



Joint Meeting of the Bern Convention Network of Special Focal PointS on Eradication of Illegal Killing, Trapping and Trade in Wild Birds and the UN-Environment/CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean

(Rome, Italy 8 – 10 May 2019)

UNEP/CMS/MIKT3/Doc.4.3/Rev.1

T-PVS/Inf (2019)8

COMPLETION OF THE PROGRESS REPORT ON IMPLEMENTATION OF THE BERN CONVENTION TUNIS ACTION PLAN 2020 [RECOMMENDATION NO. 164 (2013)] AND THE PROGRAMME OF WORK OF THE UN-ENVIRONMENT/CMS INTERGOVERNMENTAL TASK FORCE ON ILLEGAL KILLING, TAKING AND TRADE OF MIGRATORY BIRDS IN THE MEDITERRANEAN (MIKT)

COMPILATION OF NATIONAL REPORTS



The European Commission were recognized as Champion Plus for their generous support and commitment towards addressing Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean for the period 2019-2020. This activity has been funded with the contribution granted by the European Commission under the Migratory Species Champion Programme and through the Global Public Goods and Challenges (GPGC Programme) Cooperation Agreements with UNEP.





Strasbourg, 14 May 2019
[Inf08e_2019.docx]

T-PVS/Inf(2019)8

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

39th meeting
Strasbourg, 3-6 December 2019

**Joint Meeting of the Bern Convention Network of Special Focal Point on
Eradication of Illegal Killing, Trapping and Trade in Wild Birds and the
UN-Environment/CMS Intergovernmental Task Force on Illegal Killing,
Taking and Trade of Migratory Birds in the Mediterranean**

(Rome, Italy 8-10 May 2019)

**COMPLETION OF THE PROGRESS REPORT ON IMPLEMENTATION OF
THE BERN CONVENTION TUNIS ACTION PLAN 2020
[RECOMMENDATION NO. 164 (2013)] AND THE PROGRAMME OF
WORK OF THE UN-ENVIRONMENT/CMS INTERGOVERNMENTAL
TASK FORCE ON ILLEGAL KILLING, TAKING AND TRADE OF
MIGRATORY BIRDS IN THE MEDITERRANEAN (MIKT)**

- COMPILATION OF NATIONAL REPORTS -

*Document prepared by
the Directorate of Democratic Participation*

CONTENTS / SOMMAIRE

ALBANIA / ALBANIE	3
ANDORRA / ANDORRE	11
BELGIUM / BELGIQUE	19
BOSNIA AND HERZEGOVINA / BOSNIE-HERZÉGOVINE	28
CROATIA / CROATIE	38
CZECH REPUBLIC / RÉPUBLIQUE TCHÈQUE	49
ESTONIA / ESTONIE	50
FRANCE / FRANCE	58
HUNGARY / HONGRIE	69
ITALY / ITALIE	81
MALTA / MALTE	90
MOROCCO / MAROC	118
POLAND / POLOGNE	128
SERBIA / SERBIE	136
SLOVAK REPUBLIC / RÉPUBLIQUE SLOVAQUE	146
SPAIN / ESPAGNE	158
SYRIA / SYRIE	169
TUNISIA / TUNISIE	179
TURKEY / TURQUIE	190
UNITED KINGDOM / ROYAUME-UNI	200

ALBANIA / ALBANIE

Template

for the completion of the progress report on implementation of the Bern Convention Tunis Action Plan 2020 [RECOMMENDATION NO. 164 (2013)] and the Programme of Work of the UN-Environment/CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

The Secretariats of the Bern Convention and the CMS gratefully acknowledge the Bern Convention Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (Bern SFPs Network) and Members and Observers of the CMS MIKT that have completed in 2018 the *Scoreboard to assess the progress in combating illegal killing, taking and trade of wild birds (IKB)* (referred to in this document as the Scoreboard). The information collected through the Scoreboard has been considered when preparing the present template as to maximise the usefulness of available information and avoid duplication of effort to the extent possible.

Accordingly, those questions already covered by the Scoreboard have been indicated in the template below and can be skipped by Bern SPF, Members and Observers of MIKT that already completed and submitted the Scoreboard. Should you have updated or additional information, please include it in the present template.

