Report on the Outcome of the 2014 Spring Hunting Season in Malta



Alerted to the presence of an extremely rare Long-legged Buzzard (Buteo rufinus) by a member of the hunting community, Wild Birds Regulation Unit officials join NGO volunteers in maintaining a watch over the rare visitor on 19th April 2014. After roosting a few days in Malta to gather strength, amongst hundreds of other protected birds, including Harriers, Bee-eaters, Kestrels, Golden Orioles, Hoopoes, Swifts, Swallows, Cuckoos, Nightjars, Herons and European Rollers, the gracious raptor continued on its northern journey.

May 2014

Wild Birds Regulation Unit

Parliamentary Secretariat for Agriculture, Fisheries and Animal Rights

Ministry for Sustainable Development, the Environment and Climate Change

Table of Contents

1.	Introduction	1
2.	Legal and policy basis for application of a derogation permitting spring hunting in 2014	1
3.	Consideration of the 2013 autumn bag data for Turtle Dove and Quail	2
4.	Consideration of the conservation status of Turtle Dove and Quail	4
5.	Determination of the 2014 spring hunting bag limit	6
6.	Changes to legal framework enacted in March 2014	8
7.	Issuance of spring hunting licences	11
8.	SMS data	13
9.	Spring migration study	17
10.	Comparison between migratory study data & SMS reports	22
11.	Enforcement efforts	25
12.	Conclusions	41

Enclosures

Annex 1: Assessment of the conservation status of Turtle Dove and Quail

Annex 2: Licence for 2014 Spring Hunting Season

Annex 3: Report on a survey of the influx of migratory Common Quail and Turtle Dove over the Maltese Islands (April 2014)

1. Introduction

1.1 This report has been prepared in pursuance of Malta's agreement with the European Commission, to submit, within one month from the closure of the 2014 spring hunting derogation, a detailed report on the outcome of the derogation. The report is being submitted in addition to Malta's legal reporting obligations under Article 9 of the Birds Directive. The report provides an overview of the various relevant aspects pertaining to the application of this derogation, including (i) extraction of the 2013 autumn bag data and the determination of whether to allow a 2014 spring hunting season and the determination of national spring bag limits in the event that a spring hunting season would be allowed; (ii) an assessment of the present conservation status of the two relevant species, that is, Quail (*Coturnix coturnix*) and Turtle Dove (*Streptopelia turtur*); (iii) the necessary preparatory measures and regulatory controls effected prior to and during the season; (iv) an assessment of the migratory influxes of the relevant species during the 2014 spring season; (v) the reported hunter catches; (vi) the enforcement efforts in place to ensure the strict supervision of hunting during the 2014 season; (vi) disclosed offences and corresponding enforcement action taken; and (vii) the legal and other management aspects of relevance.

2. Legal and policy basis for the application of a derogation permitting spring hunting in 2014

2.1 The derogation 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*". 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"[1]. 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.

2.2 The Conservation of Wild Birds (Framework for Allowing a Derogation Opening a Spring Hunting Season for Turtle Dove and Quail) Regulations[2] (SL 504.94) 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 Turtle Dove and Quail, and to consider the conservation status of the species concerned.

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

3. Consideration of the 2013 autumn bag data for Turtle dove and Quail

3.1 The Malta Ornis Committee, established under Regulation 10 of the Conservation of Wild Birds Regulations (SL 504.71) considered a range of aspects pertaining to the extraction and verification of the 2013 autumn bag data.

3.2 At its sitting of 18 February 2014, the Committee discussed the existing autumn bag reporting and verification mechanisms currently in place. It was noted that Carnet de Chasse (CDC) is a widely used system for bag reports amongst Member States and includes a comprehensive mechanism through which individual data recording of species bagged during an open hunting season is provided. The current format of Malta's CDC has evolved over the years, so as to facilitate data collection from the hunters as much as possible in line with the recommendations[3] made by the European Commission, the European Federation of Associations for Hunting and Conservation (FACE), and Birdlife International within the context of the Sustainable Hunting Initiative, with a view to improving coordination and maximising the potential for hunters to report and monitor catches. In line with these recommendations, the *Carnet de Chasse* is the main tool for the recording of

[1] Case C-76/08 *Commission v Malta*, ECR I-8213, paragraph 63
[2] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11570&l=1
[3] The overall objective is to ensure a common scheme for the collection of hunting bag statistics, along with their scientific interpretation and proper use. This initiative, which was formally launched in Athens on 3rd June 2006 has been developed by FACE in cooperation with BirdLife International, and several bodies such as the European Environment Agency. Information about this scheme can be accessed from http://www.artemis-face.eu/.

up-to-date information on the status and trends of huntable bird species, which information is central to determining the effect and impact hunting may have on the dynamics of populations of huntable species.

3.3 It was furthermore noted that the CDC is considered as a more reliable tool than questionnaires with hunters or telephone interviews which are deployed in some countries. The CDC requirement also serves a dual function for monitoring and enforcement. On the one hand, the tool provides for the recording and monitoring of appropriate bag statistics, whilst on the other hand, the CDC also serves as the means of verification during field inspections, thus facilitating enforcement. The use of CDC is a legally binding obligation and is an integral part of the hunting licence.

3.4 The overall autumn bag verification mechanism comprises three inter-related components: (i) legal obligations to report data and deterrents against potential non-reporting; (ii) field enforcement at data entry point and (iii) data collection, extraction and quality control procedures at data processing stage.

i. Hunters' **legal obligations** to report their hunting activity through CDC are provided for in Regulation 12(6) of the Conservation of Wild Birds Regulations (S.L. 504.71), which were amended on 25 October 2013 in order to incorporate a clear legal requirement that the CDC is to be completed immediately upon hunting or taking a bird prior to leaving the hunting area. This provision was introduced to improve enforceability in the field. Regulation 12 furthermore stipulates licensing requirements (Regulation 12(1)), testing obligations (12(2)), renewal obligations (12(3)), reference to conditions of licence (12(4) and Schedule IV) and a clear obligation to return the licence within the stipulated deadline (12(5)). Both minimum and maximum penalties for non-compliance with the provisions of this Regulation have been increased to €500 (minimum fine) and €2,500 (maximum fine) in the case of a first conviction and the imposition of a fine ranging between €1,000 to €5,000 and/or, imprisonment for up to 2 years in the case of a subsequent conviction, as well as the mandatory revocation of the licence or permit for a period between 2 years and up to 5 years. In parallel, a system of administrative fines for non-compliance with reporting requirements was also introduced on 25 October 2013, whereby the failure to return a completed licence to the authorities within the period stipulated in the law incurs an automatic fine of €50, increasing by a further €20 for every subsequent week of non-return up to a maximum of €300, failing which the offender is referred

to Court, and the minimum penalty upon conviction starts at €500. An automatic fine has also been introduced for failure to report every bird hunted or taken. This incurs an automatic fine of €50 per undeclared bird, up to a maximum of €250. Undeclared catches exceeding this number trigger prosecution before the Courts, with the minimum penalty starting at a fine of €500. Automatic administrative fines apply only in those cases where the administrative offence is not carried out in conjunction with any other offence under the abovementioned Regulations, in which case prosecution before the Courts and increased penalties would apply. The above new regulatory requirements have been extensively communicated to the hunting community through various means. It is clear that the increased legal deterrents against any potential non-compliance would by far exceed any hypothetical benefits of non-reporting.

ii. **Field enforcement,** at the data entry point is carried out by police officers through physical spot checks on individual hunters carried out in the field. During the 2013 autumn hunting season between 1 September 2013 and 30 January 2014, the police conducted a total of 7,619 field inspections and spot-checks on individual hunters, of which 6,902 inspections were conducted in Malta and 717 inspections took place in Gozo. Detailed data pertaining to physical spot-checks conducted during the 2013 Autumn season was reported to the Commission in April 2014. In this context, reference is made to the report submitted by the Maltese authorities in April 2014 entitled "State of Enforcement: Summary of the latest efforts to eradicate illegal killing, trapping and trade in wild birds in Malta".

iii. **Data collection, extraction and quality control procedures at data processing stage.** The process of extracting turtle dove and quail data commenced immediately upon the close of the legal deadline for the return of licences. In 2014 the data extraction process was subjected to **four levels of quality checks**, which involved 3 quality checks by data operators (cross checking of batches by separate operators, and separately – by their supervisor), and one physical random sample check by the Wild Birds Regulation Unit, which reviewed data entries for 1,000 booklets or circa 9% of the total number collected. The process and its outcome are described in further detail in section 5 of this report.

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

4.1 Prior to consideration of the derogation, the Government assessed the latest available scientific information 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 2014. A preliminary analysis was presented to the Malta Ornis Committee on 18 February 2014. Further discussion of the analysis took place at a subsequent Malta Ornis Committee meeting on 4 March 2014. The final analysis, which incorporates comments from the Malta Ornis Committee, and in particular – the relevant submission made by Birdlife Malta in reaction to the initial assessment, is enclosed as Annex I to this report.

4.2 Although several recent literature sources were surveyed, the analysis did not reveal any significant new scientific insights pertaining to the conservation status of Turtle Dove and Quail since the assessment of available scientific data on the conservation status of these two species was undertaken in 2013 prior to the application of a derogation for spring hunting in Malta during that same year.

4.3 Both species are characterised by extremely large populations and geographical range. BirdLife International (2004) classifies the Pan-European populations of the Turtle Dove as having undergone a **moderate continuing decline** and the Quail as provisionally **Depleted**. The conservation status of the Turtle Dove is also reflected in the most recent update on the conservation status provided by the European Bird Census Council (EBCC, 2013a). According to this most recent dataset, the Turtle Dove is classified as being in **Moderate Decline** (EBCC, 2013a) and thus has an Unfavourable conservation status at the **Pan-European Level**. However, the Quail is not included in the Pan-European Common Bird Monitoring Scheme.

4.4 **Within the EU territory (EU 28)**, the Turtle Dove population trend is also classified as **Moderate Decline** (Min Pairs: -25.08%; Max Pairs: -17.82%; Geomean: -20.50%) but the Quail population trend is **Stable** (Min Pairs: -1.81%; Max Pairs: -0.56%; Geomean: -0.98%). According to BirdLife International (2004), a change of not more than 10% in 10 years is considered as Stable.

4.5 The situation with respect to the **reference populations** of the two species, which form a subset of the EU population based on **ring recoveries in Malta** (Raine, 2007), is different. The minimum and maximum number of pairs of Turtle Dove and Quail originating from populations that have been proven, through ring recoveries, to migrate over Malta has remained **Stable** as follows: Turtle Dove reference population (Min Pairs: +0.13%; Max. Pairs: +1.88%); Quail reference population (Min Pairs: 0%; Max. Pairs 0%).

