommendation to open the season in March was the need to avoid overlap with the peak migration of the Turtle Dove, which occurs towards the second half of April and spans onto May, in order to facilitate supervision of the season during the first year of the moratorium on spring hunting of the Turtle Dove.

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 15 December 2016 and is contained in Annex II to this report.

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 Common Quail within EU27 is estimated by Birdlife International (2015) to constitute 41% of the total European population.

[5] http://msdec.gov.mt/en/Document%20Repository/WBRU/2017/ornisCommitee/Minutes%2001-02-2017.pdf

4.4 This species is not included in the Pan-European Common Bird Monitoring Scheme (European Bird Census Council[6]). 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 (EEA, 2014) 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 74% of Common Quail population within EU28—the remaining 26% 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".

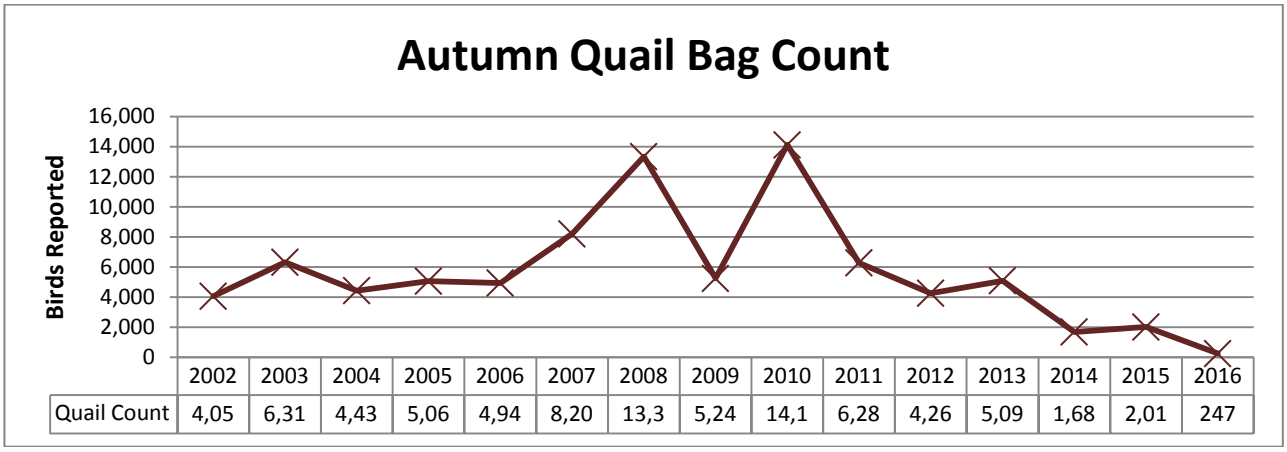
5. Consideration of autumn 2016 bag statistics, migration data and enforcement parameters

5.1 In 2016 there were 10,364 persons licensed to hunt birds on land. During the period of open autumn hunting season (1st September 2016 – 31st January 2017), a total of 247 Common Quail were reported hunted, as follows: 107 in September, 109 in October, 26 in November and five in December 2016. No Quail bags were reported in January 2017.

5.2 The total number of Quail reported hunted during the 2016 autumn season was significantly lower than in 2015 (2,010 Quail) and was the poorest on record since 2002.

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

Figure 1 – Quail bags reported during autumn seasons since 2002[7]



Source: Wild Birds Regulation Unit, 2016

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

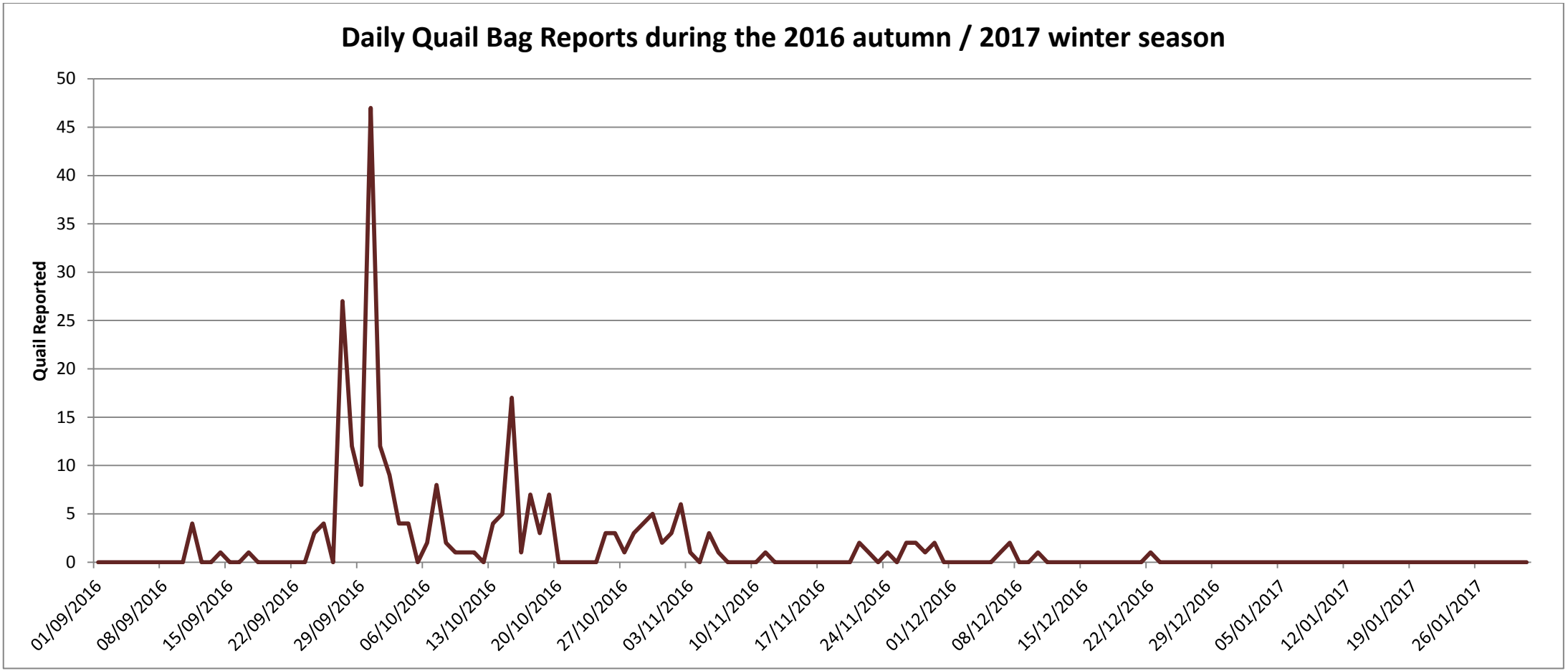
Table 1 – Monthly catches of Common Quail in the autumn of 2016 / winter 2017

Month	Quail
Sep-16	107
Oct-16	109
Nov-16	26
Dec-16	5
Jan-17	0
Total	**247**

Source: Wild Birds Regulation Unit, 2017

[7] 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 2016 and January 2017



5.4 An independent **migration study** to estimate the influx of Turtle Dove and Quail during the peak migration period in the autumn of 2016 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 2016 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 2016 survey was identical to that used in surveys made by the same company in the previous autumn (Ecoserv, 2015) and spring seasons (Ecoserv, 2011; 2012; 2013; 2014; 2015; 2016; 2017).

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 8, while the mean daily counts ranged between 0 and 2.3. 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 4073 located in western Malta, while at the lower end, no Quail were recorded throughout the survey period from grid locations 4085, 5663 and 6069 located in Comino, southern and south-eastern Malta respectively.

5.9 Values of mean daily counts and total counts of Common Quail recorded during the period 1 September to 31 October 2016 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 in Table 2. 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), and 2015 (Ecoserv, 2015) in Figure 3. The daily mean counts recorded during the period 1 September to 31 October 2016 are overall lower than those recorded in 2008 and 2009 (Thomaidis, nd) for the same period, but similar to those recorded in 2014 (Ecoserv, 2014) and 2015 (Ecoserv, 2015). Furthermore, a single migration peaks (with a mean count >2) was recorded on 30 September during the present 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 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 2016 survey is lower than that recorded during the 2008 and 2009 (Thomaidis, nd) surveys, but marginally higher than values recorded during the 2014 and 2015 survey (Ecoserv, 2014; 2015).

