

Wild Birds Regulation Unit

Annual Report 2017

1. Overview of the Unit's functions and responsibilities

The Wild Birds Regulation Unit was established within the Parliamentary Secretariat for Agriculture, Fisheries and Animal Rights following Government's decision in May 2013 to centralise the relevant regulatory functions pertaining to implementation of the Conservation of Wild Birds Regulations (S.L. 549.42) and related subsidiary legislation, and to oversee and drive the implementation of Government policy in relation to sustainable hunting governance and conservation of wild birds. On the national front, the Wild Birds Regulation Unit was tasked with:

- Implementation of a sweeping reform of the relevant legislation concerning hunting and live-capturing to ensure simplification, greater effectiveness, safeguarding the rights of all citizens including hunters and live-capturers, as well as ensuring enforcement and compliance;
- Coordination of the work of the necessary institutional structures, including Ornithological Committee, as well as liaison with the Police and ERA to ensure adequate implementation and enforcement of sustainable hunting and live-capturing policy on the ground;
- Centralisation, simplification and streamlining of licensing processes and provision of a one-stop-shop service to hunters and live-capturers;
- Coordination of enforcement effort;
- Promotion of awareness and culture change amongst the members of the hunting community, based on the principles of sustainability and wise use of ecological resources;
- Delivery of training programmes for hunters and enforcement officers;
- Administering hunter and live-capturer education and examination programmes;
- Maintenance of statistics and data quality control;
- Coordination of awareness raising, communication and training activities;
- Commissioning the necessary technical studies and reports;
- Issuance of various licences and permits and control over compliance with licence conditions;
- Ensuring continuous engagement and liaison with hunting organisations, environmental NGOs and members of the hunting and live-capturing community.

Within the domain of international and EU policy concerning conservation of wild birds and sustainable hunting, the main priorities of the Unit are as follows:

- Ensuring compliance with the provisions of EU and international *Acquis* concerning conservation of wild birds, including but not limited to the provisions of the EU Birds Directive, Bern Convention and other relevant EU and international instruments;

- Ensuring correct implementation of spring hunting and autumn live-capturing derogations, as well as all other relevant derogations as decided by Government;
- Coordination of the preparation and timely submission of the relevant derogation and other reports, monitoring policy implementation and maintaining the required statistics;
- Dealing with any potential infringements, including EU Pilot procedures;
- Liaising with the relevant national, EU and international officials and performing other actions as necessary.

2. Main achievements during 2017

2.1 Policy and regulatory processes

During 2017, the Unit has:

- Coordinated Malta's Presidency of the Council of the EU in relation to policy items related to EU Birds Directive, including, *inter alia*, input to EU Action Plan for Nature, People and the Economy, the development and adoption of EU Council Conclusions on the above Action Plan, and coordination of meetings at Working Party level;
- Organised, hosted and chaired the first Joint Meeting of the Bern Convention Network of Special Focal Points on Eradication of Illegal Killing, Taking and Trade in Wild Birds and the CMS Convention Intergovernmental Task Force on Illegal Killing of Birds in the Mediterranean. The meeting was attended by over 80 participants representing over 30 state parties to both Conventions, as well as observer organisations, international NGOs, international scientific bodies and other organisations;
- Proposed and led the development of an international Scoreboard to measure countries' progress towards eradication of illegal killing, taking and trade in wild birds. The Scoreboard was subsequently adopted through CMS Resolution and Bern Convention Recommendation;
- Led Malta's delegation to the 12th Conference of the Parties to CMS Convention held in Manila in October 2017 and coordinated Malta's input to the COP in relation to policy items concerning conservation of wild birds;
- Provided Malta's input to the 27th Standing Committee of the Bern Convention in relation to policy items concerning conservation of wild birds;
- Coordinated preparation, review and submission to European Commission, Bern Convention and CMS Convention Secretariats seven technical reports pertaining to Malta's implementation of derogations, outcome of monitoring programmes and other reporting obligations. All reporting obligations due in 2017 have been fulfilled and addressed by the Unit ahead of stipulated deadlines. All reports are publically available online;
- Provided technical and policy input to the implementation of a number of EU and international policy processes concerning conservation of wild birds, including under:
 - Tunis Action Plan on the Eradication of Illegal Killing, Trapping and Trade in Wild Birds under the Bern Convention;
 - The Work Programme of CMS Convention Mediterranean Task Force on Illegal Killing of Birds;
 - Working Party on International Environment Issues (WPIEI Biodiversity);