4.6 Since the populations of Turtle Dove and Quails that migrate over Malta have remained stable, and, in the case of Turtle Dove actually marginally increased, whilst the magnitude of the latest reported negative trends in the EU-28 population status is relatively insignificant, it was concluded that, in the absence of other evidence, there appears to be no scientifically justified reason to warrant a reassessment of the conclusions reached in previous years. Furthermore, it was noted that there is no clear scientific evidence that the limited hunting of these species in Malta would influence population trends elsewhere in the EU.

5. Determination of the 2014 spring hunting bag limit

5.1 Regulation 5 of the Framework Regulations (SL 504.94[4]) stipulates 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. Regulation 5 also provides for the requirement of establishing seasonal and daily bag limits per hunting licence.

5.2 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 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

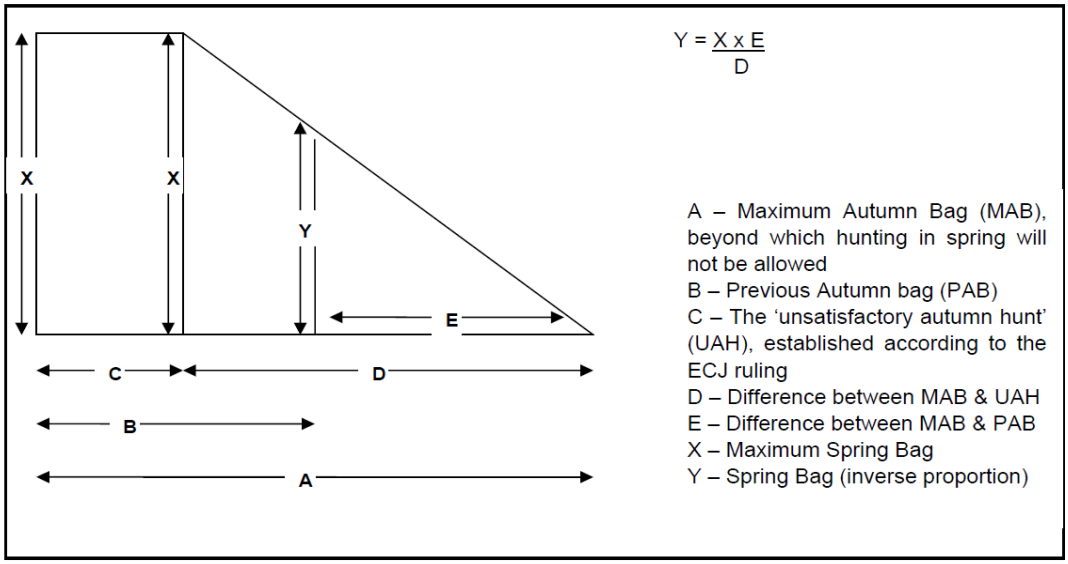
[4] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11570&l=1

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.



5.3 In 2013 there were 10,855 persons licenced to hunt birds on land and at sea. A total of 10,517 *Carnet de Chasse* booklets were returned by the deadline imposed by law, that is by 13 February 2014; whilst a further 338 persons were subjected to an administrative fine for late return (€50, increasing by €20 for each week of non-return). Of these, 303 persons paid the fine before 3 March 2014 and returned their *Carnet de Chasse* booklet. Thus the total number of returns stood at 10,855 (99.6% of hunters). Only 35 booklets were not returned. This figure shows a marked improvement in the number of returned licences with a decrease by 32 times the number of unreturned licences recorded last year.

5.4 The process of extracting turtle dove and quail data commenced immediately upon closure of the deadline imposed by law for the return of licences. In 2014 the process was subjected to four stages of quality checks, which involved 3 quality checks by data operators and one physical random sample check by the Wild Birds Regulation Unit, which reviewed data entries for 1,000 booklets or *circa* 9% of the total number collected. The final checked count stood at 7,106 turtle doves and 4,342 quails. A further 1,501 entries pertained to undetermined species (neither Turtle Doves nor Quail). The "undetermined species" count was apportioned in proportion to the number of Turtle Doves and Quail. A ratio of 1.6 Turtle Doves (n=917) to 1 Quail (n=584) was subsequently worked out, and thus the final number stood at 8,023 Turtle Dove and 4,926 Quail.

5.5 These figures were compared to those reported in previous years (2002 – 2012) and it was noted that, despite substantial fluctuations from one year to the next, the figures reported for 2013 are within the normal distribution range. It was also noted that 7,904 hunters, or circa 73% of all registered hunters did not report any turtle dove or quail catches during the 2013 autumn season, which is consistent with the same metric reported for previous years, reflecting biogeographical limitations over distribution of migrating Turtle Doves and Quails over the Maltese Islands in autumn.

5.6 Since the total bag for the autumn 2013 hunting season was 8,023 Turtle Dove and 4,926 Quail, 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, were not 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.

5.7 Based on the above, the 2014 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 should this national overall bag limit be reached before 30 April 2014. Each Spring Hunting Licence established a daily bag limit 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.

6. Changes to the legal framework enacted in March 2014

6.1 On 28 March 2014, the Maltese Government published the Conservation of Wild Birds (Amendment) Regulations (LN110 of 2014, amending SL 504.71), **which increased the penalties for illegal shooting or taking of protected birds ten-fold.** Thus, as from 28 March 2014, any person convicted of any targeting of protected species listed in Schedules I and IX of these Regulations, but excluding those listed as "huntable species" in Schedule II, even in the case of a first time offence, will automatically incur a penalty comprising of a fine of €5,000, and / or imprisonment for one year, as well as the permanent revocation licence or ban from obtaining a hunting or trapping licence, and confiscation of the *corpus delicti*. In the case of a second or subsequent offence, the applicable penalty will go up to €10,000, confiscation, and / or imprisonment for two years. These amendments have effectively rendered Malta's legal deterrents against illegal targeting of protected species as amongst the harshest in the EU.

6.2 On 21 March 2014 the Maltese Government also published Legal Notice 86 of 2014 which amended the Conservation of Wild Birds (Framework for Allowing a Derogation Opening a Spring Hunting Season for Turtledove and Quail) Regulations (SL 504.94). The nature and purpose of the amendments were, prior to their publication, notified and explained to European Commission during the bilateral meeting of 11 March 2014. The amendments were as follows:

- A change in the institutional responsibility for the granting of special licences and implementation of these Regulations from the Malta Environment and Planning Authority to the Wild Birds Regulation Unit.

- The removal of the 48-hour period within which hunters were required to apply for a spring hunting licence. This amendment was introduced for practical administrative reasons since the 48 hour timeframe was very difficult to implement in practice and had no practical supervisory or enforcement value.

- An adjustment to the permitted time during which hunting could be practiced during the period of the derogation. Under this amendment, the permitted hunting hours during weekdays (Monday to Friday) were reduced from 3pm to 2pm, whilst hunting on Sundays and during one

public holiday was allowed until noon only. Furthermore, the 2014 season was shortened by two days, in comparison with the 2013 season, which resulted in the total number of hours during which hunting was permitted being reduced in comparison with the total number of hours in 2013. These amendments were implemented in order to achieve a more even spread of hunting hours during the season and to relieve the economic burden of having a large number of hunters apply for vacation leave during the season, whilst, at the same time ensuring that the overall intensity of the hunting effort (the total number of permitted hours) did not increase. A comparison of 2013 and 2014 hunting hours is included in Table 1.

Table 1: Comparison of 2013 and 2014 hunting hours (for clear comparison, a common starting hour was assumed to be 4am throughout the season)

2013				2014		
Date	**Permitted hours**	**Total permitted hours**		**Date**	**Permitted hours**	**Total permitted hours**
Wednesday 10th April	2hrs before sunrise until 3 pm	11		Thursday 10th April	Closed season	0
Thursday 11th April	2hrs before sunrise until 3 pm	11		Friday 11th April	Closed season	0
Friday 12th April	2hrs before sunrise until 3 pm	11		Saturday 12th April	2 hrs before sunrise until 1200	8
Saturday 13th April	2 hrs before sunrise until 1200	8		Sunday 13th April	2 hrs before sunrise until 1200	8
Sunday 14th April	Not permitted	0		Monday 14th April	2hrs before sunrise until 2 pm	10
Monday 15th April	2hrs before sunrise until 3 pm	11		Tuesday 15th April	2hrs before sunrise until 2 pm	10
Tuesday 16th April	2hrs before sunrise until 3 pm	11		Wednesday 16th April	2hrs before sunrise until 2 pm	10
Wednesday 17th April	2hrs before sunrise until 3 pm	11		Thursday 17th April	2hrs before sunrise until 2 pm	10
Thursday 18th April	2hrs before sunrise until 3 pm	11		Friday 18th April	2 hrs before sunrise until 1200	8

Friday 19th April	Not permitted	0		Saturday 19th April	2 hrs before sunrise until 1200	8
Saturday 20th April	2 hrs before sunrise until 1200	8		Sunday 20th April	2 hrs before sunrise until 1200	8
Sunday 21st April	Not permitted	0		Monday 21st April	2hrs before sunrise until 2 pm	10
Monday 22nd April	2hrs before sunrise until 3 pm	11		Tuesday 22nd April	2hrs before sunrise until 2 pm	10
Tuesday 23rd April	2hrs before sunrise until 3 pm	11		Wednesday 23rd April	2hrs before sunrise until 2 pm	10
Wednesday 24th April	2hrs before sunrise until 3 pm	11		Thursday 24th April	2hrs before sunrise until 2 pm	10
Thursday 25th April	2hrs before sunrise until 3 pm	11		Friday 25th April	2hrs before sunrise until 2 pm	10
Friday 26th April	2hrs before sunrise until 3 pm	11		Saturday 26th April	2 hrs before sunrise until 1200	8
Saturday 27th April	2 hrs before sunrise until 1200	8		Sunday 27th April	2 hrs before sunrise until 1200	8
Sunday 28th April	Not permitted	0		Monday 28th April	2hrs before sunrise until 2 pm	10
Monday 29th April	2hrs before sunrise until 3 pm	11		Tuesday 29th April	2hrs before sunrise until 2 pm	10
Tuesday 30th April	2hrs before sunrise until 3 pm	11		Wednesday 30th April	2hrs before sunrise until 2 pm	10
Total		**178**		**Total**		**176**

6.3 On 21 March 2014 the Government also published Legal Notice 87 of 2014 declaring the opening of a 2014 Spring Hunting Season for Turtle Dove and Quail. By means of this Legal Notice, the 2014 Spring Hunting Season was declared open from Saturday 12 April 2014 to Wednesday 30 April 2014, both dates included. The Legal Notice also stipulated an individual daily bag limit of 2 birds per licence, an individual season's bag limit of 4 birds per licence and the maximum national quota of 5,000 Quails and 11,000 Turtle Doves.

