

Explanatory Notes and Results

The Tables for the years 2005 and 2006 have been compiled from the Commission's Website, which also lists similar data and reports for years 2002, 2003 and 2004. The data and reports of 2007 are not yet listed, while those of 2008 are not yet due. The Table for the year 2004 has not been similarly compiled because the format of the summary reports analysis is different from that of 2005 and 2006, in that it does not list how many Derogations have been applied but rather how many licenses have been granted through the Derogations. However for **Malta**, in 2004 it appears that two Derogations were applied. One Derogation for the hunting of the turtle dove and the quail in spring, with the second for trapping of the turtle dove, quail, golden plover and song thrush in autumn.

Where "No Info." is indicated in the Tables, this means that the reports are not clear as to whether one or more Derogations were applied to allow hunting in spring or capturing.

In the year 2005 a Total of 4,456 Derogations were applied from the Birds Directive through the use of Article 9, with the United Kingdom leading with 1,882 Derogations. 14 Derogations were applied among 7 countries to permit hunting in spring, while in 2 other States the reports are not clear whether Derogations were also applied to permit hunting in spring. Furthermore in 18 States Derogations were granted for pest control also in spring.

373 Derogations were applied among 7 countries to permit capturing, while in 2 other States the reports are not clear whether Derogations were also applied to permit capturing.

In 2005 **Malta** seems to have applied just 1 Derogation to permit ringing throughout the year for any wild bird occurring on the Maltese Islands, when 16 bird ringing licenses were issued to 16 individuals who in turn ringed 14,420 birds from various species after these had been caught by the use of nets. This gives an average of 901 birds caught by each individual. This further means that in 2005 **Malta** does not seem to have applied a Derogation for spring hunting of the turtle dove and quail, nor for autumn trapping of the turtle dove, quail, golden plover and song thrush as it had done the previous year.

In the year 2006 a Total of 3,445 Derogations were applied from the Birds Directive through the use of Article 9, with the United Kingdom again leading with 1,082 Derogations. 7 Derogations were applied among 7 countries to permit hunting in spring, while in 3 other States the reports are not clear whether Derogations were also applied to permit hunting in spring. Furthermore in 20 States Derogations were granted for pest control also in spring.

138 Derogations were applied among 5 countries to permit capturing, while in 5 other States the reports are not clear whether Derogations were also applied to permit capturing.

In 2006 **Malta** applied 2 Derogations. One Derogation was applied to permit hunting in spring for the turtle dove and quail, while again a Derogation was applied for ringing throughout the year for any wild bird occurring on the Maltese Islands, when 18 bird ringing licenses were issued to 18 individuals who in turn ringed 9,771 birds from various species after these had been caught by the use of nets. This gives an average of 543 birds caught by each individual. This again means that in 2006 **Malta** did not apply a Derogation for autumn trapping of the turtle dove, quail, golden plover and song thrush as it had done in 2004, probably have been made aware that a Derogation is not required for taking from the wild by any means decided by the State of birds listed on Annex II of the Directive as *huntable*.

Nearly all countries summary report ends with the same conclusion, in that, none of the derogations applied (no matter how many) of that particular State are in apparent conflict with the birds conservation measures. This seems to be the main concern of the Commission, the birds conservation.

Therefore **Malta** should never have been subjected to the treatment it has been undergoing from the Commission since joining the EU, because the birds in question, that is the turtle dove and the quail for hunting in spring, and the linnet, chaffinch, goldfinch, greenfinch, serin, siskin and hawfinch for capturing in autumn (both passions practiced since time immemorial thus being a way of life for Maltese hunters and trappers in that these are Maltese socio-cultural traditions) all enjoy a very healthy conservation status in the wild as confirmed by BirdLife, the only authority body on such status that is also constantly referred to by the Commission in the reports.

Spjegazjoni u Rizultati

It-Tabelli huma meħuda mis-sintezi ta' rapporti li thejji l-Kummissjoni rigward d-Derogi li japplikaw ta' kull sena l-Istati Membri tal-UE, mid-Direttiva 79/409/EEC magħrufa tal-'Għasafar' permezz ta' Artiklu 9 ta' l-Istess Direttiva.