- Marine Strategy Framework Directive;
 - Barcelona Convention.
- Coordinated Malta's defence in ECJ Case C-557/15 concerning finch trapping, including through oral hearing held on 15th February 2017;
- Represented Malta at:
 - Two meetings of the EU Nature Directives Expert Group
 - Two meetings of the EU Expert Group on reporting under Birds Directive
 - Two meetings of CGBN network
 - Three Working Party (Environment) meetings
 - High-level conference on EU Action Plan for Nature, People and the Economy;
 - CMS COP 12
 - Bern Convention 37th Standing Committee
 - The joint meeting of the Network of Special Focal Points for the Illegal Killing of Birds under the Bern Convention CMS Convention meeting of the Mediterranean Task Force (elected as Chairman)
 - The meeting of EU Directors-General of Hunting and Game Management
 - IMPEL Conference on Wildlife Crime
 - EU LIFE EuroSAP- Single Species Action Planning Workshop for the Conservation of the Turtle Dove
- Coordinated the drafting, formulation and subsequent publication of six legal instruments, namely:
 - Conservation of Wild Birds (Framework for Allowing a Derogation Opening a Spring Hunting Season for Turtle Dove and Quail) (Amendment) Regulations, 2017 (LN 82/2017);
 - Conservation of Wild Birds (Declaration on a Derogation for a 2017 Spring Hunting Season for Quail) Regulations, 2017(LN 83/2017);
 - Conservation of Wild Birds (Declaration on a Derogation for an Autumn 2017 Live-Capturing Season for Finches) Regulations, 2017 (LN 294/2017);
 - Conservation of Wild Birds (Declaration on a Derogation for an Autumn 2017 Live-Capturing Season for Song Thrush and Golden Plover) Regulations, 2017 (LN 295/2017);
 - Majjistral Nature and History Park Site (Amendment) Regulations, 2017 (LN 300/2017);
 - Conservation of Wild Birds (Declaration of a Derogation for the Control of *Sturnus vulgaris* and *Columba livia*) Regulations, 2017(SL 549.116).
- Developed proposals for future revision of various subsidiary legislation;
 - Conducted three falconry exam sessions (including practical and written exam) in Malta and Gozo which catered for 31 falconers as per new falconry licence procedure established in 2016;
 - Issued 31 falconry licences;
 - Issued two Special Falconry Licences;

- Provided ongoing assessment and advice to government policies, programmes, projects and plans having impact on the conservation of wild birds;
- Coordinated administration of special licensing procedures for spring hunting derogation and the autumn 2017 live-capturing derogations, including GIS plotting of registered live-capturing sites submitted with the live-capturing applications and associated tasks;
- Designed, commissioned and implemented a major upgrade to live-capturing geographic information system;
- Administered general licensing system for five licence categories;
- Issued three new bird ringing licences and oversaw compliance of 33 bird ringers who were issued with a five-year licence in 2016;
- Issued one new taxidermy licence and oversaw compliance of eight taxidermists who were issued with a five-year licence in 2016;
- Conducted ten exam sessions (Malta and Gozo) which catered for 304 tests (including resist) for hunting licence applicants;
- Delivered five training sessions for police officers involved in enforcement of Conservation of Wild Birds Regulations (three in Malta and two in Gozo) where over 90 officers were trained in basic ornithology, wildlife crime detection techniques, inspection procedures, use of specialised enforcement information systems, applicable regulations and prosecution processes;
- Maintained procedure concerning injured wild birds and contracted the services of specialised veterinary clinic to provide care for injured wild birds. Under this procedure, WBRU coordinated and supervised provision of care for 212 bird specimens belonging to 65 species;
- Conducted an introductory meeting between contracted veterinary and lifelong care providers to establish best procedure to adopt in case a bird of prey needs rehabilitation or lifetime care;
- Coordinated the recovery, treatment and rehabilitation for over 212 injured wild birds;
- Implemented two major scientific studies on migration of Turtle Dove and Quail in spring and autumn 2017, and a separate study concerning migration of seven species of finches as well as of Golden Plover and Song Thrush in autumn 2017;
- Ensured digitisation of 6,097 site plans and their plotting on GIS for enforcement purposes, including processing of 479 applications to transfer the registration details of live-capturers from one registered site to another registered site and, in some cases, to carry out minor re-alignment;
- Continued to operate and continuously enhance the state of the art electronic game reporting system during both hunting and live-capturing seasons;
- Continued to develop a new state of the art database which will assure better monitoring over all movements of registered stuffed protected birds and related enforcement;
- Coordinated, compiled and published scientific assessments of the conservation status of Turtle Dove, Quail, Golden Plover, Song Thrush and seven finch species;

