



PRESS RELEASE

FACE: EUROPEAN FEDERATION OF ASSOCIATIONS FOR HUNTING & CONSERVATION

The European Commission disregards cultural requirements of EU citizens

In referring Malta to the Court of Justice of the EU over finch trapping the European Commission fails to recognise that the Birds Directive foresees the capture, keeping or other judicious use of certain birds under derogation.

PRESS RELEASE

28 September 2015, Brussels –The European Commission decided to refer Malta to the Court of Justice of the European Union over its decision to allow finch trapping on its territory as of 2014. The European Commission justifies its decision by arguing that the reopening of finch trapping in Malta is not meeting the conditions laid down in the Birds Directive.

Having regard to the legal basis for the live capture of finches in Malta, FACE is very surprised to see that the European Commission, in its press release, omitted to mention the possibility for a Member State to grant a derogation based on Article 9.1.c. of the Birds Directive, which allows for the capture, keeping or other judicious use of certain birds. The press release only made reference to derogations for interests of public health and safety or air safety, to prevent serious damages (9.1.a.) and for the purposes of research and similar purposes (9.1.b.).

The ecological and scientific basis on which Malta permits the live capture of finches relies on “small numbers and strict supervision”. In this regard, the recommended criteria for small numbers is any sample of less than 1% of the total annual mortality of the population in question for those species which are not to be hunted (for non-Annex II species), which the Commission states as meeting the condition of having a negligible effect on population dynamics, according to its own guidance document on sustainable hunting under the Birds Directive.

The Commission’s press release also makes reference to the decline of many species of wild birds in Europe, which represents a “serious threat to the natural environment”. While it is true that the finch species in question have suffered historical declines, more recent figures show a more positive outlook according to the latest Article 12 reporting (2008-2012) exercise under the Birds Directive. Not only do the seven species of finches, whereby ‘live capture’ is permitted in Malta, have large breeding populations in Europe (i.e. in excess of millions), six of them have a ‘secure’ population status. Only one of the seven species – the linnet (*Carduelis cannabina*) – has a ‘declining’ population status, however, it has a breeding population size of between 13,700,000 and 19,100,000 pairs.

Regarding this infringement case, FACE is of the opinion that the decision by the European Commission is not based on conservation imperatives and disregards the cultural requirements of some EU citizens. In this regard, the Birds Directive clearly sets out the requirements of Member States in relation to Europe’s birds: “*Member States shall take the requisite measures to maintain the population of the species referred to in Article 1 at a level which corresponds in particular to ecological, scientific **and cultural** requirements, while taking account of economic and recreational requirements, or to adapt the population of these species to that level*”.

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NOTES TO EDITORS:

FACE is the European Federation of Associations for Hunting and Conservation. Established in 1977, FACE represents the interests of Europe's 7 million hunters as an international non-profit-making nongovernmental organisation. FACE is made up of national hunters' associations from 35 European countries including the EU-28. FACE is supported by 7 associate members and is based in Brussels.

FACE is the largest democratically representative body for hunters in the world, with elections for its statutory bodies taking place every three years. Each country represented within FACE receives one vote.

FACE upholds the principle of sustainable use, has been a member of the International Union for the Conservation of Nature (IUCN) since 1987, and more recently of Wetlands International. FACE works with its partners on a range of hunting-related issues, from international conservation agreements to local implementations with the aim of sustaining hunting across Europe.

More on www.face.eu.

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