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 count	Total Area Surveyed (km^2)	Estimated Daily Influx
01-Sep-16	0	± 0.00	0	0.184	0
02-Sep-16	0.17	± 0.41	1	0.187	1,182
03-Sep-16	0	± 0.00	0	0.301	0
04-Sep-16	0	± 0.00	0	0.383	0
05-Sep-16	0	± 0.00	0	0.184	0
06-Sep-16	0	± 0.00	0	0.187	0
07-Sep-16	0	± 0.00	0	0.301	0
08-Sep-16	0	± 0.00	0	0.383	0
09-Sep-16	0	± 0.00	0	0.158	0

Date	Mean Count ± SD		Total count	Total Area Surveyed (km^2)	Estimated Daily Influx
10-Sep-16	0	± 0.00	0	0.187	0
11-Sep-16	0	± 0.00	0	0.301	0
12-Sep-16	0.33	± 0.82	2	0.383	1,155
13-Sep-16	0	± 0.00	0	0.158	0
14-Sep-16	0.5	± 0.84	3	0.187	3,547
15-Sep-16	0	± 0.00	0	0.301	0
16-Sep-16	0	± 0.00	0	0.383	0
17-Sep-16	0.17	± 0.41	1	0.184	1,201
18-Sep-16	0	± 0.00	0	0.187	0
19-Sep-16	0.17	± 0.41	1	0.301	736
20-Sep-16	0	± 0.00	0	0.357	0
21-Sep-16	0	± 0.00	0	0.158	0
22-Sep-16	0	± 0.00	0	0.161	0
23-Sep-16	0.17	± 0.41	1	0.301	736
24-Sep-16	0.5	± 0.84	3	0.383	1,733
25-Sep-16	0.33	± 0.52	2	0.184	2,403
26-Sep-16	0	± 0.00	0	0.187	0
27-Sep-16	0.5	± 1.22	3	0.301	2,209
28-Sep-16	0.67	± 0.82	4	0.383	2,311
29-Sep-16	0.5	± 0.84	3	0.184	3,604
30-Sep-16	2.33	± 3.39	14	0.187	16,554
01-Oct-16	0.5	± 0.84	3	0.274	2,424
02-Oct-16	0.67	± 1.03	4	0.357	2,484
03-Oct-16	0.33	± 0.82	2	0.184	2,403
04-Oct-16	0	± 0.00	0	0.187	0
05-Oct-16	0	± 0.00	0	0.274	0
06-Oct-16	0.5	± 0.84	3	0.383	1,733
07-Oct-16	0.33	± 0.52	2	0.184	2,403
08-Oct-16	0.17	± 0.41	1	0.187	1,182
09-Oct-16	0.33	± 0.82	2	0.301	1,473
10-Oct-16	0	± 0.00	0	0.357	0
11-Oct-16	0	± 0.00	0	0.184	0
12-Oct-16	0	± 0.00	0	0.187	0
13-Oct-16	0	± 0.00	0	0.301	0
14-Oct-16	0.67	± 1.03	4	0.383	2,311
15-Oct-16	0.17	± 0.41	1	0.184	1,201
16-Oct-16	0.5	± 0.55	3	0.187	3,547
17-Oct-16	0.5	± 0.84	3	0.301	2,209
18-Oct-16	0.33	± 0.82	2	0.383	1,155
19-Oct-16	0.17	± 0.41	1	0.184	1,201
20-Oct-16	0	± 0.00	0	0.187	0
21-Oct-16	0	± 0.00	0	0.274	0

Date	Mean Count ± SD		Total count	Total Area Surveyed (km^2)	Estimated Daily Influx
22-Oct-16	0.17	± 0.41	1	0.377	587
23-Oct-16	0.5	± 0.55	3	0.137	4,852
24-Oct-16	0	± 0.00	0	0.161	0
25-Oct-16	0	± 0.00	0	0.301	0
26-Oct-16	0	± 0.00	0	0.383	0
27-Oct-16	0	± 0.00	0	0.158	0
28-Oct-16	0.17	± 0.41	1	0.161	1,379
29-Oct-16	0	± 0.00	0	0.301	0
30-Oct-16	0	± 0.00	0	0.357	0
31-Oct-16	0	± 0.00	0	0.184	0
				Estimated Total Influx	**69,915**

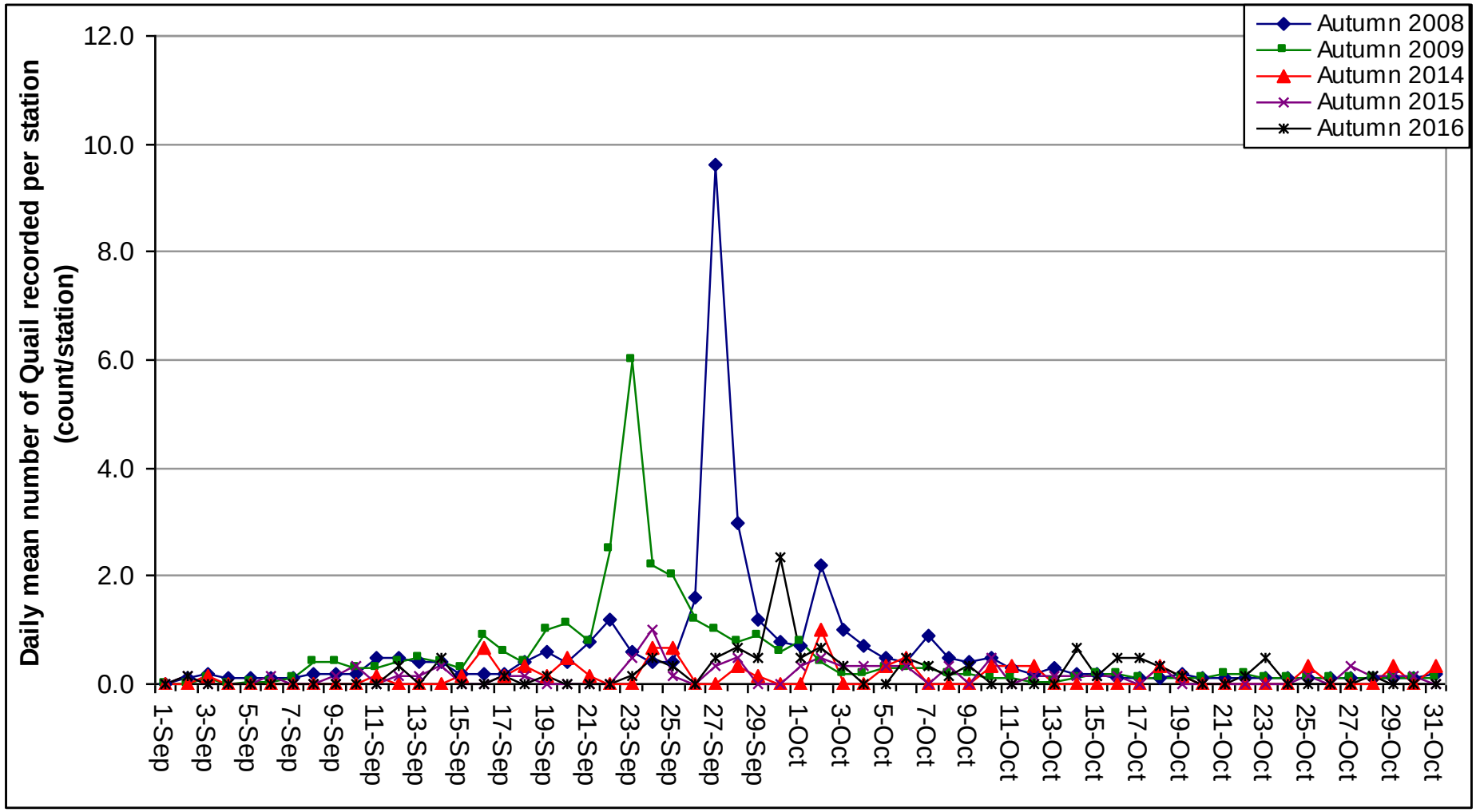
Source: Ecoserv, 2016

5.11 The highest mean count was recorded from Fomm ir-Riħ (Grid 4073) located in western Malta, while overall high counts were recorded from study sites located in the northern half of Malta and south-western Gozo. The lowest mean counts were recorded from the southern parts of Malta and from Comino.

5.12 As has been done in previous surveys undertaken in autumn (Ecoserv, 2014; 2015) and spring (Ecoserv, 2011; 2012; 2013; 2014; 2015; 2016), the total influx of 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 should be considered with the great caution because of the assumption that the rate of 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.

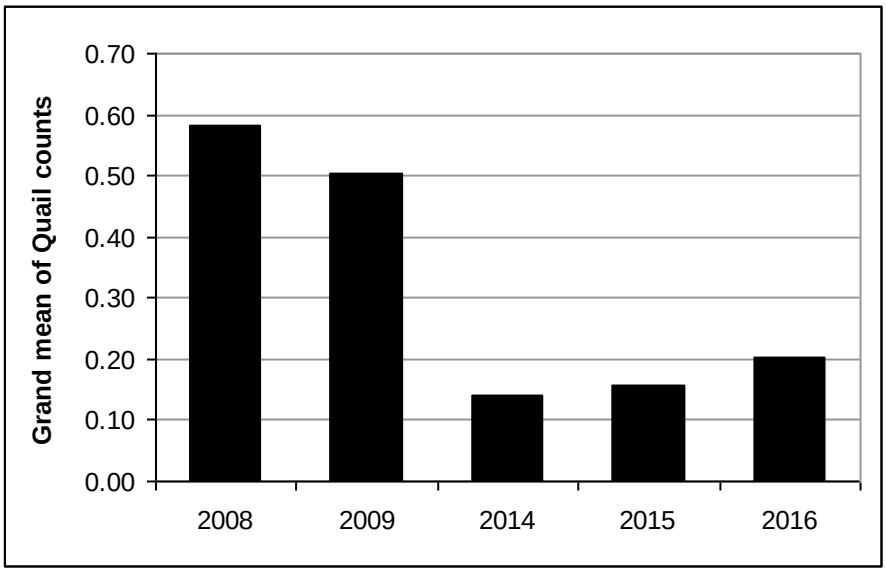
5.13 It was furthermore noted that Quail also tends to appear in certain localities before others (Fenech, 2010; Fenech, *in. litt.*). This is highlighted by one of the data records from the present study - a total of 13 individuals were recorded from grid location 4073 located in western Malta, while at the lower end, no Quail were recorded throughout the survey period from grid locations 4085, 5663 and 6069 located in Comino, and in southern and southeastern Malta respectively. 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 resident Quail.