- Ensured ongoing coordination with the awarded contractor for the collation of primary and secondary data on regular breeding and wintering bird species in the Maltese Islands in fulfilment of Malta's reporting obligation under Article 12 of the Birds Directive. This tender will also provide for the compilation of a new Malta Breeding Bird Atlas;
- Ensured ongoing customer care and consultations with all stakeholders within the sector, conducted several meetings with a broad range of stakeholders, with representatives of hunting associations, falconry clubs, representatives of international bodies, taxidermy association and environmental NGOs;
- Maintained a website with a wealth of information and reports, including statistical data, and coordinated related updates;
- Liaised with the office of the Information and Data Protection Commissioner in respect of requests filed by NGOs;
- Coordinated with various departments, mainly the Planning Authority and the Environment and Resources Authority, the issuance of necessary permits for facilities at tal-Bagħal and tal-Bosk farmhouses in accordance with management agreements with NGOs;
- Participated in various awareness and information campaigns throughout 2017, in particular the Game & Country Expo (August 2017) and local TV programme.(November 2017);
- Coordinated and inspected, in liaison with the Veterinary Services Division, a number of premises to assess suitability to house injured wild birds under the call for expression of interest for the provision of lifetime care services for injured wild birds. Following the necessary screening by WBRU and VPRD three premises were approved and the individuals issued with an authorisation to provide facilities and care for injured wild birds;
- Issued 18 press releases and responded to over 40 press queries on matters of relevance to the operation of the Unit;
- Provided ongoing technical and administrative support to the functioning of the Malta Ornithology Committee, which held nine meetings during this period. Ensured that all decisions and proceedings of the Committee are made public through WBRU website;
- Conducted a dissemination of information exercise concerning the importation and possession of birds with hunting trips organisers, taxidermists, representatives of hunting organisations and other interested stakeholders;
- Coordinated over seven procurement procedures of varying complexity comprising service tenders, calls for expression of interest, calls for quotations and other procedures to ensure the smooth functioning of the Unit;
- Provided ongoing customer service to residents of Gozo by securing necessary arrangements for holding of licence tests in Gozo and by securing, in collaboration with the Ministry for Gozo, appropriate office location to offer the services on a bi-monthly basis;
- Generated circa €325,866.00 in revenue from renewal of general licence fees, special live-capturing licence fees, fees for provision of various services (e.g. exam fees, sale of educational poster, licence replacement fees, etc), and from a range of administrative fines and penalties for various offences under Conservation of Wild Birds Regulations;

- Developed necessary procedures and launched the Conservation of Wild Birds Funding Scheme, and coordinated evaluation of nine project proposals submitted in response to the first call for proposals that closed on the 1st September 2017.

2.2 Enforcement

In the field of enforcement, during 2017, the Unit has:

- Continued capacity-building exercise to strengthen the Specialist Enforcement Branch, which provides technical assistance and coordinates with the Police, Customs and other enforcement entities on matters related to prevention, detection and prosecution of bird-related crime. Coordinated enforcement arrangements with the Police, the AFM and other entities pertaining to the supervision of the spring and autumn hunting seasons;
- Conducted five inspections at private residences during which 1,570 stuffed bird specimens were examined. During these investigations a total of 27 registered stuffed bird specimens were found to have been illegally disposed without appropriate authorisation. Legal action is being taken against one individual whilst investigation was still ongoing on another two individuals at the time of reporting;
- During inspections at both residential and commercial premises, a total of 186 live birds were inspected out of which 3 birds were subsequently seized due to irregularities. Two of the seized specimens were fitted with a fake closed ring that had an internal diameter of a larger size than that required for the species, whilst the remaining specimen was not fitted with a closed ring. Legal action is being taken against two individuals;
- During the same period, the Unit also carried out 175 inspections at points of entry (port and customs at the passenger terminal and the cargo section), out of which four were surprise inspections (all four conducted at MIA arrivals). This shows a 33% increase in inspections from the previous year ($n_{2016}=118$). During these inspections a total of 16,453 bird specimens were examined. No irregularities were detected;
- Officials of the Branch attended 16 court sittings (each sitting comprising of multiple hearings) which resulted in 77 convictions, fourteen acquittals, with the rest of the cases pending further hearing. During the reporting period, officials of the Wild Birds Regulation Unit testified in hearings pertaining to 61 cases;

During the same period, the Specialist Enforcement Branch assisted the Police in field surveillance operations. As part of these operations, the Branch conducted a total of 37 field inspections, including 19 covert observation operations, as a result of which six bird callers and 63 live finches were seized. A total of 19 illegal trapping sites have been detected leading to the prosecution of seven persons for illegal trapping.

- Administered the stuffed protected birds registration process. During the review period the Unit received 1,800 applications to transfer or dispose of stuffed birds that have previously been registered with the authorities under 1998/99 and 2003 schemes;
- Provided a 24/7 on-call service to assist law enforcement authorities in response to any infringements;
- Coordinated enforcement efforts with Customs and other stakeholders to ensure that the importers and sellers of electronic devices which may, amongst potential legitimate uses, be also used illegally in hunting and trapping activities, were duly warned of the legal consequences of any potential improper use.
- Responded to queries from the public regarding matters related to the Unit's portfolio;
- Maintained the administrative fines system. Ensured the issuance and processing of various administrative fines in respect of 25 persons;

- Maintained a common format for statistics keeping and enforcement reporting and compiled enforcement statistics for reporting purposes.