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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**

33<sup>rd</sup> meeting  
Strasbourg, 3-6 December 2013

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**Complaint in stand-by**

**Presumed illegal killing of birds in Malta**

**REPORT BY THE COMPLAINANT**

*Document prepared by  
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## **Presumed illegal killing of birds in Malta**

I am submitting a complaint regarding the bird killings on Malta by Maltese nationals during the spring migratory season, apparent violations of articles 6-9 of the Bern Convention by the Maltese government.

According to the CABS website “the consequences of hunting on Malta are catastrophic for many European migrant bird species. Birds such as the Honey Buzzard and the Golden Oriole, which migrate twice a year over the Maltese islands, show a dramatic population decline in their northern breeding habitats. Almost all migrant birds legally huntable on Malta are in the meantime on the German Red List of endangered species and the Golden Plover, Lapwing and Skylark are critically endangered.” The Birdlife Malta website indicates that “poachers [are] specifically targeting raptors (birds of prey) and Herons as well as rare migratory birds such as Greater Flamingo (*Phoenicopterus roseus*), Black Stork (*Ciconia nigra*) and Eurasian Spoonbill (*Platalea leucorodia*), among others». The websites of these organizations also list white storks, great egrets, kestrels, lesser spotted eagles and others as victims of Maltese hunters. To the best of my knowledge all these birds are protected under the Bern Convention. Thus the by not taking appropriate and necessary measures to protect these birds the government of Malta is in apparent violation of articles 6-9 of the Bern Convention.

These species or some of them are also protected by the SPA and Biodiversity Protocol under the Barcelona Convention for the protection of the Mediterranean (Malta is a party), the CMS (Malta is a party), and AEWa (Malta is not a party).

I am also trying to verify if illegal hunting and trapping of protected species take place within Malta's two Ramsar sites. And since elements of international trade in these birds are sometimes involved, the illegal trapping and hunting might also comprise violations of CITES.

Furthermore, the Maltese government's omissions in preventing this loss of global biodiversity are also violations of the Convention on Biological Diversity.

The European Court of Justice in 2009 issued a judgment against Malta determining that it was in violation of the European Bird Directive by allowing the hunting of skylarks and quail in the spring. In light of continued violations by the Maltese government the European Community is now considering returning to court against Malta and this time asking to impose fines on the Maltese government.

Rachelle Adam