Country	ALBANIA
Name and position of responsible person	Ermal Halimi, biodiversity expert at the Environment Development Programs Directory
Institution/Organization	Ministry of Tourism and Environment (MT&E)
E-mail	Ermal.Halimi@turizmi.gov.al
Bern Convention SFP	(Yes/No)
CMS MIKT Member/Observer	CMS MIKT Member
Date of completing the form	15.4.2019

Definition and Reference Documents

"Illegal killing, trapping and trade of birds" is defined for the purpose of this questionnaire as: Activities which are illegal under national, regional or international law committed intentionally resulting in the death, injury or removal of specimens of wild birds from the wild either dead or alive, including their parts and derivatives.

- [Recommendation No. 164 \(2013\)](#) and the "Tunis Action Plan 2013-2020 for the eradication of illegal killing, trapping and trade of wild birds"
- [Recommendation No. 171 \(2014\)](#) of the Standing Committee, adopted on 5 December 2014, on the setting-up of national policing/investigation priorities to tackle illegal killing, trapping and trade of wild birds
- [Recommendation N° 177 \(2015\)](#) on the gravity factors and sentencing principles for the evaluation of offences against birds, and in particular the illegal killing, trapping and trade of wild birds

- [Programme of Work 2016 – 2020](#) for the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).
- [UNEP/CMS Resolution 11.16 \(Rev. COP 12\): The Prevention of Illegal Killing, Taking and Trade of Migratory Birds](#)

INDEX

1.	ENFORCEMENT AND LEGAL ASPECTS
	A. Identification of National Priorities
	B. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution
	C. Identification and standardization of gravity factors and sentencing guidelines
2.	BIOLOGICAL AND INSTITUTIONAL ASPECTS
3.	AWARENESS ASPECTS
4.	COORDINATION, SYNERGIES AND MAINSTREAMING

1. ENFORCEMENT AND LEGAL ASPECTS

A. Identification of National Priorities

1. Please provide the list of policing/investigation priorities identified to tackle wild-bird crimes in your country [following Recommendation No. 171 (2014) where applicable], as well as the bodies in charge of their enforcement and monitoring:

In case the list of priorities is not in place, please list the reasons/challenges that prevented your authorities from action in this respect.

List of priorities is identified and included in the revised NBSAP of Albania to 2020.

The main national priority is to prevent and minimize the illegal killing of migratory water bird huntable species and other wild-animals in general.

Actually a new 5 year extension of the hunting ban in Albania (from June 2016 to June 2021), is approved by the law 61/2016 (initially hunting ban was for two years March 2014-March 2016).

2. By which administrative or legal means have the national priorities been established in your country?

At the revised and updated NBSAP and also programme of work of the Ministry of the Tourism and Environment (MT&E), included and the two hunting ban laws.

3. Which bodies and stakeholders were involved in the priority-setting process?

Experts from scientific and research institutions, independent experts as well as specialized NGO-s

4. What are the bodies in charge of their enforcement?

The State Inspectorate of Environment (Directorate of Inspectorate of Forestry Police) as a leader and the State Police and the municipality structures.

5. What are the control mechanisms put in place to ensure that the identified priorities are applied as such?

Control mechanisms will be established in the framework of amendments of the Law no. 10006, dated 23.10.2008, "On wild fauna protection", that is under approval.

6. What is your evaluation of the benefits and challenges linked to the implementation of national priorities?

The national priorities should help to establish system of cooperation between all responsible bodies and to the concrete measures and timeframe determination. Challenges remain with the limited human and financial resources for a proper enforcement of the national priorities.

7. Where applicable: To which extent your authorities refer to the national priorities for the reporting obligations of Article 12 of the EU Birds Directive?

N/A for Albania

8. Is IKB contemplated by the National Action Plans (NAPs) or have NAPs being developed to address IKB? **You can skip this question if you have completed the Scoreboard.**

We have completed the Scoreboard

B. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution

1.a. What are the national mechanisms put in place for recording reports of wildlife cases/prosecution?