Figure 3 - Daily mean counts of Common Quail per station (= site) recorded during the period 1 September – 31 October 2016, 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 and for autumn 2015 as reported in Ecoserv (2015))



Source: Ecoserv, 2016

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

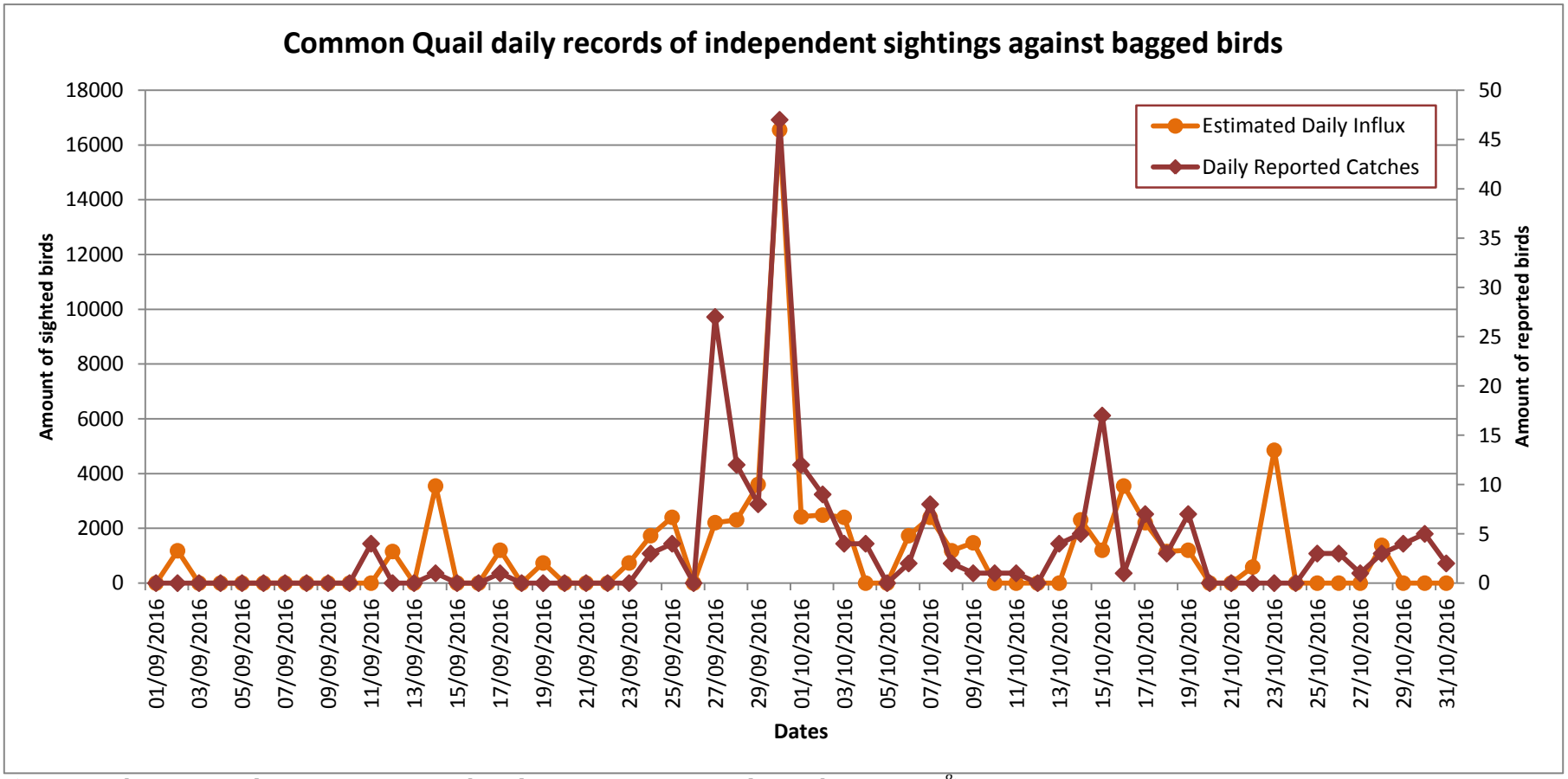


Source: Ecoserv, 2016

Correlation of migration observations with reported bags

5.14 As was also the case in 2015, correlation between migration observation data was performed. This analysis shows a generally strong correlation between the number of catches reported by hunters and independent observations of migration (Figure 5).

Figure 5: Correlation between migration observation data and reported bags of Common Quail



(*Source: Observations data: Ecoserv, 2016; bag data: Game reporting data February 2017*[8])

[8] http://msdec.gov.mt/en/Document%20Repository/WBRU/2017/reportsAndStats/Game%20reporting%20data%20report%202016.pdf

5.15 The above reported catches data and observation trends were considered also in the context of the enforcement statistics pertaining to the 2016 autumn season summarised below.

Summary of enforcement during 2016 autumn hunting season

5.16 During the period of the autumn hunting season, the authorities deployed a total complement of 85 officers tasked with overseeing compliance with the parameters of the season. This complement consisted of 24 officers of the Administrative Law Enforcement Unit (ALE) of the police, 22 officers of the Armed Forces of Malta (AFM), 37 police officers temporarily seconded with the ALE from other police units of which six officers from Gozo district police and two 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 in early September, reaching maximum of strength of 85 officers by early October, averaging at 62 officers being 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. On specific occasions (e.g. 02 November and 10 December 2016), night patrols were also conducted. The actual daily field deployment on patrols ranged from a minimum of 12 officers and a maximum of 85 officers.

5.17 As was also the case in previous years, the officers received specialised training during five training sessions (three 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 28,257 site inspections (24,888 in Malta and 3,469 in Gozo) and 2,832 spot-checks on individual licensees (2,037 in Malta and 795 in Gozo), which is 56% more than the number of spot-checks and inspections conducted during the same period in 2015 (19,895), and almost double the total number of inspections conducted during the same period in 2014 (16,476).

5.19 In the course of field surveillance, inspections and spot-checks, the authorities detected a total of 73 infringements, which led to legal action being taken against 65 offenders,

including 12 persons subjected to criminal prosecution and 53 persons subjected to an administrative fine.

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

Table 3 - Offences disclosed during autumn hunting / trapping seasons (1st September - 31st January the following year)

Offences disclosed during autumn hunting / trapping seasons (1st September - 31st January the following year)	**2012**	**2013**	**2014**	**2015**	**2016**
Hunting within prohibited distances / prohibited areas	17	12	1	6	2
Hunting / trapping without licence	76	21	4	8	1
Illegal trapping of protected birds	137	29	1	2	0
Illegal shooting of protected birds	2	6	4	1	2
Hunting / trapping using illegal means / firearms irregularities / other breaches of licence conditions	236	89	78	102	61
Hunting / trapping during closed season / outside of permitted hours	16	1	2	5	1
Possession of dead protected birds	4	16	5	3	3
Possession of live protected birds	137	30	3	3	2
Illegal sale of protected birds	0	0	7	1	1
Smuggling of protected birds	1	3	1	0	0
Total offences disclosed	**391**	**125**	**106**	**131**	**73**
Persons against whom legal action is taken	**226**	**87**	**83**	**128**	**62**

Source: Wild Birds Regulation Unit and Malta Police Force, 2017

5.21 The above table 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.

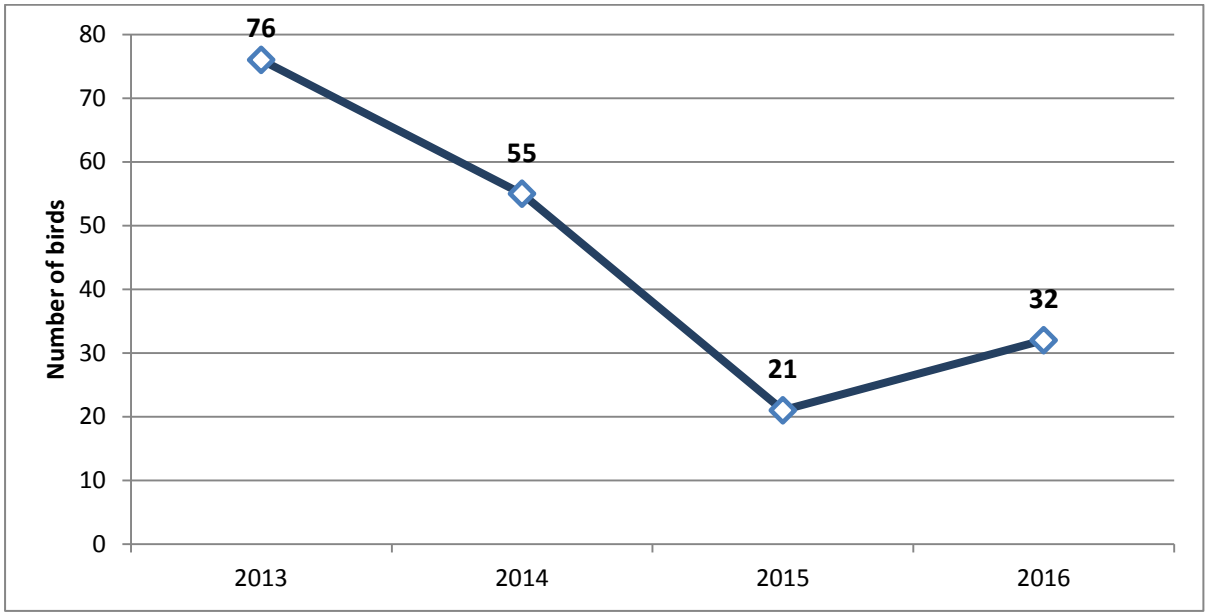
5.22 Overall, enforcement statistics evidently point to the continuation of the overall trend towards the reduction in the incidence of most categories of bird-related crime, which proportionately mirrors increased intensity of inspections and surveillance. The statistics do not include alleged or suspected 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. In this regard, it should be noted that during the season, the authorities received around 80 reports from NGOs and members of the public concerning suspected illegal killing or taking of approximately 30 protected birds of various species, the majority of which were raptors. The bulk of these suspected incidents were reported in September, coinciding with the period of peak migration of birds of prey. During this peak migration period, a total of 23 protected birds

were confirmed to have been illegally shot. All reports were duly investigated, and in response to the reported increase in suspected targeting of protected birds during the 2nd and 3rd of September, the authorities increased the initial enforcement complement to its maximum strength until the fourth week of September.

