

Strasbourg, 27 October 2015

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**

35<sup>th</sup> meeting  
Strasbourg, 1-4 December 2015

---

**BIENNIAL REPORT (2009-2010)**

**- MALTA -**

*Memorandum drawn up by  
the Directorate of Democratic Governance  
The document is being circulated in the form and the languages in which it was received by the Secretariat*

**BIENNIAL REPORT  
2009 -2010**

**MALTA**

**1. EXCEPTIONS CONCERNING STRICTLY PROTECTED FLORA SPECIES  
(ART. 5 - APPENDIX I)**

Name of the species	No. of specimens involved (when practical)	No. of licences	Reasons for issuing of licences (art. 9, i. to v.) <sup>1</sup>	Impact on population

Where appropriate, please add a text providing information on:

Information on the conservation status of the derogated species
The authority empowered to declare that the conditions have been fulfilled
Conditions of risk and the circumstances and the time and place under which exception where granted
The controls involved
Justification for derogation for a species in an unfavourable conservation status
Alternative solutions considered and scientific data to compare them
Results of derogations (e.g. Cumulative effects and compensation measures where relevant)
Comments/notes

---

<sup>1</sup> i.: protection of flora /fauna

ii.: prevention of serious damage to crops, livestock, forests, fisheries, water and other forms of property

iii.: in the interests of public health and safety, air safety or other overriding public interests (which?)

iv.: for research / education / repopulation / reintroduction / necessary breeding

v.: judicious exploitation of certain wild plants in small numbers and under certain conditions

**2. EXCEPTIONS CONCERNING STRICTLY PROTECTED FAUNA SPECIES (ART. 6 - APPENDIX II)**

Name of the species	No. of specimens involved (when practical)	Authorised action (art. 6, a. to f.) <sup>2</sup>	No. of licences	Reasons for issuing of licences (art. 9, i. to v.) <sup>3</sup>	Impact on population
<i>Aphanius fasciatus</i>	10 (2009)	(c) & (d)	5 (2009)	(iv)	Nil

Information on the conservation status of the derogated species	Overall inadequate, but with favourable status in terms of its range, population and future prospects.
The authority empowered to declare that the conditions have been fulfilled	Malta Environment and Planning Authority
Conditions of risk and the circumstances and the time and place under which exception were granted	No more than ten specimens could have been collected from either I-Ghadira or is-Simar (not from both). Such collection was to be carried out in a manner that did not lead to any negative impact on the natural environment (including habitats and species). Moreover, non-selective methods or methods that could result in the local disappearance of the species were strictly prohibited.  Following the collection, the specimens were to be kept in optimal conditions to avoid the detriment to the individuals. This exception was valid for a year (September 2009 to August 2010).
The controls involved	A permit was issued by the Malta Environment and Planning Authority, and the licensed individuals were to abide with the conditions therein, with related compliance measures.
Justification for derogation for a species in an unfavourable conservation status	The use of a very small number of fish for an educational display at the Malta Centre for Fisheries Sciences.
Alternative solutions considered and scientific data to compare them	The collection of <i>Aphanius fasciatus</i> is not allowed, however since the capture involved a small number of specimens to be used for an educational public display, a permit was consequently considered.
Results of derogations (e.g. Cumulative effects and compensation measures where relevant)	
Comments/notes	

<sup>2</sup> A: Deliberate killing

B: Deliberate damage to or destruction of breeding or resting sites

C: Deliberate capture and keeping

D: Deliberate disturbance of wild fauna

E: Deliberate destruction or taking of eggs

F: Possession and internal trade

<sup>3</sup> i.: protection of flora /fauna

ii.: prevention of serious damage to crops, livestock, forests, fisheries, water and other forms of property

iii.: in the interests of public health and safety, air safety or other overriding public interests (which?)

iv.: for research / education / repopulation / reintroduction / necessary breeding

v.: judicious exploitation of certain wild plants in small numbers and under certain conditions

Name of the species	No. of specimens involved (when practical)	Authorised action (art. 6, a. to f.)	No. of licences	Reasons for issuing of licences (art. 9, i. to v.)	Impact on population
<i>Aphanius fasciatus</i>	149 (2010)	(d)	2 (2010)	(iv)	Nil