The competent authorities in these matters are the Directorate of Inspectorate of Forestry Police at the State Inspectorate of Environment, and Forests and Regional administrations of Protected Areas.

1.b and to what extent these are also used to provide statistical evidence of the areas of offending (e.g. through adding categories of wildlife crime to those crimes already recorded nationally?)

In case such mechanisms are not in place, please list the reasons/challenges that prevented your authorities from action in this respect

These data are used to a large extent to collect statistical evidence of offences. Other sources consist on the data provided by specialized NGO-s in the course of donors' projects implemented by them.

2. Has your country appointed national focal points to assist investigators and prosecutors in accessing/locating expert knowledge providers, or at least established a compilation of a national contact list of expert providers (including scientists, specialist law firms, expert witnesses, and independent specialists)?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

The illegal keeping and killing of birds is punishable by Law with administrative fines and confiscation of the hunting gun and is not a penal case yet.

3. Are there any dedicated infrastructures enabling for the national exchange of information and coordination of actions at identified black-spots of illegal activities?

If not, please list the reasons/challenges that prevented your authorities from action in this respect,

12 regional offices of the Directorate of Inspectorate of Forestry Police and the directorate with the same name at the headquarters in Tirana create the network that collects the information on this issue.

4. Are there any national platforms, for instance in the form of web portals, to provide information and resources for the professionals involved in fighting against illegal killing of birds?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

National platforms do not yet exist, but work is underway to establish a web based platform dedicated only to hunting activities, including illegal cases records.

C. Identification and standardisation of gravity factors and sentencing guidelines

1. Have authorities promoted or included gravity factors and sentencing guidelines to be integrated in the legal framework? **You can skip this question if you have completed the Scoreboard.**

We have completed the Scoreboard

2. Where applicable: By which mean have your authorities brought the sentencing guidelines and gravity factors adopted by the Bern Convention Standing Committee through Recommendation N° 177 (2015) to the attention of the judiciary? And what feedback – if any- was received authorities?

If the sentencing guidelines and gravity factors have not yet been forwarded to the judiciary, please list the reasons/challenges that prevented your authorities from action in this respect

This process is in very initial steps in Albania because as explained above offences related to illegal killing of birds constitute only an administrative offence.

2. BIOLOGICAL AND INSTITUTIONAL ASPECTS

1. What are the mechanisms in place for analysing existing data on illegal activities affecting birds? Is there any standardised protocol for data collection, namely to identify black-spots for illegal killing of birds?

If no mechanism or protocol is in place, please list the reasons/challenges that prevented your authorities from action in this respect.

Mechanisms in place consist on the national network for the data gathering and analysis at the Biodiversity Sector in General Directorate of Policies and Environmental Development at the MT&E.

Protocols remain still to be developed due to the constraints in budget and staff numbers.

2. Has your country established statistics on mortality within bird populations due to legal harvest? If yes, through which mechanism? If not, please explain why.

There are estimates; however it is very difficult to make realistic statistics, due to the limitations in human and financial resources, including the specialized expertise.

3. What are the estimates of mortality due to illegal killing trapping and trade and illegal activities in your country (according to the definition given by the Bern Convention Recommendations or/and the CMS resolution 11.16 (Rev. COP12))? **You can skip this question if you have completed the Scoreboard.**

We have completed the Scoreboard

4. Has research been conducted, or data collected, regarding scale, modus operandi, socio-economic drivers, national and international legal and illegal trade in wild birds in the European and Mediterranean region?

No research has been conducted so far; but partial information is provided by customs structures.

3. AWARENESS ASPECTS

1. Is there any official study on the key drivers and benefits of wild-bird crimes in your country? **You can skip this question if you have completed the Scoreboard.**

We have completed the Scoreboard

2. Is there any operational platform put in place to raise awareness of the wider public on the consequences and biological impact of illegal killing of birds?

There is an awareness raising component in the context of hunting ban implementation and enforcement.

The environmental NGO-s attempts to raise awareness by websites dedicated to illegal killing of birds.

3. Is there any communication strategy adopted by the government, or guidance distributed to policy makers on how to react publicly against illegal killing of birds?

No, there is no adopted communication strategy, but communication activities identified and implemented.