5.23 Despite maximum surveillance effort deployed as from the end of September, perhaps the most significant incident of illegal shooting of protected birds occurred on the 2nd and 3rd of November, during migration of a large flock, numbering over 100 individuals of Booted Eagles (*Hieraaetus pennatus*) and Lesser Spotted Eagles (*Aquila pomarina).* An unprecedentedly large number of raptors appeared in late afternoon and settled over a large area around Buskett, Girgenti, Fawwara, Dingli, Tal-Virtù and Mtaħleb. Immediately upon being alerted to the presence of the eagles, enforcement authorities deployed five mobile surveillance units to the area, and have maintained surveillance also during the night. Despite heightened enforcement presence, four separate suspected incidents of illegal shooting of eagles were reported by the authorities by members of the public and NGOs. As a result of investigations conducted in response to these reports, a suspect was apprehended on the 2nd of November and charged on the following day with illegally shooting a Booted Eagle (*Hieraaetus pennatus*). The dead specimen was recovered by the authorities. The accused was granted bail against a €2,000 deposit and personal guarantee of €10,000. As at May 2017, the case was pending consideration by the Courts.

5.24 Throughout 2016, the authorities recovered around 120 wild birds belonging to numerous species that were provided with the appropriate veterinary care and rehabilitation. Of these, 32 birds were confirmed to have suffered gunshot wounds as a result of illegal targeting. 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 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 2016

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 2017 spring hunting bag limit and other parameters

6.1 Regulation 5 of the Framework Regulations (S.L. 549.57[9]) 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:

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

(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 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 in the previous autumn season.

6.3 Since the total bag for the autumn 2016 hunting season was 246 Quail, the maximum limit of birds hunted in autumn as established by the Regulations in question (20,000 for Quail) were not reached. On the contrary, the numbers hunted did not exceed 10,000 and conversely, the maximum national bag limit allowed by law could therefore be applied.

6.4 In line with the recommendation of the Malta Ornis Committee that the Quail season should preferably not overlap with migration of the Turtle Dove, the Framework Regulations (SL 549.57) were amended by means of Legal Notice 82 of 2017[10] to allow the possibility of opening the season for the maximum of three weeks starting either in March or in April.

6.5 Furthermore, in accordance with the Malta Ornis Committee recommendations, the government has revised the individual season's bag limit to the maximum of ten Quail per hunter per season, and the daily bag limit to five Quail per hunter per day. These amendments were enacted by means of Legal Notice 83 of 2017[11] which declared the parameters of the derogation.

6.6 The main rationale behind this revision was that the individual (four birds per hunter per season) and daily bag limits (two birds per hunter per day) put in place during previous years' derogations were unnecessarily restrictive, potentially providing a counter-incentive to proper reporting of game caught. On the other hand, the control over the national bag limit of 5,000 Quail would effectively ensure the adherence to the overall parameters of the derogation, irrespective of the daily or seasonal bag limits per hunter.

6.7 Based on the above, the 2016 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 14 April 2016. Each Spring Hunting Licence

[10] http://msdec.gov.mt/en/Document%20Repository/WBRU/2017/legislationAndPolicy/LN%2082-2017.pdf

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. General licences reform and issuance of special spring hunting licences

Reform of general hunting licensing system

7.1 Following extensive stakeholder consultations, in February 2016 the Government enacted Legal Notice 69 of 2016 (Conservation of Wild Birds (Amendment) Regulations)[12], which paved the way for reform of the system of general hunting licences.

7.2 Prior to these amendments an annual general licence to hunt birds, known as *carnet de chasse*, was issued by the end of February each year and remained valid for the period prescribed in Schedule IV of these Regulations, subject to a number of conditions outlined in Regulations 12 and 13, as well as in Schedules IV and VI of the Conservation of Wild Birds Regulations. Crucially, the licence booklet (*carnet de chasse*) served as a primary tool through which hunters were required to report to the Wild Birds Regulation Unit the dates and locations where the licensed person has practiced hunting and/or live-capturing, the name and ID of the licensee; as well as the number of specimens hunted or taken on each occasion. The booklet also provided space for endorsements (stamps) of the police, the relevant hunting organisation of which the licensed hunter or live-capturer must be a member, and his / her insurance cover for the licence period in question. The format of the *carnet de chasse* booklet evolved over the years since the tool was first introduced prior to Malta's accession to the EU. The use of the *carnet de chasse* was legally binding and penalties apply to those who infringe upon their legal obligations to record their hunting activity in the booklet.

7.3 Although the *carnet de chasse* has provided the Maltese authorities with the best available data on the extent of the hunting effort pertaining to huntable species to date, the process of printing, on an annual basis, distributing, collecting and extracting all manual data pertaining to the hunting and live-capturing of all species was extremely cumbersome and costly. Moreover, the data could only be physically extracted with a significant time lag, that is, several months after the collection of the previous year's booklets. This implies that by the time all the data is extracted and published, some of the data is already almost two years old. This presented limitations on the analysis and timely use of the data for policy making.

[12] http://justiceservices.gov.mt/DownloadDocument.aspx?app=lp&itemid=27449&l=1

7.4 In order to address the above limitations, following publication of legal amendments, the Wild Birds Regulation Unit replaced the system of *carnet de chasse* booklets with the new system, which comprises the following elements:

- A plastic card (similar to an ID card or a driving licence) issued to licensed persons for a period of five years. The card contains basic security (anti-forgery) features, and indicates individual licensee's personal details, address, registered mobile phone number and the type of general licence. The new licence also bears a unique number of each licensed person, which is linked to an online database, accessible to the Wild Birds Regulation Unit and the Police for enforcement and regulation purposes.

- A pocket-sized information booklet, containing graphical representations of bird species that can be hunted in accordance with the Maltese law, instructions regarding the use of telephone reporting system, and other relevant information. The booklet also contains space for annual rubber stamping by recognised hunting organisations as proof of membership with a hunting/live-capturing organisation and insurance.

- A secure electronic database of licensed persons, accessible to authorised administrators, designed with different levels of access and control. The database allows instant access to retrieve, process and analyse statistical data of all licensing information. This database is linked to the telephonic game reporting system thus allowing instant retrieval and processing of all hunting activity data reported by any individual licensee in real time.

- A telephonic game reporting system, which is active during the periods when the various hunting and live-capturing seasons are declared open and which shall enable licensed persons to report game caught via a telephone call. Such calls are automatically received and processed by the system in accordance with the particular regulations that govern each season, and all data is automatically uploaded into the licensing database. This system has already been developed and used during 2014, 2015 and 2016 live-capturing derogations, and during the 2015 and 2016 spring hunting seasons, in replacement of the previous SMS-based system. The system has subsequently been extended to cater for all hunting seasons. Similar to the carnet de chasse, the use of this system is legally binding and subject to spot checks and other compliance enforcement measures as well as legal deterrents against abuse. In contrast to *carnet de chasse*, the new

system is more user-friendly with the addition of functions such as the allowance for automated verification of the identity of the licensee, the processing of the reported data in real time, verifications concerning legal bag limits, where applicable, as well as the communication of applicable regulatory information.

Figure 7: Information booklet and general licence card issued to every licensed hunter



Special spring hunting 2017 licences

7.5 In order to be eligible for a Special 2017 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 2017;

(c) Valid third party liability insurance cover for 2017;

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

7.6 Applications for a special spring hunting licence were received during a 12-day period from 27th February to the 11th of March 2017. Applicants had to complete an application form and had to present documentation listed above together with identification documents. Applicants also had to re-confirm registration of their mobile phone numbers, for the purposes of cross-checking with the already registered numbers within the telephonic game reporting system. Applications received after the closing date of 11 March 2017 were not accepted.

7.7 By the closing date for applications, the Wild Birds Regulation Unit received a total of 6,653 formal applications to obtain a special spring hunting licence. Upon verification, all these applications were considered as valid. The number of applications for the 2017 spring hunting season was approximately 28% lower than in 2016 (9,252) and 30% lower than in 2015 (9,479).

7.8 A total of 5,493 licences were subsequently issued to applicants resident in Malta and 1,160 to applicants resident in Gozo. Of these, 137 licences remained unclaimed (15 pertaining to applicants resident in Gozo and 122 pertaining to applicants resident in Malta). **Therefore the total number of active special licences in 2017 was 6,516.**

7.9 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 83 of 2017[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.

7.10 Hunters were required to carry their spring hunting licence at all times. They were also expected to immediately report their catches through a 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.

[13] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11570&l=1
[14] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lp&itemid=28328&l=1
[15] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11548&l=1

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 calling a single telephone number 77070009 via their mobile phones immediately after shooting a bird.

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 did not allow any reports 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 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 a separate SMS mail shots sent during the season.

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.

