



"Embracing Innovation to Conserve the World's Animal Kingdom."

**Catherine Bearder MEP
MEPs4Wildlife
European Parliament
Bât. Altiero Spinelli
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12 October 2015

Dear Catherine Bearder MEP,

European Commission Refers Malta to the Court of Justice of the European Union Over Finch Trapping

I have noted that the European Commission is referring Malta to the Court of Justice of the European Union (CJEU)⁽¹⁾, for breaching the EU Bird Directive, 2009/147/EC⁽²⁾. This is a welcome move and will hopefully ensure Malta will finally comply with the referenced EU Bird Directive.

I understand that the EU Bird Directive aims to:

- (1) Protect all wild bird species (not just endangered species) that occur naturally in the union;
- (2) Ban all activities that directly threaten birds such as deliberate killing or capture, destruction of nests and removal of eggs;
- (3) Prohibit trading in live or dead birds (with a few exceptions);
- (4) Protect habitats for endangered and migratory species;
- (5) Establish a network of Special Protection Areas (SPAs).

My understanding⁽³⁾ is that Malta's Government's 2014 season (October to December) plan, based on its advisory body on hunting (the Ornithology Committee), recommended an exemption from European Union (EU) law based on a proposal that would allow the trapping of a total

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of 26,850 birds. The Maltese Government reportedly endorsed the killing of 5,000 chaffinch, 12,000 linnet, 800 goldfinch, 4,500 greenfinch, 500 hawfinch, 2,350 serin and 1,700 siskin⁽³⁾.

Other reports⁽⁴⁾ suggest that the mean number of birds killed illegally in Malta each year is 108,000 (some 343 birds/km² of Malta's land area), with a minimum number of 5,800 and a maximum of 211,000.

Prior to the 2015 season, Malta has contested the European Commission's analysis (May 2015) for the practice of finch trapping to end. Hence the European Commission's September 2015⁽¹⁾ referral of Malta to the CJEU.

However, there are a number of glaring examples (given at Appendix 1) of other EU Member States (besides Malta) clearly in breach of the EU Directive 2009/147/EC; these EU Member States in breach include Cyprus, Italy, France, Croatia (but potentially other EU Member States).

So, the obvious question is, when will the European Commission act to also refer Cyprus, Italy, Greece, France, Croatia and any other EU Bird Directive offending EU member State to the CJEU?

How can an EU Member State's mass slaughter of migratory birds go unabated now that the European Commission has acted to refer Malta to the CJEU? Is there other action being taken against other offending EU Member States that is not yet in the public domain?

Can MEPs4Wildlife please seek answers/reassurance from the European Commission on this matter please?

Yours sincerely,

Stephen Alan Wiggins

Founder of International Wildlife Bond (IWB)

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References

- (1) European Commission Press Release, Brussels, 24 September 2015 - http://europa.eu/rapid/press-release_IP-15-5658_en.htm
- (2) The Birds Directive, EU Directive 2009/147/EC - http://ec.europa.eu/environment/nature/legislation/birdsdirective/index_en.htm
- (3) Times of Malta, 25 June 2015, Caroline Muscat - <http://www.timesofmalta.com/articles/view/20140625/local/Tender-reveals-likely-finch-trapping-dates.524904>
- (4) "25 million birds killed per year in the Mediterranean," The Independent, Helena Grech, 5 September 2015 - <http://www.independent.com.mt/articles/2015-09-05/local-news/25-million-birds-killed-per-year-in-the-Mediterranean-6736141608>

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Appendix 1 – EU Member States, "The Killing" BirdLife International⁽¹⁾

Cyprus – 2,300,000 birds killed/year (mean average)

According to BirdLife International, Cyprus is responsible for killing some 2,300,000 (mean average), some 248 birds killed/km².

"Geographically, Cyprus is a key stopover location for many migratory birds on their route across the sea. Unfortunately, birds tend to concentrate in particular parts of the island when leaving or arriving on migration – thus making things easier for those engaged in illegal killing." – BirdLife International

Many birds are illegally sold as a (so-called) delicacy, 'Ambelopoulia' for human consumption.

'Ambelopoulia' was tested/tasted (and rejected) by the 'intrepid' Telegraph reporter, Jo Shute in his recent video report and article⁽²⁾:

The birds are "caught in mist nets or on branches covered in glue, their throats slit and their bodies boiled, grilled or pickled to be eaten whole a dozen at a time. Here they call the dish ambelopoulia."

"Blackcaps are the most common bird in ambelopoulia, although 30 species can be used in the dish: song thrushes, lesser whitethroats and chiffchaffs are also prized."