The above-mentioned communication materials are also aimed at policy-makers.

4. Has your country implemented any kind of campaign, including school campaigns, to raise awareness on this matter? **You can skip this question if you have completed the Scoreboard.**

Completed the Scoreboard

4. COORDINATION, SYNERGIES AND MAINSTREAMING

1. Are there any protocols, procedures or mechanisms to ensure knowledge-sharing between the Special Focal Point for Illegal Killing of Birds under the Bern Convention, the MIKT member or observer, the National representative at the EU Ornith Committee and the CITES enforcement officers?

If coordination is not foreseen, please list the reasons/challenges that prevented your authorities from action in this respect

The cooperation in Albania between the Special Focal Point under the Bern Convention from Faculty of Natural Sciences, the MIKT member designated from the General Directorate of Policies and Environmental Development at the MT&E and CITES enforcement officers from general Directorate of Customs, is very good.

As for the EU Ornith Committee this is not applicable for Albania as the country is not a Member State to the EU currently.

2. How would you evaluate the cooperation of your main enforcement agency(ies) with the relevant INTERPOL National Central Bureau?

No information on this point by the enforcement agency.

3. Has your country put in place the necessary mechanisms for encouraging and facilitating networking, cooperation and exchanges of information between the investigators and the advisers/prosecutors? Has the cooperation between judiciary and law enforcement official been strengthened at pan-Mediterranean level?

If not, please list the reasons/challenges that prevented your authorities from action in this respect

Exchange of information exists between the enforcement bodies, whilst for the prosecutors as explained above this is not the case as illegal killing of birds is only punishable by administrative fines and is not subject of the penal code of the Republic of Albania.

4. Has your country exchanged experiences (bilateral meetings, mutual traineeship programme, training visits to another country, etc.) with one or more parties to the Bern Convention and/or MIKT members and observers?

Not so far.

5. Which existing international networks, platforms and information exchange mechanisms has been used to maximize cooperation in law enforcement?

It is planned that based on the information and platforms deriving from MIKT, the Bern Convention and CMS, a working plan will be drafted to strengthen the co-operation of law enforcement structures.

6. Overall by which means and with which results is your country addressing the need to enhance inter-sector cooperation involving all relevant Ministries, particularly the Ministries of Environment, Agriculture, Interior or Home Affairs, Justice and Education?

Albania is addressing the issue of illegal killing of birds by coordinating and cooperation of a national network lead by the Ministry of the Tourism and Environment, which also has the forestry sector under its jurisdiction.

The engagement of the scientific and research institutions, of specialized NGO-s and administration of protected Areas is proving to be successful.

More remains to be done to ensure the full cooperation of the Customs and of the local Government units (municipalities).

ANDORRA / ANDORRE

Template

for the completion of the progress report on implementation of the Bern Convention Tunis Action Plan 2020 [RECOMMENDATION NO. 164 (2013)] and the Programme of Work of the UN-Environment/CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

The Secretariats of the Bern Convention and the CMS gratefully acknowledge the Bern Convention Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (Bern SFPs Network) and Members and Observers of the CMS MIKT that have completed in 2018 the *Scoreboard to assess the progress in combating illegal killing, taking and trade of wild birds (IKB)* (referred to in this document as the Scoreboard). The information collected through the Scoreboard has been considered when preparing the present template as to maximise the usefulness of available information and avoid duplication of effort to the extent possible.

Accordingly, those questions already covered by the Scoreboard have been indicated in the template below and can be skipped by Bern SPF, Members and Observers of MIKT that already completed and submitted the Scoreboard. Should you have updated or additional information, please include it in the present template.

Country	Andorra
Name and position of responsible person	Jordi Solà De La Torre- Unitat de Fauna Chief
Institution/Organization	Environmental ministry
E-mail	Jordi.sola@govern.ad
Bern Convention SFP	(Yes)
CMS MIKT Member/Observer	(No)
Date of completing the form	02/04/2019

Definition and Reference Documents

"Illegal killing, trapping and trade of birds" is defined for the purpose of this questionnaire as: Activities which are illegal under national, regional or international law committed intentionally resulting in the death, injury or removal of specimens of wild birds from the wild either dead or alive, including their parts and derivatives.