7. Issuance of spring hunting licences

7.1 Applications for a special spring hunting licence were received during a 6-day period between Monday 24 and Saturday 29 March 2014. Applicants had to complete an application form and had to present a valid *Carnet de Chasse* together with ID documentation. Applicants also had to provide a mobile phone number which was subsequently registered within the SMS reporting system. Applications received after the closing date of 29 March 2014 were rejected.

7.2 The Wild Birds Regulation Unit received a total of 9,806 formal applications to obtain a spring hunting licence. Of these, eight applications were considered to be invalid, either because the applicants did not hold a valid 2014 hunting licence (licence to carry a firearm for the purpose of bird hunting on land) or because the applicants failed to fulfil one or more of the conditions required for the purposes of the application, by the closing date of the spring hunting licence application (29 March 2014). Thus, and as indicated in Table 2 below, a total of 9,798 spring hunting licences were issued for the 2014 spring hunting season, of which 9,754 were physically collected before the end of the season, representing a marginal 3% increase over the number of licensees in 2013 (9,437).

Table 2: Issuance of spring hunting licences (2014). (Data source: Wild Birds Regulation Unit)

	Malta	**Gozo**	**Total**
Number of applicants	8,285	1,521	9,806
Number of non-eligible applicants	6	2	8
Number of licences issued	8,279	1,519	9,798
Number of uncollected licences	41	3	44
Number of licensed hunters	8,238	1,516	9,754

7.3 Spring hunting licence conditions were established as per provisions of the abovementioned Framework Regulations (SL 504.94[5]) and the provisions of SL 504.117[6]. Additionally, all licensed hunters were required to abide by the regulations laid down in the Conservation of Wild Birds Regulations (SL 504.71[7]). A copy of the spring hunting licence is attached in Annex 2 to this report, including details of the licence conditions.

[5] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11570&l=1
[6] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=12044&l=1
[7] http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11548&l=1

7.4 Hunters were required to carry their spring hunting licence at all times. They were also expected to immediately report their catches 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, as described in the enforcement section of this report.

8. SMS data

8.1 As per Regulation 5(d) of the Framework Regulations (SL 504.94[8]), 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.

8.2 Prior to the commencement of the season, 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 all 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. In addition, a series of TV spots were aired daily for the duration of the season on 3 national TV stations. Moreover, hunters in possession of a spring hunting licence were also reminded of their legal obligations via 3 bulk SMS' sent on 18, 25 and 27 April 2014.

8.3 During the period of the derogation, the Wild Birds Regulation Unit made use of the Malta Environment and Planning Authority (MEPA)'s system for the daily logging of SMS reports. These reports were monitored daily throughout the season, with a view to keeping track of a number of 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. Any unclear or dubious entries, or any SMS' received from unregistered numbers were followed up individually and sorted accordingly. The relevant data for Turtle Dove is presented in Table 3 and Figure 2, with data for Quail presented in Table 4 and Figure 3.

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

Table 3: Shot Turtle Doves (as reported through the SMS system). The cumulative total is indicated in bold. (Data source: Wild Birds Regulation Unit)

Date	Daily total	Cumulative total
Sat 12th April	13	13
Sun 13th April	7	20
Mon 14th April	7	27
Tue 15th April	4	31
Wed 16th April	26	57
Thu 17th April	13	70
Fri 18th April	7	77
Sat 19th April	39	116
Sun 20th April	83	199
Mon 21st April	265	464
Tue 22nd April	250	714
Wed 23rd April	212	926
Thu 24th April	182	1108
Fri 25th April	296	1404
Sat 26th April	739	2143
Sun 27th April	281	2424
Mon 28th April	580	3004
Tue 29th April	423	3427
Wed 30th April	704	**Total: 4,131**

Figure 2: Daily and cumulative total Turtle Doves shot over the spring hunting season – as reported through the SMS system. (Data source: Wild Birds Regulation Unit)

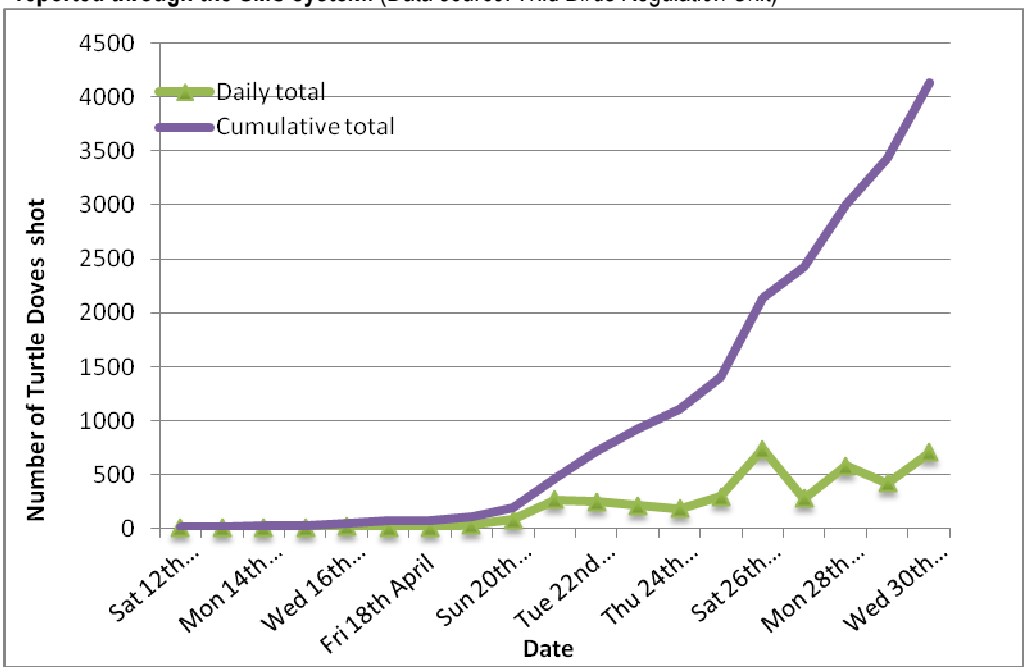
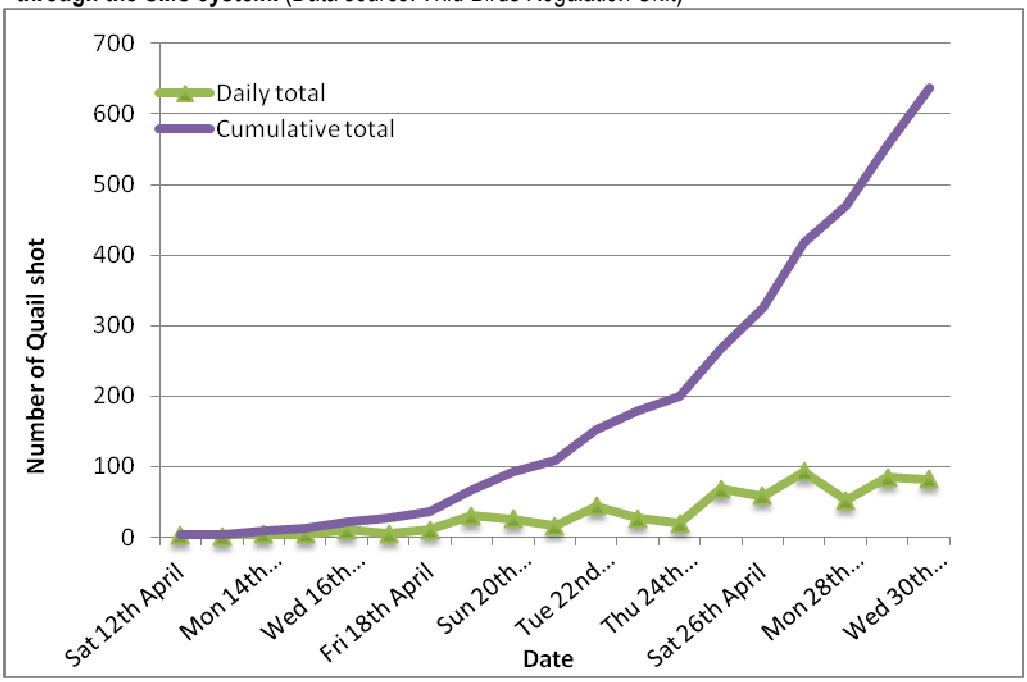


Table 4: Shot Quail (as reported through the SMS system). The cumulative total is indicated in bold. (Data source: Wild Birds Regulation Unit)

Date	Daily total	Cumulative total
Sat 12th April	3	3
Sun 13th April	1	4
Mon 14th April	4	8
Tue 15th April	4	12
Wed 16th April	10	22
Thu 17th April	5	27
Fri 18th April	10	37
Sat 19th April	30	67
Sun 20th April	26	93
Mon 21st April	16	109
Tue 22nd April	44	153
Wed 23rd April	27	180
Thu 24th April	19	199
Fri 25th April	68	267
Sat 26th April	58	325
Sun 27th April	93	418
Mon 28th April	52	470
Tue 29th April	85	555
Wed 30th April	82	**Total: 637**

Figure 3: Daily and cumulative total Quail shot over the spring hunting season – as reported through the SMS system. (Data source: Wild Birds Regulation Unit)



8.4 As was also the case in previous years, in neither case did the total number of birds reported shot exceed the national overall bag limits; on the contrary,

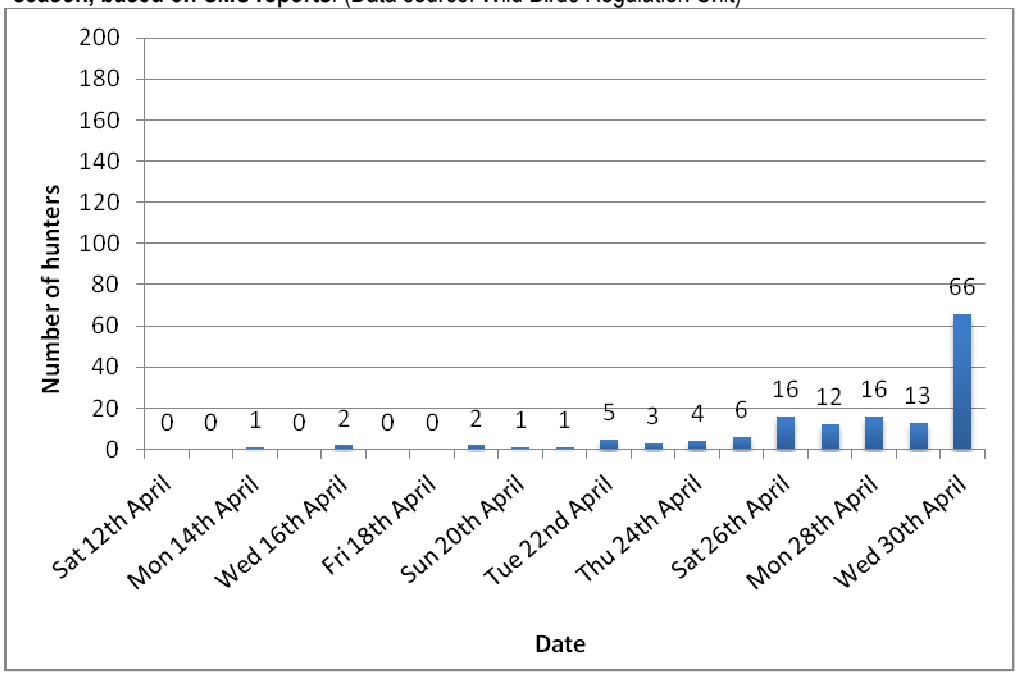
the totals based on reported figures are substantially lower than these limits. In the case of Turtle Dove, the total number of 4,131 shot birds amounts to *circa* 37.55% of the total bag limit permitted by law. In the case of Quail, the total number of 637 shot birds equates to *circa* 12.74% of the limit permitted by law.