Information on the conservation status of the derogated species	Overall inadequate, but with favourable status in terms of its range, population and future prospects.
The authority empowered to declare that the conditions have been fulfilled	Malta Environment and Planning Authority
Conditions of risk and the circumstances and the time and place under which exception where granted	This exception covered the capturing of killifish for sex determination and length measurements, after which, such specimens were released back into the water without causing any harm. The fish, which were to be captured over a four month period (September to December), could only be collected from il-Magħluq tal-Bahar (l/o Marsaskala). Moreover, the disturbance of any part of the area and associated communities (especially the water bank) was to be kept to a minimum.
The controls involved	A permit was issued by the Malta Environment and Planning Authority, and the licensed individuals were to abide with the conditions therein.
Justification for derogation for a species in an unfavourable conservation status	Scientific research
Alternative solutions considered and scientific data to compare them	The only alternative would be not to allow for this activity to take place. However, since through such research valuable information could have been collected about the species this activity was authorised.
Results of derogations (e.g. Cumulative effects and compensation measures where relevant)	A scientific report/paper with the findings was prepared by the permit holder: Zammit Mangion M., Deidun Alan, Vassallo-Agius R. & Magri M. Management of Threatened <i>Aphanius fasciatus</i> at Il-Magħluq, Malta
Comments/notes	

Name of the species	No. of specimens involved (when practical)	Authorised action (art. 6, a. to f.)	No. of licences	Reasons for issuing of licences (art. 9, i. to v.)	Impact on population
<i>Podarcis filfolensis</i>	1 (2009)	(c)	1 (2009)	(iv)	Nil

Information on the conservation status of the derogated species	Favourable
---	------------

The authority empowered to declare that the conditions have been fulfilled	Malta Environment and Planning Authority
Conditions of risk and the circumstances and the time and place under which exception where granted	This exception covered an eight month period (May to December) and concerned the taking and keeping of dead reptile specimens, whose death was caused either naturally or accidentally.
The controls involved	A permit was issued by the Malta Environment and Planning Authority, and the licensed individuals were to abide with the conditions therein.
Justification for derogation for a species in an unfavourable conservation status	Not applicable.
Alternative solutions considered and scientific data to compare them	The only alternative would have been not to allow for this activity to take place. However, considering that only the taking and keeping of dead specimens was permitted and moreover valuable information could have been collected about this species, this activity was consequently allowed.
Results of derogations (e.g. Cumulative effects and compensation measures where relevant)	
Comments/notes	

Name of the species	No. of specimens involved (when practical)	Authorised action (art. 6, a. to f.)	No. of licences	Reasons for issuing of licences (art. 9, i. to v.)	Impact on population
<i>Caretta caretta</i>	7 (2009)	(d)	1 (2009)	(iv)	Nil

Information on the conservation status of the derogated species	Indeterminate
The authority empowered to declare that the conditions have been fulfilled	Malta Environment and Planning Authority
Conditions of risk and the circumstances and the time and place under which exception where granted	For live stranded specimens only the taking of measurements and photographs was allowed. However for dead stranded specimens the taking, keeping and transporting of samples was also allowed.  This exception was valid for 10 months (March to December).
The controls involved	A permit was issued by the Malta Environment and Planning Authority, and the licensed individuals were to abide with the conditions therein.
Justification for derogation for a species in an unfavourable conservation status	Not applicable.

Alternative solutions considered and scientific data to compare them	The only alternative was not to allow for this derogation to take place. This exception was, however, issued since valuable information could have been collected about the species. Moreover, only the disturbance of the specimens was allowed and following sampling the turtles were released back into the wild or rehabilitated
Results of derogations (e.g. Cumulative effects and compensation measures where relevant)	Morphometric data gathered was submitted to the licensing authority.
Comments/notes	Activity limited to stranded individuals.