"The rest of the 120 or so species that have been recorded as caught in nets – 78 of which are threatened, including rare red-backed shrikes, as well as barn and scops owls – are simply left to die. There is a local saying that it is bad luck to release a bird, as each is a gift from god."

- The Telegraph, Jo Shute

This 'delicacy' is of dubious quality or value (apart from some 'negligible' notion of Cypriot national tradition, but now exercised on an industrial and indiscriminate scale).

*"Many birds are illegally sold as 'delicacies' for consumption – in particular, Blackcap (*Sylvia atricapilla*), Song Thrush, (*Turdus philomelos*), Lesser Whitethroat (*Sylvia curruca*) and Common Chiffchaff (*Phylloscopus collybita*)." – BirdLife International*

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"The Cypriot trapping methods (mist nets and glue sticks) used are indiscriminate, so species that are not wanted are caught in the same traps, and are incidentally injured, discarded or killed."- BirdLife International

Trapping has been illegal in Cyprus since 1974, under local law and the 2009 EU Bird Directive.

Italy - 5,600,000 birds killed/year (mean average)

This equates to 19 birds killed/km² of Italy's land area illegally killed in Italy each year. Of the 348 species of birds that regularly occur in Italy, 43% are being killed illegally in significant numbers.

"In the Brescia Alps, birds are trapped in tension snares, where many die of thirst or exhaustion. Migrant birds caught in nets are sometimes used to trap other birds." – BirdLife International

Birds hunted in the Sulcis district are sold at high prices to restaurants and other private dealers to be consumed.

*"Large numbers of Eurasian Chaffinch (*Fringilla coelebs*), Meadow Pipit (*Anthus pratensis*) and Song Thrush (*Turdus philomelos*) are killed in Italy."*

Greece - 704,000 birds killed/year (mean average)

On average, more than 5 birds killed/km² are reported to be illegally killed each year in Greece. Presently, of the 345 species of birds assessed in Greece, 32% of species are being killed illegally in significant numbers.

*"Greece is among the three worst countries for the illegal killing of European Turtle-dove (*Streptopelia turtur*). Moreover, European Goldfinch (*Carduelis carduelis*), European Serin (*Serinus serinus*), European Greenfinch (*Carduelis chloris*) and Greater Short-Toed Lark (*Calandrella brachydactyla*) are caught in large numbers to be illegally sold as cagebirds. Greece is also among the top three countries that illegally kill Dalmatian Pelican (*Pelecanus crispus*)." – BirdLife International*

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A significant percentage of the European population of this species is present in Greece, and the species is listed as 'Vulnerable' on the International Union for Conservation of Nature (IUCN) Red List – although their populations are now recovering. In comparison with other countries, fewer birds are killed illegally in Greece for food, with greater numbers killed for 'sport' or trapped to be caged.

France - 522,000 birds killed/year (mean average)

"In the name of tradition, many regions get away with illegally trapping small birds – with many non-target species getting caught in the process. Trapping is the predominant form of illegal killing of birds in France." – BirdLife International

*"Of the 349 species of birds assessed in France, around 32% of them are killed illegally in significant numbers. Eurasian Chaffinch (*Fringilla coelebs*), European Robin (*Erithacus rubecula*) and Ortolan Bunting (*Emberiza hortulana*) are killed in large numbers."*

France is one of three countries with the highest numbers of Eurasian Chaffinch illegally killed each year. The Ortolan Bunting is known for being served as an expensive 'delicacy' – it was a rite of passage for centuries for French gourmets to eat this bird. Despite its illegality, capture of the species is tolerated.

Croatia - 510,000 birds killed/year (mean average)

In Croatia, 10 birds are killed/km² of land area. Of the 306 species of birds assessed in Croatia, around 32% of these being killed illegally in significant numbers.

*"The Common Coot (*Fulica atra*) is reported to be highly impacted by illegal killing in Croatia, with the country among the worst three in the region for the illegal killing of this species. One of the major issues to tackle is the use of illegal methods during open season."* – BirdLife International

For example, Common Quail (*Coturnix coturnix*) and waterfowl are illegally killed using tape lures. Because of the early opening of the Common Quail season, birds are illegally shot

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during the end of their breeding period. Birds of prey such as the Golden Eagle (*Aquila chrysaetos*) are also incidentally and illegally shot in some areas.

Appendix 1 References

- (1) "Illegal Killing of Birds in the Mediterranean," BirdLife International, August 2015 - <http://www.birdlife.org/illegal-killing>
- (2) "The Battle to stop Cyprus's Songbird Massacre," Jo Shute, 26 September 2015 - <http://www.telegraph.co.uk/news/worldnews/europe/cyprus/11885489/The-battle-to-stop-Cypruss-songbird-massacre.html>

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