8.5 Table 5 provides data on the number of birds caught by hunters. There were a total of 3,094 hunters who caught between one and four birds during the 2014 spring hunting season. As indicated in Figure 4 below, the individual daily bag limit of two birds was reached on 148 occasions, spread across a total of 14 days across the season, with two days during the first week (12–18 April) and daily throughout the second (19–25 April) and final week (24- 30 April).

Table 5: Number of caught birds per number of hunters (Data source: Wild Birds Regulation Unit)

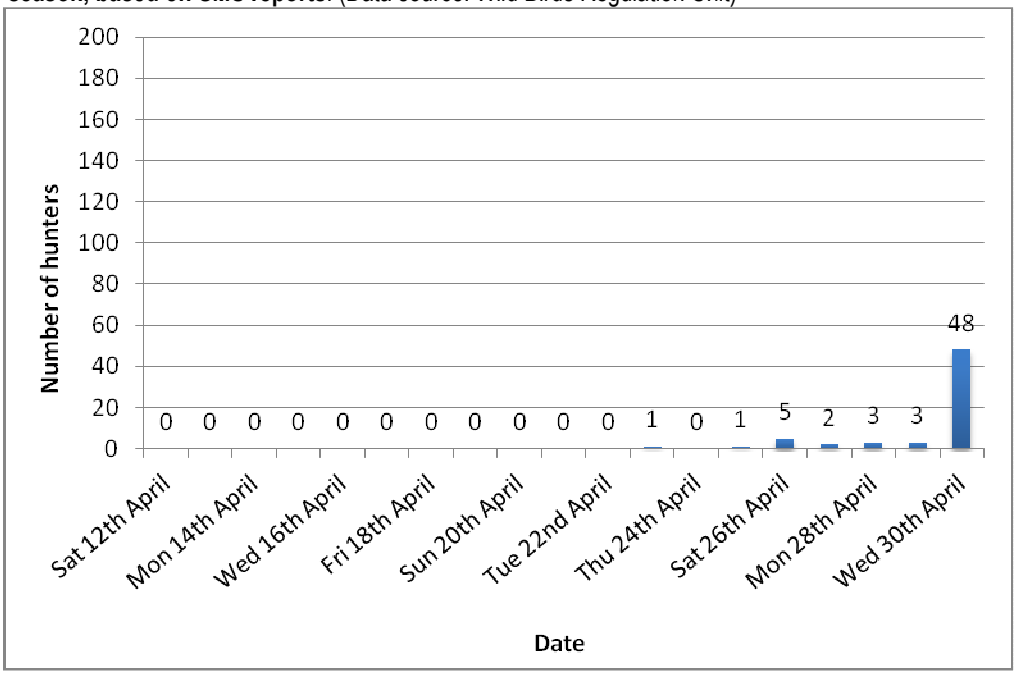
Number of birds caught	Number of hunters
0	6,659
1	1,902
2	778
3	351
4	63
Total hunters catching 1–4 birds	**3,094**

Figure 4: Number of hunters reaching daily bag limit of two birds during the spring hunting season, based on SMS reports. (Data source: Wild Birds Regulation Unit)



8.6 A total of 63 hunters reached their seasonal daily limit of four birds, as follows: two hunters during the second week (19–25 April) and 61 hunters during the last week (24–30 April) of the season (Figure 5).

Figure 5: Number of hunters reaching seasonal bag limit of four birds during the spring hunting season, based on SMS reports. (Data source: Wild Birds Regulation Unit)



8.7 All hunters who have reached their season's bag limit of four birds before close of the season have been notified by SMS that no further hunting activity was permitted in accordance with the law.

8.8 One hunter reported a catch of 5 birds, thus exceeding the allowed season's bag limit. The hunter's case was referred to the police for investigation and prosecution in Court.

9. Spring migration study

9.1 As was also the case in previous years, an independent scientific study was carried out in April 2014, in order to obtain an estimate of migratory influxes of Turtle Dove and Quail over the derogation period. The study, carried out by Ecoserv (2014), was commissioned by the Wild Birds Regulation Unit, 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, 2014. A full copy of the report in question is attached in Annex 3, with key conclusions summarised below.

9.2 The methodology used for this study was identical to the methodology used for similar studies conducted in 2011, 2012 and 2013, except for the increase in the number of observation stations manned per day (increased from 8 to 10 stations), which therefore increased the precision of the study. Twenty-eight monitoring stations were set up across the Maltese Islands, with counts obtained from ten different sites each day. This represents four additional monitoring stations overall and two additional sites per day when compared with the 2013 independent migration study, as requested by the Wild Birds Regulation Unit. Two trained observers were posted to each station, in order to conduct counts of individuals of *Coturnix coturnix* and *Streptopelia turtur*. 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 are given in Table 6 below.

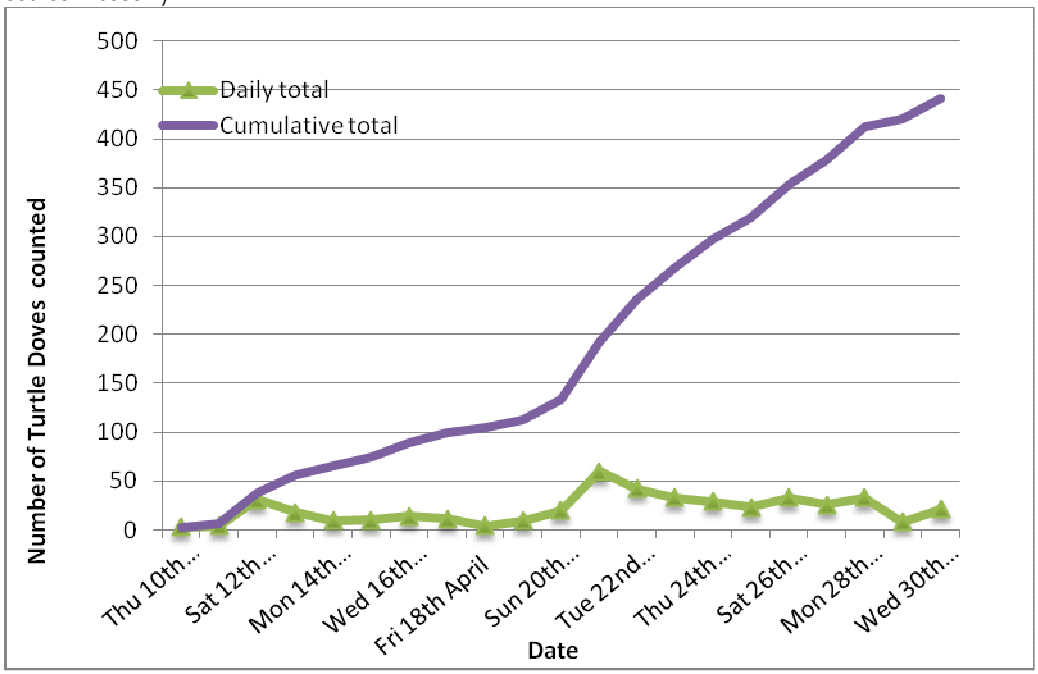
Table 6: Total daily counts of Turtle Dove and Quail compiled through the spring migration study. (Data source: Ecoserv, 2014)

Date	Total daily counts	
	Turtle Dove	Quail
Thu 10th April	3	7
Fri 11th April	4	1
Sat 12th April	31	2
Sun 13th April	18	2
Mon 14th April	9	5
Tue 15th April	10	1
Wed 16th April	14	0
Thu 17th April	11	4
Fri 18th April	4	0
Sat 19th April	9	4
Sun 20th April	20	3
Mon 21st April	60	3
Tue 22nd April	42	2
Wed 23rd April	33	2
Thu 24th April	29	1
Fri 25th April	23	3

Date	Total daily counts	
	Turtle Dove	Quail
Sat 26th April	33	6
Sun 27th April	26	3
Mon 28th April	33	2
Tue 29th April	8	0
Wed 30th April	21	2

9.3 In the case of Turtle Dove, daily counts at different sites varied from a minimum of 0 to a maximum of 29, whereas the total daily counts varied from a minimum of 3 to a maximum of 60 (Table 7 and Figure 6). These counts show a similar trend to those recorded by Thomaidis (2010) in spring 2008 and 2009, and by Ecoserv in 2012 and 2013 for the same survey period, although no very high mean counts as recorded in 2008 and in 2009 were recorded during the 2014 survey (Ecoserv, 2014). As also noted by Ecoserv (2014), based on comparisons between the results of this study and results from previous studies (conducted in 2008, 2009, 2012 and 2013), it would appear that the general pattern has remained constant, with steady migratory influxes during the last two weeks of April.