Name of the species	No. of specimens involved (when practical)	Authorised action (art. 6, a. to f.) <sup>4</sup>	No. of licences	Reasons for issuing of licences (art. 9, i. to v.) <sup>5</sup>	Impact on population
<i>Carretta caretta</i>	2 (2009)	(d)	10 (2009)	(i) & (iv)	Nil

Information on the conservation status of the derogated species	Indeterminate
The authority empowered to declare that the conditions have been fulfilled	Malta Environment and Planning Authority
Conditions of risk and the circumstances and the time and place under which exception where granted	The disturbance of stranded turtles was to be minimal and restricted to i) first aid ii) aid in re-floatation iii) taking of measurements and photographs. Moreover, when required, stranded specimens were transported from the site of stranding to the rehabilitation centre at San Lucjan. The keeping of samples/ specimens of these turtles was however prohibited.  This exception was valid for 7 months (June to December).
The controls involved	A permit was issued by the Malta Environment and Planning Authority, and the licensed individuals were to abide with the conditions therein.
Justification for derogation for a species in an unfavourable conservation status	Not applicable

<sup>4</sup> A: Deliberate killing  
 B: Deliberate damage to or destruction of breeding or resting sites  
 C: Deliberate capture and keeping  
 D: Deliberate disturbance of wild fauna  
 E: Deliberate destruction or taking of eggs  
 F: Possession and internal trade

<sup>5</sup> i.: protection of flora /fauna  
 ii.: prevention of serious damage to crops, livestock, forests, fisheries, water and other forms of property  
 iii.: in the interests of public health and safety, air safety or other overriding public interests (which?)  
 iv.: for research / education / repopulation / reintroduction / necessary breeding  
 v.: judicious exploitation of certain wild plants in small numbers and under certain conditions

Alternative solutions considered and scientific data to compare them	The only alternative would be not to allow for entities to rehabilitate stranded turtles. This derogation was, however, allowed in the interest of the protection of turtles.
Results of derogations (e.g. Cumulative effects and compensation measures where relevant)	Rehabilitated turtles were released back into the wild
Comments/notes	

Name of the species	No. of specimens involved (when practical)	Authorised action (art. 6, a. to f.)	No. of licences	Reasons for issuing of licences (art. 9, i. to v.)	Impact on population
<i>Myotis punicus</i>	3 (2009)	(d)	2 (2009)	(iv)	Nil

Information on the conservation status of the derogated species	Unfavourable- Inadequate
The authority empowered to declare that the conditions have been fulfilled	Malta Environment and Planning Authority
Conditions of risk and the circumstances and the time and place under which exception where granted	The handling and capture of these bats was to cover eight months (May to December). Such bats could have been caught either by hand (low roosts), hand-nets (high roosts) or mist nets. Nonetheless, such disturbance was to be kept minimal and the bats were to be released immediately after sampling.
The controls involved	A permit was issued by the Malta Environment and Planning Authority, and the licensed individuals were to abide with the conditions therein.
Justification for derogation for a species in an unfavourable conservation status	The project was to provide information which could lead to the confirmation of the bat species present in the Maltese Islands. Moreover, the project could have also possibly lead to the discovery of additional local roosting and hibernation sites, determined population trends, established species diets, helped to understand parasite regime and calculate morphometrics and generated genetic data.
Alternative solutions considered and scientific data to compare them	The only alternative would be not to allow for this activity to take place. However, since valuable information was to be collected about the species through research, this derogation was allowed for scientific reasons.
Results of derogations (e.g. Cumulative effects and compensation measures where relevant)	A scientific report with the findings was prepared by the permit holder. Baron, B. & Vella, A. (2010) A preliminary analysis of the population genetics of <i>Myotis punicus</i> in the Maltese Islands. <i>Hystrix It. J. Mamm. (m.s.)</i> 21(1): 65-72
Comments/notes	

Name of the species	No. of specimens involved (when practical)	Authorised action (art. 6, a. to f.)	No. of licences	Reasons for issuing of licences (art. 9, i. to v.)	Impact on population
<i>Myotis punicus</i>	3 (2009)	(d)	3 (2009)	(iv)	Nil
<i>Plecotus austriacus</i>	1 (2009)	(d)	3 (2009)	(iv)	Nil
<i>Rhinolophus hipposideros</i>	3 (2009)	(d)	3 (2009)	(iv)	Nil.