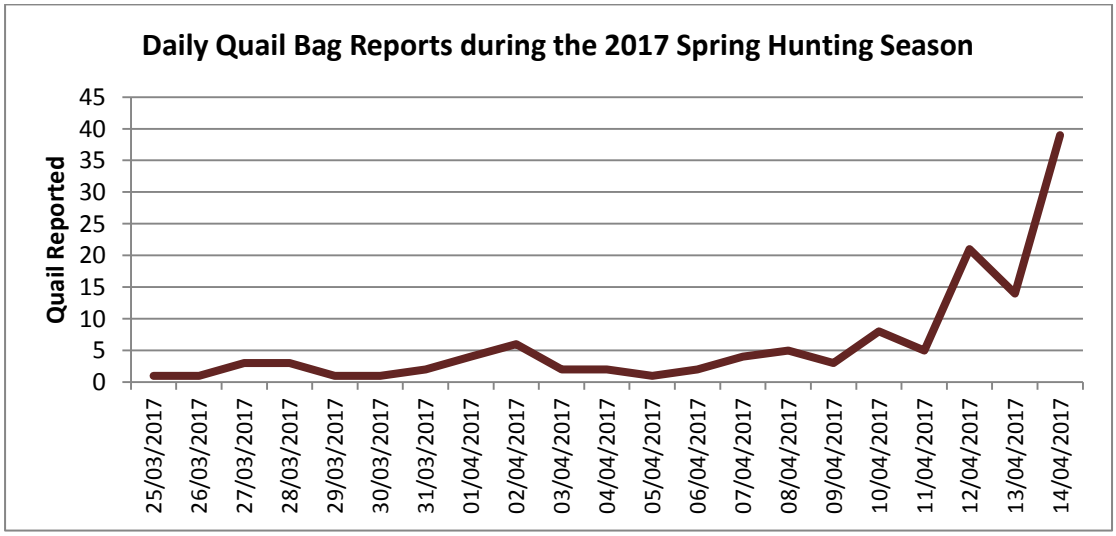
8.5 Furthermore, the system deployed a filtering / verification system which ensured that the mobile phone numbers from which reports were received actually corresponded to pre-registered mobile phone numbers of registered licence holders. The relevant data for reported Quail is presented in Table 4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

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

Table 4: Number of Quail reported through the telephonic system (Game Reporting System, 2017)

Date	Quail	Cumulative
25/03/2017	1	1
26/03/2017	1	2
27/03/2017	3	5
28/03/2017	3	8
29/03/2017	1	9
30/03/2017	1	10
31/03/2017	2	12
01/04/2017	4	16
02/04/2017	6	22
03/04/2017	2	24
04/04/2017	2	26
05/04/2017	1	27
06/04/2017	2	29
07/04/2017	4	33
08/04/2017	5	38
09/04/2017	3	41
10/04/2017	8	49
11/04/2017	5	54
12/04/2017	21	75
13/04/2017	14	89
14/04/2017	39	128
Total	**128**	

Figure 8: Daily total number of Quail reported during the 2017 spring hunting season – as reported through the telephonic system. (Game Reporting System, 2017)



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. In the case of Quail, the total number of 128 shot birds equates to 2.56% of the limit permitted by law. Table 5 provides data on the number

of Quail caught by hunters. There were a total of 76 hunters who caught between one and ten birds during the 2017 spring hunting season.

Table 5: Number of Quail caught by hunters

Quail reported shot by hunter	Number of hunters declaring catches
0	6,577
1	44
2	24
3	4
4	2
5	0
6	1
7	0
8	0
9	0
10	1

Source: Wild Birds Regulation Unit, 2017

8.7 The individual daily bag limit of five birds was never reached during the season. As indicated in Table 5, only one hunter reached the individual seasonal bag limit of 10 birds.

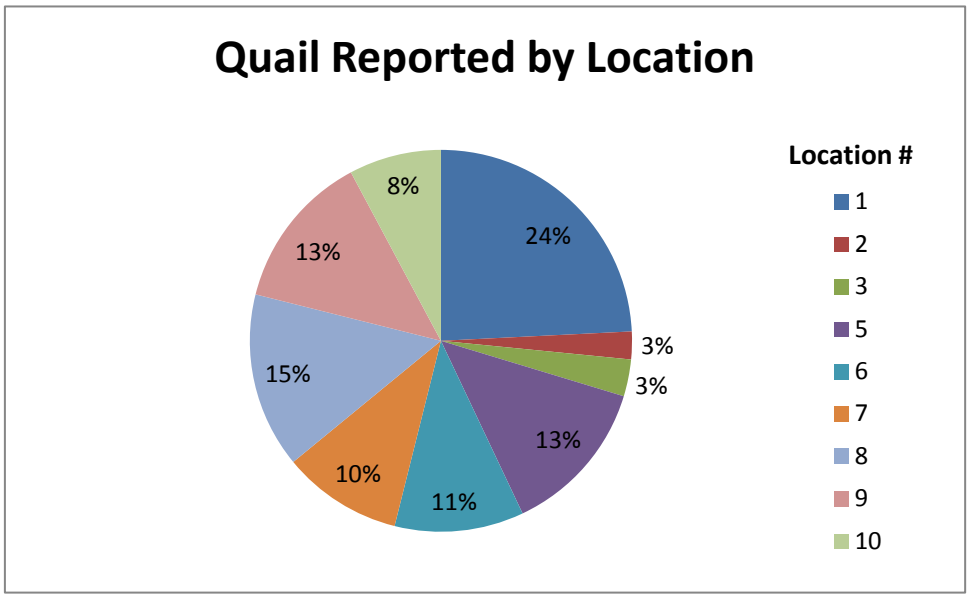
8.8 When reporting game caught, hunters were also requested to specify the location. Alongside with the bird reporting codes, the information booklet contained a map of the Maltese Islands as shown in Figure 9. This grid map had numbers corresponding to certain localities to allow the hunters to determine 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. Approximately a quarter of all bagged Quail reports were received from North West of Gozo (Location #1), whilst reports from the rest of the geographic locations were approximately evenly distributed, with the exception of South-west and North East of Gozo, which received the lowest share of reports.

Figure 10: Common Quail caught according to location number



Data Source: Game Reporting System, 2017

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. Around half of all reports were made between 08:00am and 11:00am.

Table 6- Percentages of Quail reports made within each hour time band.

Time	Quail Reports (%)
06:00 - 07:00	6
07:00 - 08:00	17
08:00 - 09:00	24
09:00 - 10:00	14
10:00 - 11:00	23
11:00 - 12:00	16

Data source: Wild Birds Regulation Unit, 2017

9. Independent bird migration study in spring 2017

9.1 As was also the case in previous years, an independent scientific study was carried out in Spring 2017, 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 (2017) 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.* 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 25th March and 14th April 2017. 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, 2012, 2013, 2014, 2015 and 2016. 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 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
Saturday, 25 March 2017	4
Sunday, 26 March 2017	4
Monday, 27 March 2017	2
Tuesday, 28 March 2017	0
Wednesday, 29 March 2017	1
Thursday, 30 March 2017	6

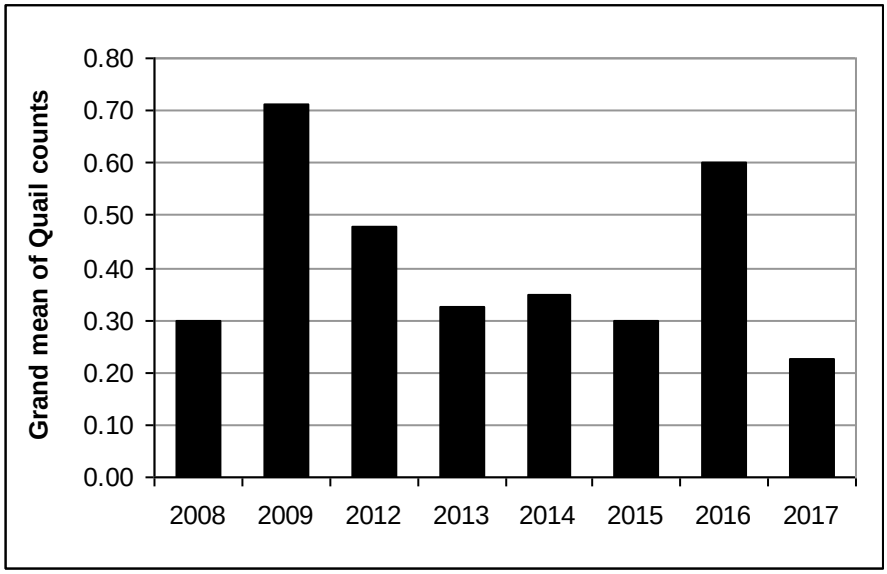
[17] Notwithstanding the fact that the 2017 derogation was applied for Quail only, Turtle Dove monitoring was included in the scope of the 2017 migration study purely for scientific research purposes, in order to understand the early patterns of migration of this species. The present report on the outcome of the derogation limits presentation of the study results to Quail only.