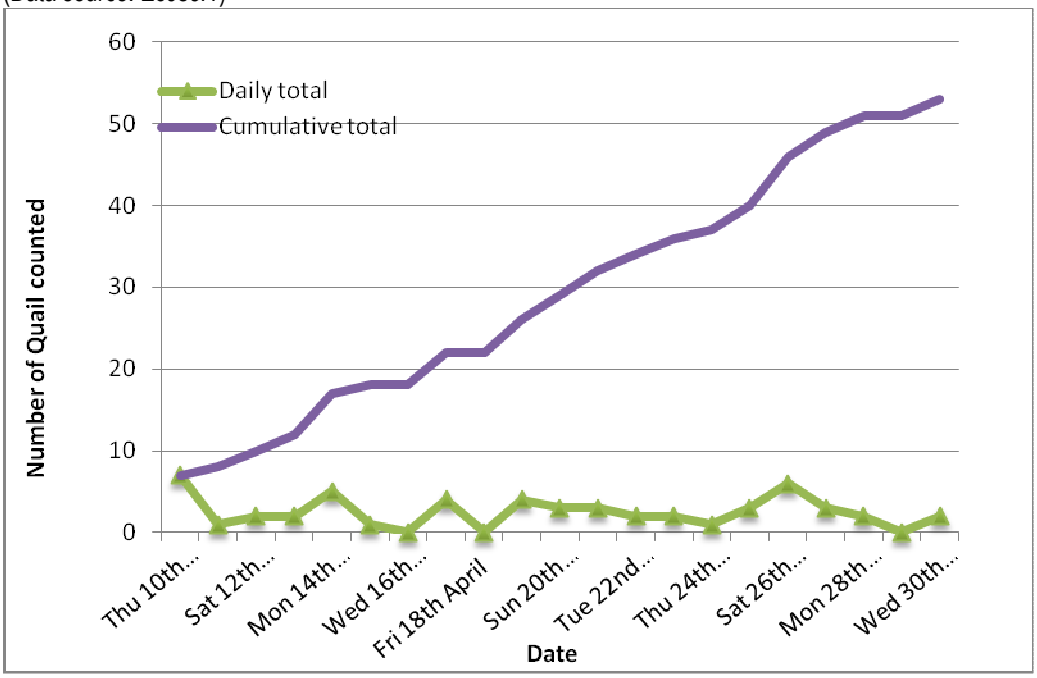
Figure 6: Total daily counts of Turtle Dove compiled through the spring migration study. (Data source: Ecoserv)



9.4 In the case of Common Quail, daily counts at different sites varied from a minimum of 0 to a maximum of 5 whereas the total daily counts varied from a minimum of 0 to a maximum of 7 (Table 7 and Figure 7). The daily mean counts recorded during the 2014 survey are overall lower than those obtained

in 2009 (Thomaidis, 2010) but comparable to those obtained in 2008 (Thomaidis, 2010), and by Ecoserv in 2012 and 2013 for the same dates (10–30 April), except that "no marginal peaks (with a mean count >2) as recorded in 2008, 2009 and 2012 were recorded during the present survey" (Ecoserv, 2014).

Figure 7: Total daily counts of Common Quail compiled through the spring migration study. (Data source: Ecoserv)



9.5 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 11 and Figure 8). 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 1,187 Turtle Dove per day and 1,799 Quail per day. These figures are derived from estimated total seasonal influxes (over the survey period) of 24,921 Turtle Dove and 37,771 Quail (Ecoserv, 2014). Daily estimated influxes of Turtle Dove varied between a low of 163 individuals (on 10 April), and a high of 3,255 individuals (on 21 April), whilst those for Quail varied between a low of 0 (on 16, 18 and 29 April) and a high of 6,277 (on 10 April).

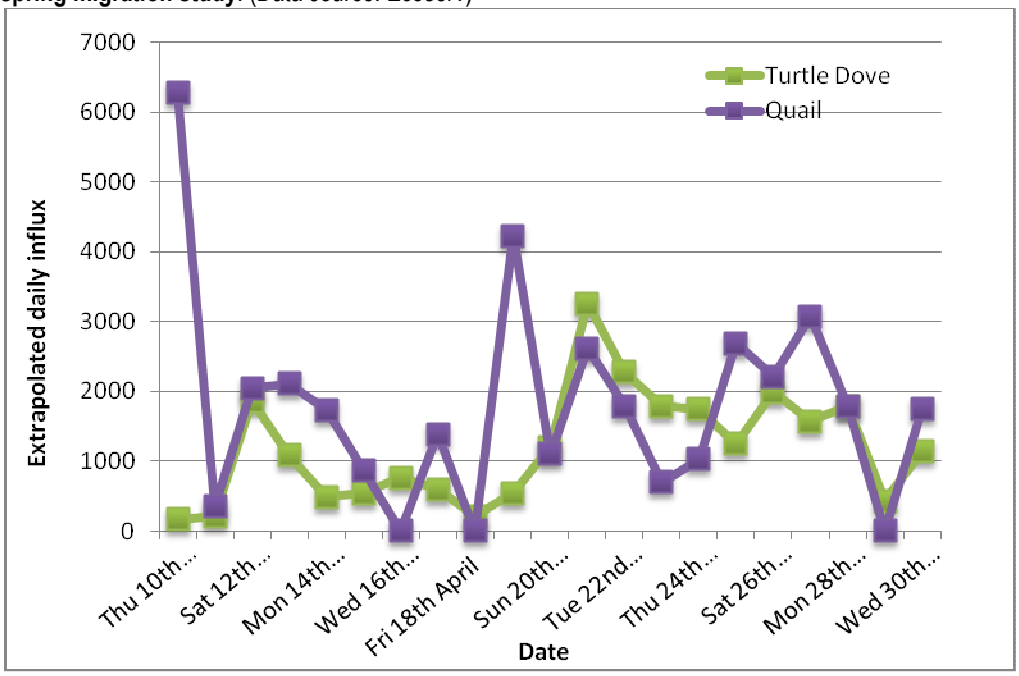
9.6 The total estimated influx of 24,921 Turtle Doves in 2014 is less than the corresponding estimate for 2013 (n=42,521) and 2012 (n=57,160), but higher than the estimate for 2011 (n=18,057). The estimated total influx of 37,771

Quails in 2014 is lower than estimated influx in 2013 (n=67,460) but higher than in 2012 (n=35,018) and 2011 (n=22,699).

Table 7: Estimated influxes of migratory individuals (Data source: Ecoserv)

Date	Total extrapolated daily influx	
	Turtle Dove	**Quail**
Thu 10th April	163	6277
Fri 11th April	217	347
Sat 12th April	1868	2049
Sun 13th April	1085	2113
Mon 14th April	488	1737
Tue 15th April	542	873
Wed 16th April	759	0
Thu 17th April	597	1390
Fri 18th April	217	0
Sat 19th April	542	4227
Sun 20th April	1205	1107
Mon 21st April	3255	2620
Tue 22nd April	2278	1793
Wed 23rd April	1790	695
Thu 24th April	1748	1025
Fri 25th April	1248	2690
Sat 26th April	1989	2214
Sun 27th April	1567	3074
Mon 28th April	1790	1793
Tue 29th April	434	0
Wed 30th April	1139	1747
Total	**24,921**	**37,771**

Figure 8: Extrapolated daily influxes of Turtle Dove and Common Quail, compiled through the spring migration study. (Data source: Ecoserv)



10. Comparison between migratory study data & SMS reports

10.1 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 2014 spring migration study (discussed in Section 7 above).

10.2 The spring 2014 migration study recorded a peak influx of Turtle Dove on 21 April 2014 (n=60) and 22 April 2014 (n=42). A similar peak was recorded in the SMS reports of shot Turtle Doves, as can be noted in Figures 9 and 10 below, which also illustrate that the two **trend lines** closely mirror each other, although the **magnitude of correlation** varied, due to limitation of the migration study. For visual representation purposes, in order to allow a close comparison of the trends, Figure 10 plots observed counts multiplied by 10.

10.3 For Quail, the spring migration study did not record any migration peaks (with a mean count >2) although the maximum number of SMSs received for Quail was on 27 April 2014. Figures 11 and 12 provide a comparison between the trend lines for Quail for the spring migration study and SMS reports, which closely mirror each other. For visual representation purposes, in order to allow a close comparison of the trends, Figure 12 plots observed counts multiplied by 10.

Figure 9: Comparison of the number of Turtle Doves reported shot through the SMS system with the number of Turtle Dove counted during the spring migration study. (Data source: Wild Birds Regulation Unit /Ecoserv)

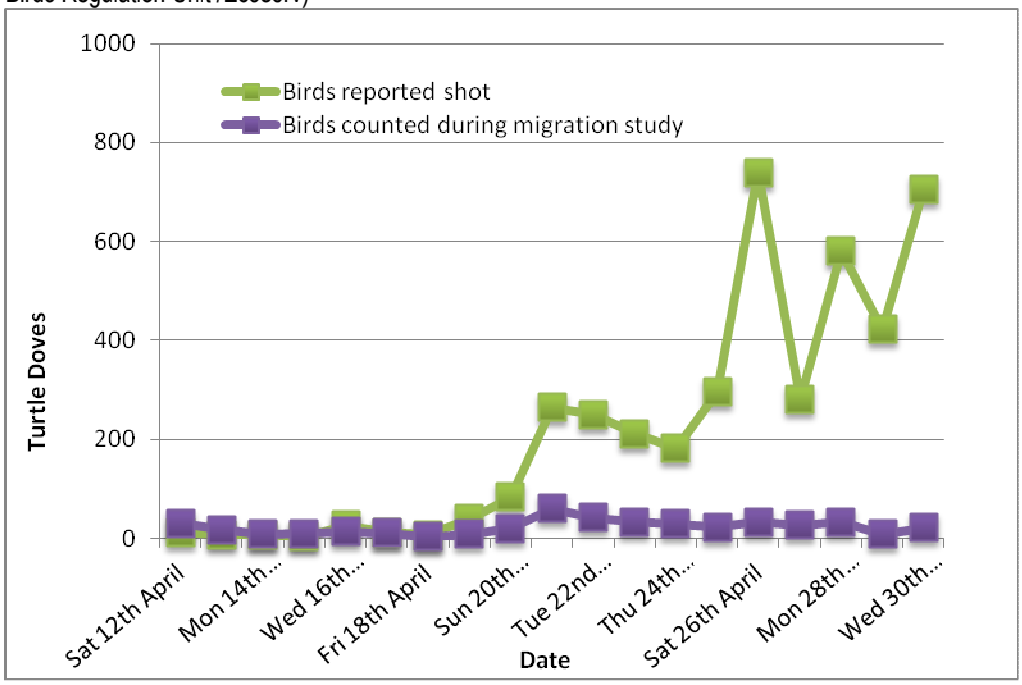


Figure 10: Comparison of the number of Turtle Doves reported shot through the SMS system with the number of Turtle Dove counted during the spring migration study (daily counts x 10). (Data source: Wild Birds Regulation Unit/Ecoserv)

