

1st February 2008

**EUROPEAN COMMISSION TAKES MALTA TO COURT OVER SPRING HUNTING
FKNK TAKES THE PRIME MINISTER TO COURT OVER SPRING HUNTING**

Reports confirm that yesterday Malta was taken to the European Court of Justice (ECJ) by the European Commission, over spring hunting.

The Federation for Hunting and Conservation – Malta (FKNK) feels that it is a real pity that the European Commission DG ENVI is oblivious of the reality of the situation and insists on basing its case on 'evidence' that is based on gross misinformation and outright LIES. The Commission is basically stating that the first fifteen days of September are a suitable alternative to the hunting of only the turtle dove and the quail for a short period, under strictly supervised conditions and in small numbers, during spring. The facts are facts and the Commission has never, since Malta became a full member, accepted FKNK's various offers to spend first hand fact-finding missions throughout both the Spring and Fall migrations in Malta.

This, despite the fact that since last year Malta has commissioned an independent expert to carry out a study on the actual impact of such practice and that the FKNK is absolutely sure that any such serious report will expose this misconception, may we say "LIE" and the LIERS who have worked so hard over the years to transmit such 'evidence'. The ECJ is also being requested to issue interim measures pending its final verdict by ordering Malta to stop immediately Malta's socio-cultural tradition of spring hunting as from this very year. In the FKNK's opinion any such measure, taken by any serious and competent Court would defeat the whole scope of **justice** by reversing the human rights norm of being innocent until proven guilty.

The Maltese Government is in the meantime adding insult to injury by stating other misrepresentative information. The FKNK categorically denies that the 'evidence' data being used by the Commission was given to the Commission by the FKNK, since whereas the FKNK has always offered any help, advise, data, etc., to Government in its dealings with the EU, this was never at any stage accepted.

Just this morning the FKNK has commenced legal proceedings in the Local Courts in defence of Maltese and Gozitan hunters and trappers '**legal expectations**' based on documented evidence emanating from the Office of the Malta Prime Minister, the Malta/EU Information Centre (as the official independent Authority) and the negotiated Agreed Instrument between Malta and the EU prior to Malta's EU Membership; ALL documents clearly and unequivocally stating that by means of the application of a derogation under the 'Birds' Directive, Malta as an EU Member State would still permit the socio-cultural tradition of sustainable hunting in Spring whilst respecting the imposed parameters of such derogation. The FKNK is aware that such a step could not be avoided since it is aware that it has to exhaust all legal measures at local level before proceeding with the next step of seeking legal redress at the ECJ level.

On the eve of local General Elections of 2008, the feeling in Malta amongst the hunting fraternity at present is, besides that of complete betrayal by the Maltese Government and the EU Commission, putting it very mildly, - despair -. There was an obvious fabricated array of trickery that culminated in the Prime Minister's written promise to each and every hunter and trapper transmitted by means of a personal letter. But then, there was also the tacit agreement of the EU Commission that failed to clearly and unequivocally advise the Maltese and Gozitan hunting fraternity that that which was being promised by Government and particularly the Prime Minister would not be acceptable to them. Why? the FKNK asks. The answer is obvious in that had Government and the EU Commission been truthful and honest, the hunting lobby would easily have swayed the 2% difference that saw Malta become a full EU Member State.

On the other hand, the FKNK has always transmitted the whole truth; is at present seeking further advice from its EU counterparts at FACE (Federation of Associations for Hunting and Conservation in the EU); and will do ANYTHING within its power to safeguard these Maltese passions.

The FKNK also believes that a serious institution such as the ECJ will not base its verdict on evidence full of lies and will allow Malta to make and prove its case. The FKNK further believes that the ECJ will respect the norms of justice and seriously and objectively consider the individual and specifically unique circumstances prevailing and that it will not accept emotion and inconsistency. At the same time the FKNK also believes that the ECJ will allow us to equitably make use of the opportunities of the Directive without discarding its obligations.

As always the FKNK is willing to offer its assistance to any Local Government on these lines.

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