Friday, 31 March 2017	3
Saturday, 1April 2017	2
Sunday, 2 April 2017	2
Monday, 3 April 2017	0
Tuesday, 4 April 2017	3
Wednesday, 5 April 2017	3
Thursday, 6 April 2017	3
Friday, 7 April 2017	0
Saturday, 8 April 2017	4
Sunday, 9 April 2017	4
Monday , 10 April 2017	1
Tuesday, 11 April 2017	2
Wednesday, 12 April 2017	0
Thursday, 13 April 2017	0
Friday, 14 April 2017	3
Total	**47**

Data source: Ecoserv, 2017

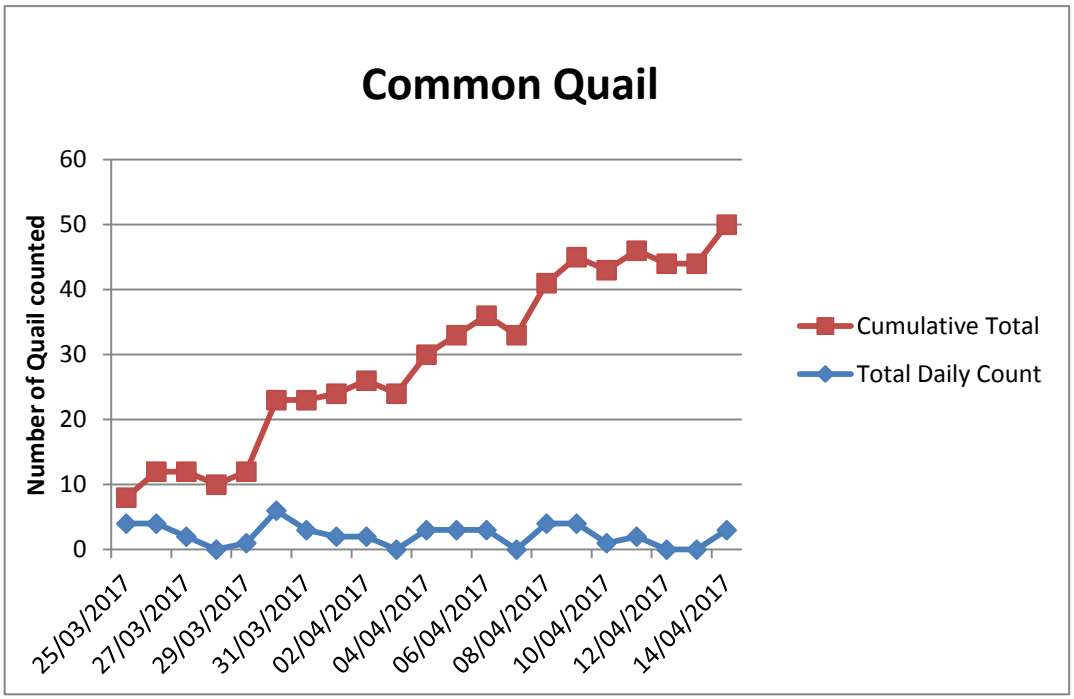
9.3 Daily raw counts for Common Quail at different sites varied from a minimum of 0 to a maximum of 3 (Table 7 and Figure 12). The daily mean counts recorded during the period 25th March – 14th April 2017 (2017 survey) are overall lower than those obtained in 2009 (Thomaidis, nd) during the same period, and also lower compared to values recorded on 10 April and subsequent dates by Thomaidis (nd) in spring 2008 and by Ecoserv (2012; 2013; 2014; 2015; 2016) in spring 2012–2016.Values of the grand mean of Common Quail counts recorded during the period 25 March to 14 April from the present survey (spring 2017), together with values of the grand mean for the same period in 2009 (Thomaidis, nd), for the period 9 to 14 April in 2012 (Ecoserv, 2012), for the period 10 to 14 April in 2008 (Thomaidis, nd), 2013, 2014 and 2016 (Ecoserv, 2012; 2013; 2014; 2016), and for 14 April 2015 (Ecoserv, 2015) are shown in Figure 11. The grand mean recorded during the present (spring 2017) survey is lower than that recorded during all previous surveys.

Figure 11. Grand mean of Common Quail counts made using data from the period 25 March to 14 April for spring 2017 and spring 2009 (Thomaidis, nd), together with the grand mean made using data from the period 9 to 14 April for spring 2012 (Ecoserv, 2012), from the period 10 to 14 April for spring 2008 (Thomaidis, nd), 2013, 2014 and 2016 (Ecoserv, 2012; 2013; 2014; 2016), and on 14 April in spring 2015 (Ecoserv, 2015). (Data source: Ecoserv)



Data source: Ecoserv, 2017

Figure 12: Total daily counts of Common Quail compiled through the spring migration study. (Data source: Ecoserv)



Data source: Ecoserv, 2017

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 resident 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), forested 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 3. Based on these data, extrapolation translates to a total influx of Common Quail during 25 March to 14 April 2017 of 27,615 individuals, or some 1,315 Quails per day. However, as emphasised in the reports of previous surveys (Ecoserv, 2011; 2012; 2013; 2014; 2015; 2016), such an estimate must be treated with utmost caution, given the relatively small number of field sites used in the present survey 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 27,615 Quail in 2017 is higher than the corresponding estimated influx in 2015 (n= 20,211) and 2011 (n=22,699) but lower than the corresponding estimate influx in 2016 (n= 31,266), 2014 (n=37,771), 2013 (n=67,460) and 2012 (n=35,018).

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

Date	Quail Estimated Daily Influx
Saturday, 25 March 2017	2,819
Sunday, 26 March 2017	1,388
Monday, 27 March 2017	1,226
Tuesday, 28 March 2017	0
Wednesday, 29 March 2017	337
Thursday, 30 March 2017	3,701
Friday, 31 March 2017	2,114
Saturday, 1 April 2017	694
Sunday, 2 April 2017	1,292

Monday, 3 April 2017	0
Tuesday, 4 April 2017	1,011
Wednesday, 5 April 2017	1,838
Thursday, 6 April 2017	2,289
Friday, 7 April 2017	0
Saturday, 8 April 2017	2,585
Sunday, 9 April 2017	2,819
Monday , 10 April 2017	337
Tuesday, 11 April 2017	1,226
Wednesday, 12 April 2017	0
Thursday, 13 April 2017	0
Friday, 14 April 2017	1,939
Total	**27,615**

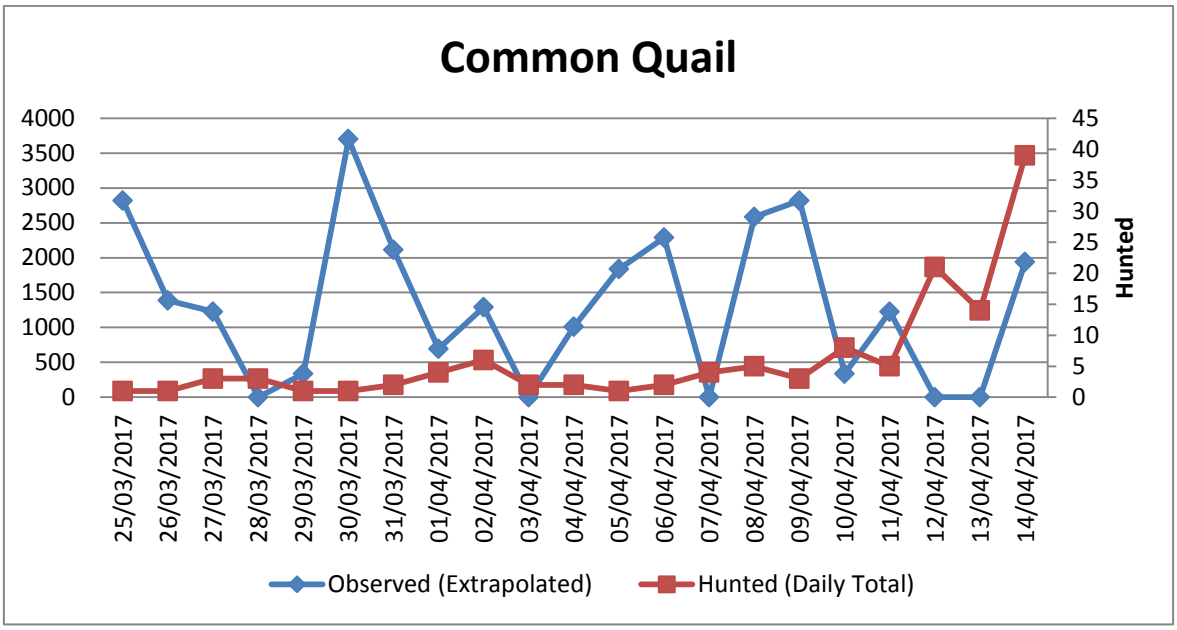
Data source: Ecoserv, 2017

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 (25th March –14th April) was compared with the counts and estimates generated through the 2017 spring migration study during the same period.

10.2 The daily counts made during the 2017 survey include day to day fluctuations, with the highest count being made on 30 March 2017, while no overall increasing or decreasing trend in daily survey counts over the survey period is discernible. The bag count data included similar but less marked day to day fluctuations, but there was an overall increasing trend recording towards the end of the survey period, with the highest bag counts recorded on 12–14 April 2017. Overall, the general trend in both datasets is of a day to day fluctuation in counts, with peak counts coinciding on some, but not all, dates. The increase in bag counts recorded in the last three days of the survey period is not reflected in the daily counts made during the 2017 survey. It should be noted, however, that both the total daily counts made during the 2017 survey and the daily bag counts for Common Quail were low, which introduces an additional difficulty in making interpretations of these comparisons.

Figure 13: Comparison of the number of Quails reported shot through the game telephonic reporting system with the number of Quails counted during the spring migration study.



Data source: Wild Birds Regulation Unit /Ecoserv, 2017

11. Enforcement

11.1 During the 2017 spring hunting season, the Maltese authorities strove 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 2016 spring hunting derogation, was already unprecedented in terms of its intensity.