It-Tabelli jirreferu għas-snin 2005 u 2006 u ġew miġbura mill-Website tal-Kummissjoni, fejn hemm ukoll dettalji oħra u rapporti simili għas-snin 2002, 2003 u 2004. Ir-rapport tas-sena 2007 għadu mhux hemm, filwaqt dak għas-sena 2008 ukoll mhux hemm peress li għadu m'għalaqx iż-żmien ta' meta l-pajjizi iridu jibgħatu tali rapporti lill-Kummissjoni, li huwa Novembru ta' wara dik is-sena ta' meta tiġi applikata id-Deroga. Ma stajniex naghmlu ukoll tabella għas-sena 2004, meta Malta issieħbet mal-UE, peress li r-rapporti ta' dik is-sena mhumiex fl-istess format bħal dawk tal-2005 u 2006, u dak ir-rapport minflok li jagħti kemm il-Deroga kienet giet applikata minn kull pajjiz kif jagħmlu r-rapporti ta' dawn l-aħħar snin, jagħti cifri ta' licenzji li nharġu permezz ta' kull deroga. Madankollu rigward Malta stajna nikkonkludu li fl-2004 Malta tidher li applikat żewġ Derogi. Waħda għall-kaċċa tal-gamiam u s-summien fir-rebbiegħa, u oħra għall-insib tal-gamiam, summien, pluvieri u mlivezz fl-harifa.

Fejn fi Tabelli huwa indikat b'No Info', dan iffisser li mir-rapporti ma stajniex nikkonkludu jekk dak il-pajjiz applikax Deroga jew le f'dik iċ-ċirkostanza biex seta jippemetti kaċċa fir-rebbiegħa jew insib.

Nibdew bl-ewwel Tabella tas-sena 2005 meta ġew applikati 4,456 Deroga mid-Direttiva tal-Għasafar permezz ta' Artiklu 9 ta' l-Istess Direttiva mill-25 Stat Membru tal-Unjoni Ewropea, fejn naraw li l-aktar pajjiz li applika Derogi f'dik is-sena kien ir-Renju Unit b'1,882 Deroga. 7 pajjizi ippermettew kaċċa fir-rebbiegħa permezz ta' applikazzjoni ta' 14 il-Deroga, filwaqt mir-rapporti ta' żewġ pajjizi oħra mhux ċar jekk dawn applikawx Derogi simili. Aktar minn hekk fi 18 il-Stat Membru xi forma ta' kaċċa fir-rebbiegħa kienet permessa permezz ta' applikazzjoni ta' Derogi oħra l-aktar bħala kontrol kontra xi ħsarat fir-rabba, uċċuh, foresti, gaġġeg tas-sajd, eċċ., li jkunu qed jagħmlu xi speċi ta' għasafar.

373 Deroga kienu applikati minn 7 Stati Membri biex jippermettu l-insib, filwaqt li r-rapporti ta' żewġ Stati oħra mhumiex ċari jekk ġewx applikati Derogi simili għall-insib.

F'dik is-sena, voldiri fl-2005 Malta tidher li applikat Deroga waħda biss, biex seta jssir il-bird ringing matul is-sena kollha u għall-għasafar kollha li jistgħu jpassu minn fuq il-gżejjer Maltin. B'din id-Deroga inharġu 16 il-licenzja ta' bird ringers għall-16 il-individwu, li dawn qabdu bix-xbiek bl-iskop ta' bird ringing bejnithom ilkol 14,420 għasfur ta' speċi diversi, jew 901 għasfur ras għar-ras. Dan iffisser ukoll li milli jidher Malta fl-2005 la applikat Deroga għall-kaċċa fir-rebbiegħa u lanqas Deroga oħra għall-insib tal-gamiam, summien, pluvieri u mlivezz fil-harifa kif kienet għamlet is-sena ta' qabel.