Information on the conservation status of the derogated species	Unfavourable-Inadequate
The authority empowered to declare that the conditions have been fulfilled	Malta Environment and Planning Authority
Conditions of risk and the circumstances and the time and place under which exception were granted	The handling and capture of these bats was to cover two months (May to June). The bats were to be captured using a mistnet, nonetheless, disturbance was to be kept at a minimal and the bats were to be immediately released following sampling.
The controls involved	A permit was issued by the Malta Environment and Planning Authority, and the licensed individuals were to abide with the conditions therein.
Justification for derogation for a species in an unfavourable conservation status	To gather genetic information about the bats under study.
Alternative solutions considered and scientific data to compare them	The only alternative would be not to allow for this activity to take place. However, since valuable information was to be collected about the species through research, this derogation was allowed for scientific reasons.
Results of derogations (e.g. Cumulative effects and compensation measures where relevant)	Report with findings was provided. A manuscript was prepared by the permit holder for publication.
Comments/notes	

Name of the species	No. of specimens involved (when practical)	Authorised action (art. 6, a. to f.)	No. of licences	Reasons for issuing of licences (art. 9, i. to v.)	Impact on population
<i>Myotis punicus</i>	7 (2010)	(d)	3 (2010)	(iv)	Nil.
<i>Pipistrellus pygmaeus</i>	1 (2010)	(d)	3 (2010)	(iv)	Nil.
<i>Plecotus austriacus</i>	1 (2010)	(d)	3(2010)	(iv)	Nil.
<i>Rhinolophus hipposideros</i>	4 (2010)	(d)	3 (2010)	(iv)	Nil.

Information on the conservation status of the derogated species	Unfavourable-Inadequate, except for <i>P. pygmaeus</i> , which has a favourable conservation status.
The authority empowered to declare that the conditions have been fulfilled	Malta Environment and Planning Authority
Conditions of risk and the circumstances and the time and place under which exception were granted	The handling and capture of these bats was to cover four months (September to December). The bats were to be captured using mist-nets, static hand-nets placed at the roost entrances or by hand. Nonetheless, disturbance was to be kept at a minimal and the bats were to be immediately released following measurements and ectoparasite sampling.
The controls involved	A permit was issued by the Malta Environment and Planning Authority, and the licensed individuals were to abide with the conditions therein.
Justification for derogation for a species in an unfavourable conservation status	The aim of the project was to obtain information regarding host-parasite relationships and the range of bat ectoparasite species present in the Maltese Islands.
Alternative solutions considered and scientific data to compare them	The only alternative would be not to allow for this activity to take place. However, since valuable information was to be collected about the species through research, this derogation was allowed for scientific reasons.
Results of derogations (e.g. Cumulative effects and compensation measures where relevant)	Detailed results on bats sampled and location was submitted to the licensing Authority.
Comments/notes	

### 3. EXCEPTIONS CONCERNING FALCONRY

For each species used in falconry, state (use a separate sheet for each species):

Name of species:	
No. of birds in captivity (after entry into force of the Convention)	
Origin of birds:	
% captured from the wild in the State	
% imported	
% reared in captivity	
Estimated population in the wild (in the State)	
No. of birds captured from the wild each year	
No. of birds imported (specify country of origin)	
Means authorised for capture	
Controls involved	

**4. EXCEPTIONS CONCERNING PROTECTED FAUNA SPECIES (ART. 7 APPENDIX III)<sup>6</sup>**

Name of the species	No. of individuals involved (when practical)	Exception made	Reasons for issuing of licences (art. 9, i. to v.) <sup>7</sup>	Impact on the population
<i>Pipistrellus pipistrellus</i>	1 (2009)	The capture of these bats using mist-nets	(iv)	Nil.

Information on the conservation status of the derogated species	Not known due to taxonomic revisions, but in general <i>Pipistrellus</i> spp. are frequent in the Maltese Islands and have a favourable conservation status.
The authority empowered to declare that the conditions have been fulfilled	The Malta Environment and Planning Authority
Conditions of risk and the circumstances and the time and place under which exception where granted	The handling and capture of these bats was to cover two months (May to June). The bats were to be captured using a mistnet nonetheless, disturbance was to be kept at a minimal and the bats were to be immediately released following sampling.
The controls involved	A permit was issued by the Malta Environment and Planning Authority, and the licensed individuals were to abide with the conditions therein.
Justification for derogation for a species in an unfavourable conservation status	Not applicable.
Alternative solutions considered and scientific data to compare them	The only alternative would be not to allow for this activity to take place. However, since valuable information was to be collected about the species through research, this derogation was allowed for scientific reasons.
Results of derogations (e.g. Cumulative effects and compensation measures where relevant)	Report with findings was provided. A manuscript was prepared by the permit holder for publication.
Comments/notes	

<sup>6</sup> Kindly note that exceptions to species listed in Appendix III concern only those captured or killed using indiscriminate means of capture or killing and in particular methods specified in Appendix IV.