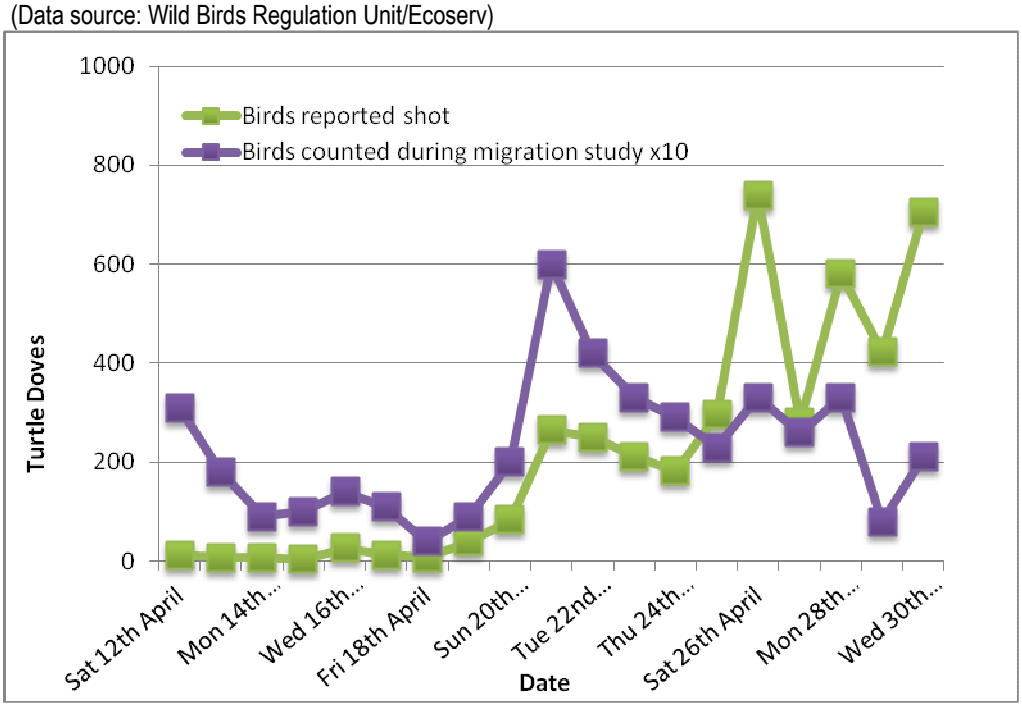


Figure 11: Comparison of the number of Quails reported shot through the SMS system with the number of Quails counted during the spring migration study. (Data source: Wild Birds Regulation Unit /Ecoserv)

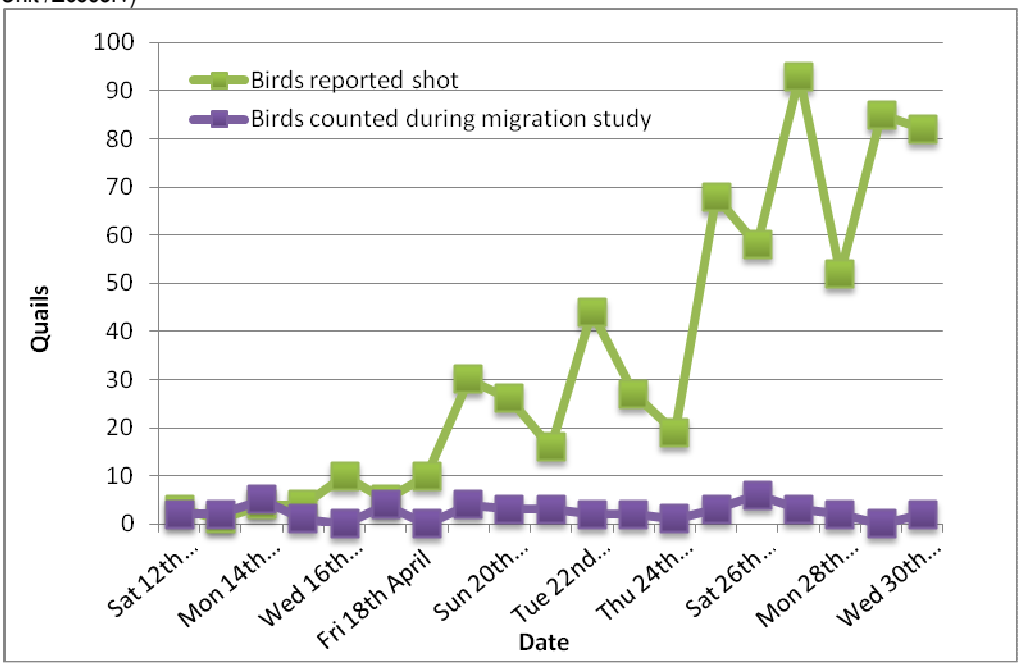
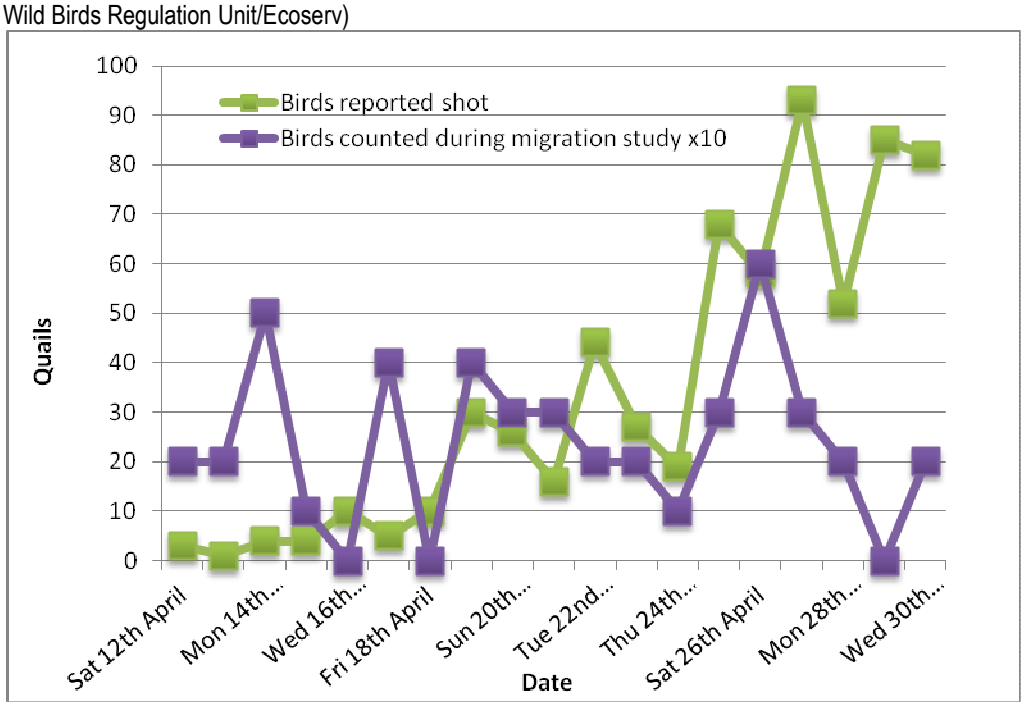


Figure 12: Comparison of the number of Quails reported shot through the SMS system with the number of Quails counted during the spring migration study (daily counts x 10). (Data source: Wild Birds Regulation Unit/Ecoserv)



11. Enforcement efforts

11.1 As described in detail below, the intensity of the enforcement effort, the level of preparation, communication and coordination amongst the different enforcement players in the field was nothing short of exemplary and is simply unprecedented both in Malta and possibly elsewhere in Europe.

11.2 The Framework Regulations (SL 504.94[9]) stipulate that a minimum of seven (7) enforcement officers for every 1,000 licenced hunter are required to be deployed. A total of 9,754 hunters were in possession of a spring hunting licence in 2014 and therefore 68 enforcement personnel were needed in accordance with national legislation to supervise the derogation period (roughly 58 officers in Malta and 10 in Gozo). However, as was the case in 2013, the Government opted to increase the enforcement effort beyond this legal requirement, in order to ensure the strict supervision of the spring hunting season, as required by the Birds Directive.

11.3 In 2014, the level of field enforcement deployment was unprecedented. Field surveillance and patrols 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), from the Mounted Police Section and from the Armed Forces of Malta.

11.4 Overall, between 71 and 100 officers were deployed **in the field at any one time** during the morning shift between 05:00 hours and 15:00 hours; while during the afternoon shift, between 15:00 and 21:30 hours, the maximum field deployment ranged from 39 to 45 officers. Night patrols of 4 officers were deployed on specific nights (28th and 29th of April 2014) to monitor significant roosts of protected birds.

11.5 The total maximum daily deployment is summarised in Table 8 below.

Table 8: Total maximum field deployment in Malta and Gozo

Date	Officers deployed: 0500 hrs - 1500 hrs	Officers deployed: 1500 hrs - 2130 hrs
12/04/2014	73	41

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

13/04/2014	71	39
14/04/2014	75	41
15/04/2014	74	41
16/04/2014	88	42
17/04/2014	93	42
18/04/2014	79	41
19/04/2014	83	41
20/04/2014	71	45
21/04/2014	88	42
22/04/2014	100	42
23/04/2014	86	41
24/04/2014	95	42
25/04/2014	80	42
26/04/2014	92	45
27/04/2014	79	41
28/04/2014	84	45
29/04/2014	94	41
30/04/2014	88	41

11.6 The minimum daily deployment is presented in Table 9 below.

Table 9: Total minimum field deployment in Malta and Gozo

Date	Officers deployed: 0500 hrs - 1500 hrs	Officers deployed: 1500 hrs - 2130 hrs
12/04/2014	69	39
13/04/2014	69	39
14/04/2014	69	39
15/04/2014	69	39
16/04/2014	71	41
17/04/2014	71	41
18/04/2014	71	41
19/04/2014	71	41
20/04/2014	71	41
21/04/2014	71	41
22/04/2014	71	41
23/04/2014	71	41
24/04/2014	71	41
25/04/2014	71	41
26/04/2014	71	41
27/04/2014	71	41

28/04/2014	71	41
29/04/2014	71	41
30/04/2014	71	41

11.7 Deployment in Malta is summarised in the following table:

Table 10: Number of officers in the field (Malta)

	Malta									
	Morning shift 0500 – 1500					**Afternoon and evening shift 1500 - 2130**				
Date	**ALE and AFM[10]**	**District officers**	**UAV[11] specialists**	**Max**	**Min**	**ALE and AFM**	**District officers**	**UAV specialists**	**Max**	**Min**
12/04/2014	63	2	2	67	63	33		2	35	33
13/04/2014	63	2		65	63	33			33	33
14/04/2014	63	4	2	69	63	33		2	35	33
15/04/2014	63	5		68	63	33		2	35	33
16/04/2014	63	17		80	63	33		1	34	33
17/04/2014	63	22		85	63	33		1	34	33
18/04/2014	63	8		71	63	33			33	33
19/04/2014	63	12		75	63	33			33	33
20/04/2014	63	0		63	63	37			37	33
21/04/2014	63	16	1	80	63	33		1	34	33
22/04/2014	63	29		92	63	33		1	34	33
23/04/2014	63	15		78	63	33			33	33
24/04/2014	63	23	1	87	63	33		1	34	33
25/04/2014	63	9		72	63	33		1	34	33
26/04/2014	63	21		84	63	33	4		37	33
27/04/2014	63	8		71	63	33			33	33
28/04/2014	63	13		76	63	37			37	33
29/04/2014	63	23		86	63	33			33	33
30/04/2014	63	17		80	63	33			33	33

11.8 Deployment in Gozo is summarised in Table 11 below:

Table 11: Number of officers in the field (Gozo)

Date	**Gozo**	
	Morning shift 0500 – 1500	**Afternoon and evening shift 1500 - 2130**

[10] Administrative Law Enforcement Unit and Armed Forces of Malta
[11] Unmanned Aerial Surveillance Vehicle

	Max	Min	Max	Min
12/04/2014	6	6	6	6
13/04/2014	6	6	6	6
14/04/2014	6	6	6	6
15/04/2014	6	6	6	6
16/04/2014	8	8	8	8
17/04/2014	8	8	8	8
18/04/2014	8	8	8	8
19/04/2014	8	8	8	8
20/04/2014	8	8	8	8
21/04/2014	8	8	8	8
22/04/2014	8	8	8	8
23/04/2014	8	8	8	8
24/04/2014	8	8	8	8
25/04/2014	8	8	8	8
26/04/2014	8	8	8	8
27/04/2014	8	8	8	8
28/04/2014	8	8	8	8
29/04/2014	8	8	8	8
30/04/2014	8	8	8	8

11.9 Additionally, hunting marshals were deployed by the Federation for Hunting and Conservation (FKNK), whilst over 60 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.