Fis-sena 2006, ġew applikati 3,445 Deroga mid-Direttiva tal-Għasafar permezz ta' Artiklu 9 ta' l-Istess Direttiva mill-25 Stat Membru tal-Unjoni Ewropea, fejn naraw li għal darbörha l-aktar pajjiz li applika Derogi f'dik is-sena kien ir-Renju Unit b'1,082 Deroga. 7 pajjizi ippermettew kaċċa fir-rebbiegħa permezz ta' applikazzjoni ta' 7 Derogi, filwaqt mir-rapporti ta' tlett pajjizi oħra mhux ċar jekk dawn applikawx Derogi simili. Aktar minn hekk f'20 il-Stat Membru xi forma ta' kaċċa fir-rebbiegħa kienet permessa permezz ta' applikazzjoni ta' Derogi oħra l-aktar bħala kontrol kontra xi ħsarat fir-rabba, uċċuh, foresti, gaġġeg tas-sajd, eċċ., li jkunu qed jagħmlu xi speċi ta' għasafar.

138 Deroga kienu applikati minn 5 Stati Membri biex jippermettu l-insib, filwaqt li r-rapporti ta' ħames Stati oħra mhumiex ċari jekk ġewx applikati Derogi simili għall-insib.

F'dik is-sena, voldiri fl-2006 Malta applikat żewġ Derogi. Waħda biex tippermetti l-kaċċa fir-rebbiegħa għall-gamiam u s-summien u għal darbörha oħra sabiex seta jssir il-bird ringing matul is-sena kollha u għall-għasafar kollha li jistgħu jpassu minn fuq il-gżejjer Maltin. B'din id-Deroga inharġu 18 il-licenzja ta' bird ringers għall-18 il-individwu, li dawn qabdu bix-xbiek bl-iskop ta' bird ringing bejnithom ilkol 9,771 għasfur ta' speċi diversi, jew 543 għasfur ras għar-ras. Dan iffisser ukoll li Malta fl-2006 reġet ma applikatx Deroga għall-insib tal-gamiam, summien, pluvieri u mlivezz fil-harifa kif kienet għamlet fis-sena 2004. Qed nassumu li issa Malta kienet infurmata li biex jittieħdu għasafar mis-selvaġġ li jinsabu f'Annes II tad-Direttiva, voldiri kaċċabli, b'mezz li jidediedi l-Istat, mhemmx b'żon applikazzjoni ta' Deroga.

Fis-sintezi tar-rapporti tal-pajjizi kollha, il-konklużjoni hija kwazi dejjem l-istess. Voldiri l-ebda Deroga (huma kemm huma) applikati mit-tali pajjiz ma tidher konflingenti mall-mizuri ta' konservazzjoni tal-għasafar. B'hekk din tidher li hi l-akbar perokupazzjoni tal-Kummissjoni, il-konservazzjoni tal-għasafar fis-selvaġġ.

Għalhekk Malta ma jmissa qatt giet soġetta għat-tratament iebess sa minn meta issieħbet mal-UE, meta l-gamiam u s-summien li nridu nikaċċjaw fir-rebbiegħa kif tardizzjonalment minn dejjem għamla, kif ukoll il-ġojjin, il-virdun, il-gardell, l-ispun, l-ekra, l-aparell u taż-żebbuġ, li nridu nonsbu għalihom fil-harifa, li minn iż-żmien dejjem tradizzjonalment insabna għalihom fil-harifa żgur, tant li dawn iż-żewġ passjonijiet, dawn in-namra tagħna jiffurmaw parti sostanzjali minn hajjietna u mis-socjo-kultura tal-Maltin, dawn l-għasafar iggawdu minn stat ta' konservazzjoni b'saħħa ħafna kif ukoll jistgħu jikkonfermaw il-BirdLife, l-unika awtorita' li tirreferi għalilha l-Kummissjoni fir-rapporti meta tirreferi għall-konservazzjoni ta' xi għasfur fis-selvaġġ tal-Ewropa.

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