11.2 The Framework Regulations (S.L. 549.57[18]) stipulate that a minimum of seven (7) enforcement officers for every 1,000 licensed hunters are required to be deployed. A total of 6,653 hunters were in possession of a spring hunting licence in 2017 (noting that of these, 137 licences were unclaimed) and therefore a maximum of 47 enforcement personnel were needed in accordance with national legislation to supervise the derogation period (roughly 39 officers in Malta and 8 in Gozo). However, as was also the case in 2016, 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,

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

with additional support from divisional police forces (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 the 21st March 2017 in Malta (Fig. 14) and another on the 24th March 2017 in Gozo (Fig. 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

Figure 14: Police training seminar in Malta



Figure 15: Police training seminar in Gozo



11.5 Furthermore, commanding 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 swift 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).

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 clothes** 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:

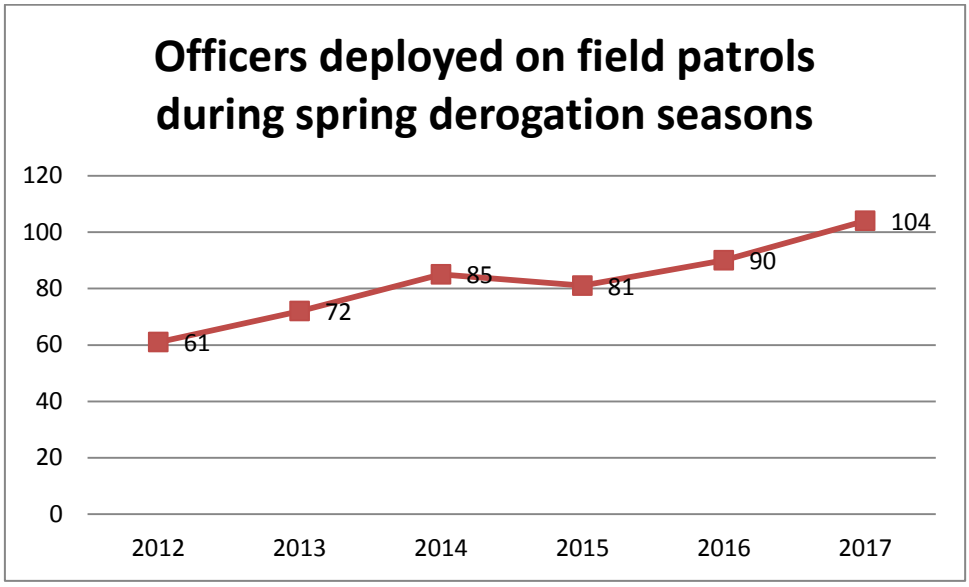
- Verify that hunters were in possession of all requisite documents;
- Verify that birds caught were being immediately reported in accordance with regulations;
- Ensure compliance with the provisions of the Conservation of Wild Birds Regulations (S.L. 549.42), including through appropriate handling of firearms and the Framework Regulations (S.L. 549.57[19]) and the Regulations opening the spring 2017 season (S.L. 549.57[20]);
- Ensure that no species other than Quail, were being hunted;
- 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 104 officers (83 in Malta and 21 in Gozo) was deployed. Daily field deployment consisted of a complement that ranged between 41 and 56 officers (39–42 officers in

[19] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11570&l=1
[20] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=12044&l=1

Malta and 2–14 officers in Gozo) deployed during morning shift[21] and between 40 and 48 officers (38–41 officers in Malta and 2–7 officers in Gozo) during afternoon shift.

Figure 16: Comparison of number of officers deployed during the Spring hunting season over the years

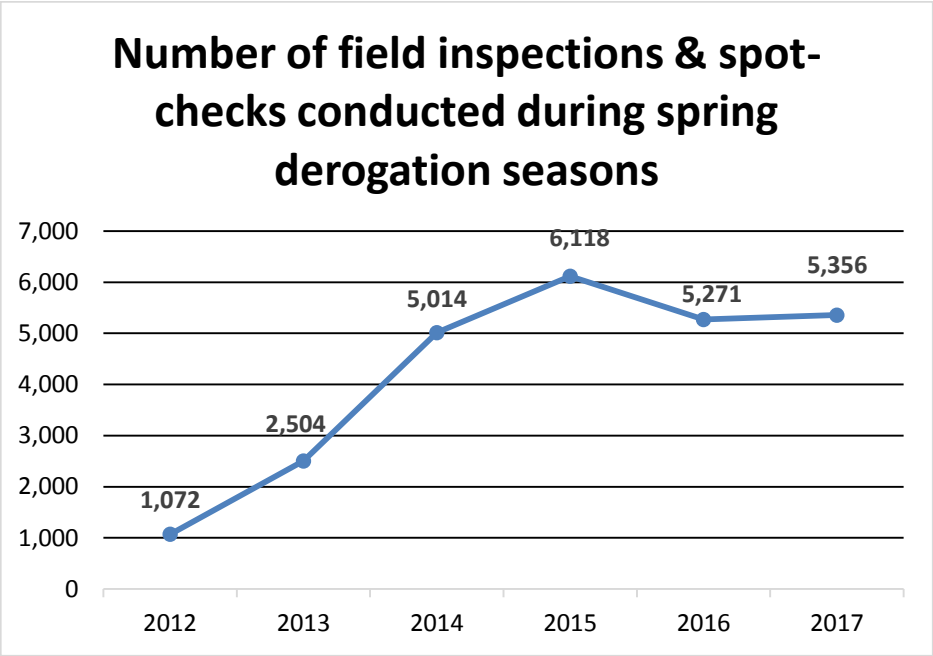


Source: Wild Birds Regulation Unit / Malta Police Force, 2017

11.10 During the period of the derogation, between 25th March and 14th April 2017 when the season was open, field officers carried out a total of 5,038 field inspections / patrols (4,116 in Malta and 922 in Gozo) and 318 spot-checks on individual hunters (227 in Malta and 91 in Gozo), which cumulatively amounts to **5,356** inspections and spot-checks. On each day of the derogation, every patrol noted the exceptionally low number of hunters present in the field, and hence the number of spot checks performed in 2017 was considerably less than the corresponding number in previous years.

[21] 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.

Figure 17: Comparison of number of field inspections and spot checks performed during the spring hunting seasons over the past 6 years



Source: Wild Birds Regulation Unit / Malta Police Force, 2017

11.11 In the course of these inspections and spot-checks, the officers disclosed a total of five offences (1 in Malta and 4 in Gozo), which led to legal action being taken against four persons (1 in Malta and 3 in Gozo).

11.12 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 –Enforcement deployment and offences detected during 2017 spring hunting season / Source: Wild Birds Regulation Unit / Malta Police Force, 2017

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)		Number of persons charged and nature of action taken	
	Malta	Gozo	Malta	Gozo	Malta	Gozo	Malta[22]	Gozo	Malta	Gozo	Malta	Gozo	Malta	Gozo
25/03/2017	41	8	41	6	N	N	196	98	36	1	0	0	0	0
26/03/2017	41	7	41	2	N	N	196	95	10	8	0	0	0	0
27/03/2017	41	3	41	2	N	N	196	5	17	0	0	0	0	0
28/03/2017	41	14	41	7	N	N	196	27	4	4	0	1 case of illegal active trapping site [23]	0	0
29/03/2017	40	5	38	2	N	N	196	13	20	1	0	0	0	0

[22] A total of 49 localities were visited and surveyed by patrolling teams at least twice during each shift in Malta on each day of the season.

[23] Case refers to the illegal trapping for finches outside permitted season were the Gozo Police alerted WBRU for assistance in the identification of the specimens seized from a trapping site in Gozo. Four (4) Linnets (*Linaria cannabina)* [Ġojjini] were seized from site, of which three (3) [two male and one female] were released back into the wild while one female linnet was handed over to the Government Farm in Xewkija for rehabilitation. The perpetrator is unknown.

30/03/2017	40	6	40	4	N	N	196	43	1	5	0	2 cases of illegal trapping [24]	0	2
31/03/2017	42	2	38	2	N	N	196	55	15	2	0	1 case of illegal active trapping site [25]	0	1
01/04/2017	41	7	39	6	N	N	196	28	4	3	0	0	0	0
02/04/2017	41	4	38	2	N	N	196	58	14	3	0	0	0	0
03/04/2017	40	9	38	4	N	N	196	91	0	4	0	0	0	0
04/04/2017	40	3	38	2	N	N	196	5	15	0	0	0	0	0
05/04/2017	40	3-5	38	3-5	N	Y	196	36	7	7	0	0	0	0
06/04/2017	39	3-5	39	3-5	N	Y	196	54	3	4	0	0	0	0

[24] Case refers to the illegal trapping of finches outside the permitted season where WBRU assisted Gozo Police in the identification of specimens seized from a trapping site in Munxar Gozo. Six (6) Linnets (*Linaria cannabina)* [Ġojjini], and a Serin *(Serinus serinus)* [Apparell] were seized and subsequently released since all finches were fitted with fake close rings [four (4) male Linnets, two (2) females and a Serin]. Two persons have been charged for illegal trapping during closed season and are currently awaiting court hearing.

[25] Case refers to the illegal trapping of finches outside permitted season were the Gozo Police alerted WBRU for assistance in the identification of the specimens seized from a trapping site in Żebbuġ, Gozo. Seven (7) Linnets (*Linaria cannabina)* [Ġojjini], and a Common Chaffinch *(Fringilla coelebs)* [Sponsuna] were seized from site. All specimens [four (4) male Linnets, three (3) female Linnets and a Common Chaffinch] were released back into the wild since after inspection it was determined that all finches were fitted with fake closed rings. A person has been charged with illegal trapping during closed season and is currently awaiting court hearing.