11.10 Prior to commencement of the season, enforcement officers received specialised training delivered by officials of the Special Enforcement Branch of the Wild Birds Regulation Unit. The training course was attended by over 60 members of enforcement personnel, who received a detailed briefing on:

- The legal framework concerning conservation of wild birds
- Legal requirements pertaining to 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



Official of the Specialist Enforcement Branch of the Wild Birds Regulation Unit delivering training to enforcement officers on 10 April 2014

11.11 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 turtle dove or quail occurs, and that any detected incidents of abuse are dealt with swiftly and effectively (i.e. apprehension of suspects and gathering sufficient field evidence to enable swift prosecution);

- To ensure that the general prohibitions and parameters related to 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 in the *carnet de chasse* and through SMS, etc).

11.12 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 *carnet de chasse* / SMS reporting requirements.

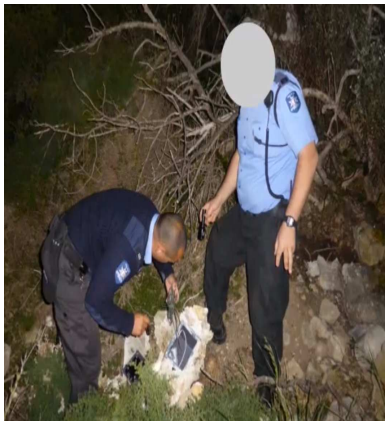
e) Deployment of **covert surveillance** backed up by mobile units especially in response to large influxes of protected birds or to ensure sufficient surveillance of particular hotspots known for targeting of protected birds. These were carried out by: (1) physical direct surveillance from covert fixed point positions, and (2) use of unmanned aerial surveillance vehicles (drones) in protected or inaccessible areas.

11.13 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.

11.14 In order to strengthen cooperation with NGOs on these activities, enforcement personnel maintained operational liaison with representatives of the NGOs, whilst the NGOs were instructed to forward reports of illegal activities to the Police General Headquarters control room. The PGHQ control room, in turn, relayed all received information to designated communication focal points within each detachment active in the field. The Administrative Law Enforcement Unit of the police assumed the overall operational coordinating role amongst the various detachments. Liaison with the NGOs was also maintained through the Wild Birds Regulation Unit, whose officials coordinated closely with the police and also conducted their own inspections and patrols, as well as provided operational and specialised assistance to the police on a 24/7 basis.



A joint CABS – Malta Police operation to dismantle illegal bird callers on 29 April 2014 (photo: Committee Against Bird Slaughter)

11.15 The public were kept informed of the progress of the enforcement operation through a series of four press releases published every 3-4 days throughout the season. A final press release was published after the closure of the spring hunting season on 3 May 2014. These press releases are available online and may be accessed through the following link: http://msdec.gov.mt/en/Pages/WBRU/News.aspx.

11.16 Between 12 April and 30 April 2014, enforcement officers carried out a total of **2,819 field inspections** and **2,195 physical spot checks** upon individual hunters, cumulatively amounting to **5,014 inspections and spot-checks**, which is **more than double the number of inspections conducted in 2013**, and almost five times more than the number of inspections carried out during

the 2012 spring hunting season. This intensity of inspections was unprecedented.



A joint Police – Armed Forces of Malta foot patrol

11.17 Further inspections were also carried out after the closure of the spring hunting season (that is, after 30 April 2014), 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 abovementioned dates of the spring hunting season (12-30 April 2014).

11.18 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 (SL 504.71), including through appropriate handling of firearms and the Framework Regulations (SL 504.94[12]) and the Regulations opening the spring 2014 season (SL 504.117[13]);
- Ensure that no species, other than Turtle Dove and/or Quail, were being hunted; and
- Ensure compliance with bag limits and time restrictions.

11.19 The following table summarises the number of physical spot-checks conducted on individual hunters during each day of the season.

Table 12: Spot checks on hunters in Malta and in Gozo (Source: Malta Police Force)

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

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

Date	A.L.E.	Malta Districts	Total Malta	Gozo	Total
12/04/2014	131	0	131	2	133
13/04/2014	73	0	73	21	94
14/04/2014	115	8	123	10	133
15/04/2014	109	0	109	17	126
16/04/2014	104	4	108	6	114
17/04/2014	97	4	101	23	124
18/04/2014	79	0	79	0	79
19/04/2014	97	3	100	58	158
20/04/2014	142	0	142	20	162
21/04/2014	95	6	101	12	113
22/04/2014	113	13	126	5	131
23/04/2014	91	0	91	21	112
24/04/2014	80	2	82	11	93
25/04/2014	106	0	106	15	121
26/04/2014	115	7	122	5	127
27/04/2014	68	3	71	23	94
28/04/2014	100	3	103	12	115
29/04/2014	62	1	63	21	84
30/04/2014	72	10	82	0	82
Total	**1849**	**64**	**1913**	**282**	**2195**

11.20 The following table gives a breakdown of field inspections conducted in Malta and Gozo **in addition to** physical spot checks.

Table 13: Breakdown of field inspections conducted in Malta and Gozo in addition to physical spot checks

Date	Gozo		Malta districts		A.L.E		Total Malta	Total Gozo	Total (Malta & Gozo)
	Shift A	Shift B	Shift A	Shift B	Shift A	Shift B			
12/04/2014	8		3	1	68	54	126	8	134
13/04/2014	10	1	3		68	54	125	11	136
14/04/2014	6	5	2		68	54	124	11	135
15/04/2014	9	5	3		68	54	125	14	139
16/04/2014	8	6	8	3	68	54	133	14	147
17/04/2014	19	9	16		68	54	138	28	166
18/04/2014	7		8		68	54	130	7	137
19/04/2014	36	2	6		68	54	128	38	166
20/04/2014	11	1	1		68	54	123	12	135
21/04/2014	5	7	12		68	54	134	12	146
22/04/2014	6	2	19		68	54	141	8	149

23/04/2014	8	6	16		68	54	138	14	152
24/04/2014	16	5	19		68	54	141	21	162
25/04/2014	16	6	10		68	54	132	22	154
26/04/2014	14	5	12	3	68	54	137	19	156
27/04/2014	11	5	11	4	68	54	137	16	153
28/04/2014	7	11	11	3	68	54	136	18	154
29/04/2014	16	0	22	2	68	54	146	16	162
30/04/2014	0	0	14		68	54	136	0	136
Total	**213**	**50**	**196**	**459**	**1292**	**1026**	**2530**	**289**	**2819**

11.21 In order to facilitate the conduct of their duties, enforcement officers had 17 patrol 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 the officers could be contacted rapidly when required to follow up on reports of illegalities on specific sites. Police officers were also equipped with binoculars to facilitate their investigations on the ground as well as a list of licenced hunters which facilitated the immediate identification of any hunters not in possession of the requisite spring hunting licence.

11.22 For the first time, the police also deployed an Unmanned Aerial surveillance Vehicle (UAV). The drone flew a total of 30 sorties with an average duration of 15 minutes. The vehicle, which is equipped with high resolution imaging facilities, was flown mainly during times when hunting was not permitted, or over protected areas or inaccessible areas.



11.23 Table 14 gives an overview of UAV deployment.

Table 14: UAV deployment

Date	UAV-Total sorties	UAV-Total flight time (Minutes)
12/04/2014	5	55
13/04/2014	0	0
14/04/2014	4	50
15/04/2014	3	35
16/04/2014	2	30
17/04/2014	3	40
18/04/2014	0	0
19/04/2014	0	0
20/04/2014	0	0
21/04/2014	3	35
22/04/2014	3	35
23/04/2014	0	0
24/04/2014	4	50
25/04/2014	3	45
26/04/2014	0	0
27/04/2014	0	0
28/04/2014	0	0
29/04/2014	0	0
30/04/2014	0	0
Total	**30**	**375**

11.24 By the end of the season, 54 suspected offenders were apprehended; however, the case against one suspect who was initially charged with hunting within 200 meters from an inhabited area was subsequently dropped due to lack of evidence. Thus the total number of suspected offenders against whom action is being taken is 53. The below table summarizes the number of offenders apprehended in Malta and Gozo on each day of the season:

Table 15: Number of offenders apprehended in Malta and Gozo on each day of the season

Date	No. of offenders apprehended		
	Total	Hunting	Trapping
12/04/2014	4	4	
13/04/2014	1	1	
14/04/2014	4	2	2

15/04/2014	0	0	
16/04/2014	5	5	
17/04/2014	2	2	
18/04/2014	4	3	1
19/04/2014	5	5	
20/04/2014	3	3	
21/04/2014	5	5	
22/04/2014	3	3	
23/04/2014	2	2	
24/04/2014	1	1	
25/04/2014	1	1	
26/04/2014	6	6	
27/04/2014	1	1	
28/04/2014	5	5	
29/04/2014	1	1	
30/04/2014	0	0	

Total number of offenders	
Malta	**Gozo**
50	3

11.25 These persons are being charged with a total of 69 suspected offences that have been disclosed until 30 April 2014, of which 54 offences were of a relatively minor nature as follows:

Table 16: Firearms and hunting irregularities **Nature of the offence**	**Number of cases**
Hunting within prohibited distances	11
Use and or possession of a shotgun with a magazine capable of holding more than two rounds of ammunition	13
Failure to immediately declare shooting of a game bird by SMS	4
Failure to declare shooting of a game bird in the *Carnet de Chasse* booklet	2
Failure to be in possession of the special licence and / or *carnet de chasse* whilst hunting	10
Failure to declare going out hunting on the *carnet de chasse* booklet.	6
Leaving a firearm / ammunition unattended	4
Possession of heavy gauge shot	2
Possession of pre-recorded bird calls	2
Total	**54**

11.26 Fifteen violations were considered to be more serious as these involved suspected targeting of protected birds, hunting without a licence, or hunting within a bird sanctuary, as follows:

Table 17: Major offences **Nature of the offence**	**Number of cases**
Illegal trapping for protected birds	2
Trapping during the closed-season	3
Illegal shooting of a protected bird	2
Possession of a shot protected bird in a private residence	1
Hunting in a bird sanctuary	2
Use of illegally manufactured unregistered shotgun fitted with a silencer	1
Hunting without a General Licence	1
Hunting without a Special Licence	1
Hunting during the closed season	1
Possession of firearm during the closed season not at licenced premises	1
Total	**15**