<sup>7</sup> i.: protection of flora /fauna

ii.: prevention of serious damage to crops, livestock, forests, fisheries, water and other forms of property

iii.: in the interests of public health and safety, air safety or other overriding public interests (which?)

iv.: for research / education / repopulation / reintroduction / necessary breeding

v.: judicious exploitation of certain wild plants in small numbers and under certain conditions

Name of the species	No. of individuals involved (when practical)	Exception made	Reasons for issuing of licences (art. 9, i. to v.) <sup>8</sup>	Impact on the population
<i>Pipistrellus pipistrellus</i>	1 (2010)	The capture of these bats using nets	(iv)	Nil

Information on the conservation status of the derogated species	Not known due to taxonomic revisions, but in general <i>Pipistrellus</i> spp. are frequent in the Maltese Islands and have a favourable conservation status.
The authority empowered to declare that the conditions have been fulfilled	The Malta Environment and Planning Authority
Conditions of risk and the circumstances and the time and place under which exception where granted	The handling and the capture of these bats was to cover four months (September to December). The bats were to be captured using mist-nets, static hand-nets placed at the roost entrances or by hand. Nonetheless, disturbance was to be kept at a minimal and the bats were to be immediately released following measurements and ectoparasite sampling.
The controls involved	A permit was issued by the Malta Environment and Planning Authority, and the licensed individuals were to abide with the conditions therein.
Justification for derogation for a species in an unfavourable conservation status	Not applicable.
Alternative solutions considered and scientific data to compare them	The only alternative would be not to allow for this activity to take place. However, since valuable information was to be collected about the species through research, this derogation was allowed for scientific reasons.
Results of derogations (e.g. Cumulative effects and compensation measures where relevant)	Detailed results on bats sampled and location was submitted to the licensing Authority.
Comments/notes	

<sup>8</sup> i.: protection of flora /fauna

ii.: prevention of serious damage to crops, livestock, forests, fisheries, water and other forms of property

iii.: in the interests of public health and safety, air safety or other overriding public interests (which?)

iv.: for research / education / repopulation / reintroduction / necessary breeding

v.: judicious exploitation of certain wild plants in small numbers and under certain conditions

**5. EXCEPTIONS CONCERNING THE USE OF MEANS OF CAPTURE AND KILLING SPECIFIED IN APPENDIX IV**

Name of the species	No. of specimens (when practical)	No. of licences	Reasons (art. 8 a. to e.) <sup>9</sup>	Method used <sup>10</sup>	Impact on the population
<i>Aphanius fasciatus</i>	10	5 (2009)	(d)	10	Nil
<i>Aphanius fasciatus</i>	149	2 (2010)	(d)	11	Nil
Microchiroptera	<i>Myotis punicus</i> : 3	2 (2009)	(d)	10	Nil
Microchiroptera	<i>Myotis punicus</i> : 3 <i>Plecotus austriacus</i> : 1 <i>Pipistrellus pipistrellus</i> : 1 <i>Rhinolophus hipposideros</i> : 3	3 (2009)	(d)	10	Nil
Microchiroptera	<i>Myotis punicus</i> : 7 <i>Pipistrellus pipistrellus</i> : 1 <i>Pipistrellus pygmaeus</i> : 1 <i>Plecotus austriacus</i> : 1 <i>Rhinolophus hipposideros</i> : 4	3 (2010)	(d)	10	Nil

<sup>9</sup> A. Protection of flora and fauna

B. To prevent serious damage to crops, livestock, forests, fisheries, water and other forms of property

C. In the interests of public health and safety / air safety / overriding public interests

D. For research / education / repopulation / reintroduction / necessary breeding

E. Taking, keeping or other judicious exploitation of certain wild animals and plants in small numbers and under certain conditions (see art. 8)

<sup>10</sup> Choose from article 8 : 1 to 18 - See for reference pages 6-7 of this document