07/04/2017	39	3-5	39	3-5	N	Y	196	36	0	5	0	0	0	0
08/04/2017	41	3-5	38	3-5	N	Y	196	54	14	3	0	0	0	0
09/04/2017	41	3-5	41	3-5	N	Y	196	43	5	12	0	0	0	0
10/04/2017	41	3-5	41	3-5	N	Y	196	54	11	3	0	0	0	0
11/04/2017	41	3-5	41	3-5	N	Y	196	42	11	8	0	0	0	0
12/04/2017	41	3-5	41	3-5	N	Y	196	8	19	4	0	0	0	0
13/04/2017	41	3-5	41	3-5	N	Y	196	21	13	7	1 case of illegal killing of protected bird[26]	0	1	0
14/04/2017	41	3-5	41	3-5	N	Y	196	56	8	7	0	0	0	0
Total					**0**	**10**	**4,116**	**922**	**227**	**91**	**1**	**4**	**1**	**3**

[26] Case refers to the illegal killing of a Eurasian Stone Curlew (*Burhinus oedicnemus*) [Tellerita] reported by BirdLife Malta on the 13th April 2017. WBRU assisted in the identification of the specimen and confirmation of cause of death which was later used as evidence by ALE to press charges against the accused. The Court found the poacher guilty upon admission and ordered him to pay a €5,000 fine and permanent revocation of all licences issued under the Conservation of Wild Birds Regulations (SL 549.42).

11.13 The table below (Table 10) compares the number and nature of the offences detected during 2017 spring hunting season with the corresponding statistics for the previous seasons.

Table 10: Comparison of offences disclosed during 2012 – 2017 spring hunting seasons

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

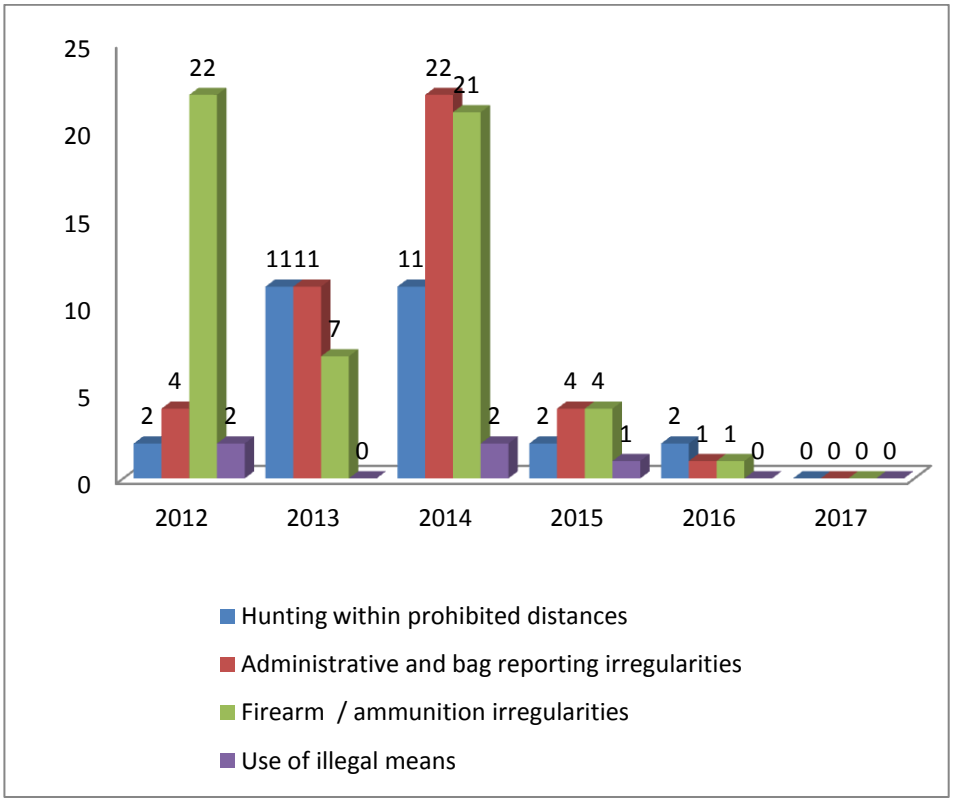
Source: Wild Birds Regulation Unit / Malta Police Force, 2017

11.14 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 to 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. During this period 22 patrols were carried out, six in Malta and 16 in Gozo. During these patrols a total of 32 offences were detected, of which eight offences were detected in Malta and 24 offences detected in Gozo. Twenty three of these offences comprised of illegal trapping of finches, three cases of illegal use of bird callers, one case of illegal hunting of Turtle dove[27], two cases of suspected illegal hunting (species targeted was

[27] Case refers to the illegal shooting of Turtle dove (*Streptopelia turtur)* [Gamiema] at Santa Katerina area in Rabat Malta. WBRU assisted in the identification of the specimen and confirmation of cause of death, and the subsequent release of another Turtle dove which was being used as a live decoy. The Court found the poacher guilty upon admission and ordered him to pay a €2,000 fine and had all his licences issued under the Conservation of Wild Birds Regulations (SL 549.42) suspended for two years.

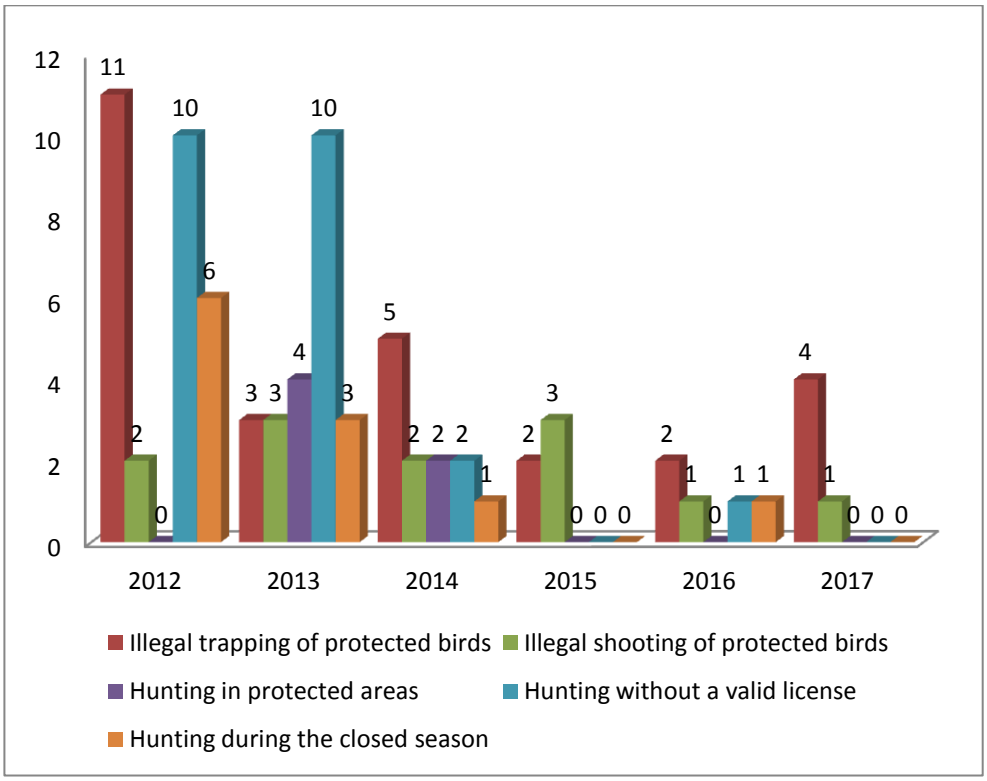
unknown), one case of illegal trapping of Turtle doves using clap nets and two cases of illegal trapping of Turtle doves using cage traps. As a result of these pre- and -post hunting season enforcement operations, the officers dismantled 23 illegal trapping sites and seized trapping paraphernalia, confiscated a total of 84 live protected birds, including 56 finches and 28 turtle doves. Thirty nine finches and 28 Turtle doves were confirmed to have been illegally caught from the wild and hence released. Twelve individuals were apprehended in conjunction with the above offences and are being prosecuted.

Figure 18: Analysis of the trends pertaining to disclosure of relatively minor offences during the period of spring hunting derogation over the past six years



Source: Wild Birds Regulation Unit / Malta Police, 2017

Figure 19: Analysis of the trends pertaining to disclosure of major offences during the spring hunting seasons over the past six years



Source: Wild Birds Regulation Unit / Malta Police, 2017

11.15 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.

11.16 In respect of the offences detected during the 2017 spring hunting season, criminal proceedings are being undertaken against four persons in accordance with Schedule VIII of the Conservation of Wild Birds Regulations (S.L. 549.42).

11.17 By the date of compilation of this report (31/05/2017), one criminal case involving the illegal shooting of a Stone Curlew (*Burhinus oedicnemus*), was decided by the Court on 18/4/2017 and resulted in the accused being found guilty and sentenced to a €5,000 fine, confiscation of ammunition, and permanent revocation of his hunting and firearms licences.

12. Conclusions

12.1 The application of the 2017 spring hunting derogation was preceded by a series of profound analyses that considered all relevant leg*al, 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 Maltese 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** at the level comparable to level of inspections conducted during 2014, 2015 and 2016 spring hunting seasons.

12.4 The overall personnel complement tasked with supervising 2017 derogation was the **largest ever deployed during a spring hunting season in Malta.**

12.5 The above efforts paid off in terms of further consolidating progress attained in previous years and sustaining a further reduction in the incidence of violations of the law. Indeed the 2017 spring hunting season was **characterised by the lowest ever number of illegalities disclosed**.