11.27 Offences detected on each day of the season are summarised in the table below.

Table 18: Offences per day of the season

Date	**Hunting related offences (Malta)**
12/04/2014	Carrying of an uncovered firearm at a place where shooting of game is not allowed (public road)
12/04/2014	Possession of prohibited means of capture: cartridge loaded with shot >3.3mm diameter; breach of Special Licence conditions-failure to declare going out hunting in *Carnet de Chasse* booklet
12/04/2014	Possession of prohibited means of capture: pre-recorded bird calls
12/04/2014	Hunting of protected bird (Swallow); breach of Special Licence conditions: hunting of birds other than Turtle Dove or Quail
13/04/2014	Possession of prohibited means of capture: shotgun capable of holding >2 shots in magazine
14/04/2014	Breach of Special Licence conditions: failure to declare going out hunting in *Carnet de Chasse* booklet
14/04/2014	Breach of Special Licence conditions: failure to carry on his/her person the Special Licence and/or the *Carnet de Chasse* booklet
16/04/2014	Possession of prohibited means of capture: shotgun capable of holding >2 shots in magazine; use of prohibited means of capture: shotgun capable of holding >2 shots in magazine
16/04/2014	Possession of prohibited means of capture: cartridge loaded with shot >3.3mm diameter
16/04/2014	Breach of Special Licence conditions-failure to declare going out hunting in *Carnet de Chasse*

	booklet
16/04/2014	Breach of Special Licence conditions-failure to declare going out hunting in *Carnet de Chasse* booklet
16/04/2014	Breach of Special Licence conditions-failure to declare going out hunting in *Carnet de Chasse* booklet
17/04/2014	Carrying of an uncovered fire-arm at a place where shooting of game is not allowed (public road)
17/04/2014	Breach of Special Licence conditions: failure to carry on his/her person the Special Licence and/or the *Carnet de Chasse* booklet
18/04/2014	Breach of Special Licence conditions: failure to carry on his/her person the Special Licence and/or the *Carnet de Chasse* booklet
18/04/2014	Breach of the Arms Ordinance: unattended firearm and ammunition
18/04/2014	Possession of prohibited means of capture: shotgun capable of holding >2 shots in magazine; unlicensed to hunt during the Spring 2014 season; breach of the Arms Ordinance: unattended firearm and ammunition
19/04/2014	Possession of prohibited means of capture: shotgun capable of holding >2 shots in magazine
19/04/2014	Carrying of an uncovered firearm at a place where shooting of game is not allowed (public road)
19/04/2014	Breach of Special Licence conditions: failure to immediate report the capture of a game bird via SMS
19/04/2014	Breach of Special Licence conditions: failure to immediate report the capture of a game bird via SMS
19/04/2014	Hunting within a bird sanctuary; possession of means to hunt in a bird sanctuary; carrying of an uncovered firearm at a place where shooting of game is not allowed (bird sanctuary)
20/04/2014	Breach of SL 504.71: Failure to report capture of bird in *Carnet de Chasse* booklet; breach of Special Licence conditions: failure to carry on his/her person the Special Licence and/or the *Carnet de Chasse* booklet; failure to immediately report the capture of a game bird via SMS; failure to declare capture of game bird in the *Carnet de Chasse* booklet
20/04/2014	Breach of the Arms Ordinance: unattended ammunition
20/04/2014	Breach of the Arms Ordinance: possession of firearm during the close-season not at the licenced premises
21/04/2014	Breach of the Arms Ordinance: unattended ammunition
21/04/2014	Breach of SL 504.71: Failure to report capture of bird in *Carnet de Chasse* booklet; breach of Special Licence conditions: failure to immediate report the capture of a game bird via SMS; failure to declare capture of game bird in the *Carnet de Chasse* booklet
21/04/2014	Hunting within prohibited distances;
21/04/2014	Possession of prohibited means of capture: shotgun capable of holding >2 shots in magazine; use of prohibited means of capture: shotgun capable of holding >2 shots in magazine
21/04/2014	Breach of Special Licence conditions-failure to carry on his/her person the Special Licence and/or the *Carnet de Chasse* booklet
22/04/2014	Possession of protected bird carcass in residence; unauthorised disposal of stuffed protected birds
22/04/2014	Hunting within a bird sanctuary; possession of means to hunt in a bird sanctuary; carrying of an uncovered firearm at a place where shooting of game is not allowed (bird sanctuary); breach of the Arms Ordinance: manufacture and possession of firearm with silencer, possession of unregistered firearm
22/04/2014	Breach of Special Licence conditions: failure to carry on his/her person the Special Licence and/or the Carnet de Chasse booklet; failure to declare going out hunting in *Carnet de Chasse*booklet
23/04/2014	Possession of prohibited means of capture: pre-recorded bird calls
23/04/2014	Hunting of protected bird (Kestrel); breach of Special Licence conditions: hunting of birds other than Turtle Dove or Quail

24/04/2014	Hunting within prohibited distances
25/04/2014	Possession of prohibited means of capture: shotgun capable of holding >2 shots in magazine
26/04/2014	Possession of prohibited means of capture: shotgun capable of holding >2 shots in magazine; use of prohibited means of capture: shotgun capable of holding >2 shots in magazine
26/04/2014	Breach of Special Licence conditions-failure to carry on his/her person the Special Licence and/or the *Carnet de Chasse* booklet
26/04/2014	Hunting during closed-season
26/04/2014	Hunting within prohibited distances
26/04/2014	Hunting within prohibited distances
26/04/2014	Breach of Special Licence conditions: failure to carry on his/her person the Special Licence and/or the *Carnet de Chasse* booklet
28/04/2014	Hunting without Special Licence
28/04/2014	Breach of Special Licence conditions: failure to carry on his/her person the Special Licence and/or the *Carnet de Chasse* booklet
28/04/2014	Breach of Special Licence conditions: failure to carry on his/her person the Special Licence and/or the *Carnet de Chasse* booklet
29/04/2014	Possession of prohibited means of capture: shotgun capable of holding >2 shots in magazine; use of prohibited means of capture: shotgun capable of holding >2 shots in magazine

Date	**Hunting related offences (Gozo)**
27/04/2014	Hunting without a licence
28/04/2014	Hunting within prohibited distances: <200m from an inhabited area
28/04/2014	Hunting within prohibited distances: <200m from an inhabited area

Date	**Trapping-related offences (Malta)**
14/04/2014	Trapping for protected birds; possession of protected birds; trapping during the close-season; use of prohibited means of capture-nets & protected bird decoys
14/04/2014	Trapping during close-season; use of prohibited means of capture-nets
18/04/2014	Trapping for protected birds; possession of protected birds; trapping during the close-season; use of prohibited means of capture-nets & protected bird decoys; keeping of birds in small-sized cages

11.28 All cases are being prosecuted. Minor offences listed in Schedule VIII of the Conservation of Wild Birds Regulations (SL 504.71), provided that these are not committed in conjunction with any other offence, are being subjected to automatic fines in accordance with the Schedule. As of 26 May 2014, 8 offenders have been served with such an administrative fine notice, of which 3 (1 case of possession of firearm having a magazine capable of holding more than two rounds of ammunition, 1 case of illegal use of bird caller and 1 case of possession of an uncovered firearm within 200 m but not less than within 150 metres from an inhabited area) have already paid a €250 fine each. All other offences, including minor offences committed in conjunction with any other offence not listed in Schedule VIII are subject to criminal

prosecution and, upon conviction, to greatly increased penalties as enacted on 25 October 2013 and on 28 March 2014.

11.29 In addition to disclosed offences, police officers located and dismantled 11 illegal electronic bird callers and investigated several reports of suspected targeting of protected birds. However, evidence gathered through these investigations was insufficient to identify and charge suspected offenders in Court.

11.30 By comparison, during the 2012 spring hunting season, the police disclosed a total of 64 offences, of which 24 violations were of a relatively more serious nature involving hunting without a licence during unpermitted hours, in prohibited areas, or illegal trapping of protected birds. During the 2013 spring hunting season, 53 hunting offences, of which 18 relatively more serious, were disclosed. The fact that during the 2014 spring hunting season, fewer serious incidents have been disclosed, underscores the fact that the overall rate of compliance has improved. This is, in part, due to the greatly increased legal deterrents against bird-related crimes, which, follow the legal amendments introduced in October 2013 and in March 2014 are today amongst the harshest in the EU, as well as due to more intense and effective field surveillance and better coordination.

12. Conclusions

12.1 Malta's commitment to ensuring adherence, in the strictest manner possible, to the parameters of the limited spring hunting derogation, and to the general implementation of the Birds Directive is evident through the following concrete and specific actions:

1. **Implementation of improved verification mechanisms for bag data reporting and collection:** through the increased precision of the migration monitoring study in April 2014, the commitment to undertake a similar study in autumn 2014, more stringent legal requirements for reporting of autumn bag data, greatly increased penalties and deterrents against non-compliance;

2. **Constant drive to improve the quality and reliability of autumn bag data** (mandatory licence return requirements, penalties for late return, exceptionally high rate of licence return achieved in February 2014, four levels of data extraction quality checks);

3. **Transparency in decision making, consultation:** Discussions with stakeholders within the Malta Ornis Committee, stepped up communication with hunters and the public, compliance promotion campaign in the media, regular public updates on the progress of enforcement operations, prior consultations with the Commission;

4. **Thorough consideration of the conservation status of the species concerned, including transparent consultation with stakeholders;**

5. **Drastic increase in legal deterrents and penalties for bird-related crime and hunting violations:** Malta's penalty regime in this sector is objectively amongst the harshest in the EU;

6. **Indisputable and drastic increase in enforcement deployment in the field:** doubling of field inspections; thousands of individual spot-checks on hunters, improved coordination amongst enforcement agencies, deployment of new technologies (drones). Malta's ratio of field enforcement deployment is by far greater than that in any other EU Member State;

7. **Objectively documented decline in the number of serious hunting-related violations**, particularly reduction in incidence of illegal shooting or trapping of protected species;

8. **A mature and robust multi-layered system of controls** over hunting activity, including through special licensing requirements, SMS and CDC reporting, restrictions pertaining to time and space and other controls; and

9. **An unprecedented level of public and media scrutiny of the Government's effort.**

12.2 The Maltese authorities believe that the above, amongst other information presented in this report would help the Commission in its objective assessment of Malta's compliance.



On a rainy April day, a historic 19th Century tower stands guard over vast promontory of Il-Majjistral Nature and History Park. Enforcement officials of the Wild Birds Regulation Unit and a team of Birdlife Malta volunteers shield themselves from fresh north-westerly wind and rain, as they stand guard to a rare avian visitor.