- [Recommendation No. 164 \(2013\)](#) and the "Tunis Action Plan 2013-2020 for the eradication of illegal killing, trapping and trade of wild birds"
- [Recommendation No. 171 \(2014\)](#) of the Standing Committee, adopted on 5 December 2014, on the setting-up of national policing/investigation priorities to tackle illegal killing, trapping and trade of wild birds
- [Recommendation N° 177 \(2015\)](#) on the gravity factors and sentencing principles for the evaluation of offences against birds, and in particular the illegal killing, trapping and trade of wild birds
- [Programme of Work 2016 – 2020](#) for the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

- [UNEP/CMS Resolution 11.16 \(Rev. COP 12\): The Prevention of Illegal Killing, Taking and Trade of Migratory Birds](#)

INDEX

1.	ENFORCEMENT AND LEGAL ASPECTS
	D. Identification of National Priorities
	E. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution
	F. Identification and standardisation of gravity factors and sentencing guidelines
2.	BIOLOGICAL AND INSTITUTIONAL ASPECTS
3.	AWARENESS ASPECTS
4.	COORDINATION, SYNERGIES AND MAINSTREAMING

1. ENFORCEMENT AND LEGAL ASPECTS

A. Identification of National Priorities

1. Please provide the list of policing/investigation priorities identified to tackle wild-bird crimes in your country [following Recommendation No. 171 (2014) where applicable], as well as the bodies in charge of their enforcement and monitoring:

In case the list of priorities is not in place, please list the reasons/challenges that prevented your authorities from action in this respect.

The main national priority is to prevent and minimize the risk of all kinds of illegal killing birds and other wild-animals in general. There's no specific priorities because is not allowed to capture by killing, trapping or not any bird's species except 6 bird's species (not migratory) allowed to be hunted in hunting's season. Trade of all species are submitted in customs control and control of all kinds installations with animals (shops, public's zoos or not, etc..). The general priorities are deffined by the legislation and the species protection's degree.

1.1 Complementary information where appropriate, please see table below (OPTIONAL)

2. By which administrative or legal means have the national priorities been established in your country?

1- Llei 15/2017 qualificada de modificació de la Llei 9/2005, del 21 de febrer qualificada del codi penal. (criminal code's law)

- 2- Llei 11/2016, del 28 de juny, de tinença i protecció d'animals. (possession and protection of animal's law)
- 3- Llei 13/2016, del 28 de juliol, de caça. (hunting's law)
- 4- Llei 7/2019, del 7 de febrer, de conservació del medi natural, de la biodiversitat i del paisatge, (natural environment, biodiversity and landscape's conservation's law)

3. Which bodies and stakeholders were involved in the priority-setting process?

Ministry of the Environment, agriculture and sustainability, Ministry of Justice and interior.

4. What are the bodies in charge of their enforcement?

Ministry of the Environment, agriculture and sustainability (environment department, Rangers), Ministry of Justice and interior

5. What are the control mechanisms put in place to ensure that the identified priorities are applied as such?

A1's answer

6. What is your evaluation of the benefits and challenges linked to the implementation of national priorities?

7. Where applicable: To which extent your authorities refer to the national priorities for the reporting obligations of Article 12 of the EU Birds Directive?

8. Is IKB contemplated by the National Action Plans (NAPs) or have NAPs being developed to address IKB? **You can skip this question if you have completed the Scoreboard.**

No

B. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution

1.a What are the national mechanisms put in place for recording reports of wildlife cases/prosecution?

1.b

1.b and to what extent these are also used to provide statistical evidence of the areas of offending (e.g. through adding categories of wildlife crime to those crimes already recorded nationally?)

In case such mechanisms are not in place, please list the reasons/challenges that prevented your authorities from action in this respect

Cases and prosecutions reports are registered by ranger's corps and justice department according to cases.

2. Has your country appointed national focal points to assist investigators and prosecutors in accessing/locating expert knowledge providers, or at least established a compilation of a national contact list of expert providers (including scientists, specialist law firms, expert witnesses, and independent specialists)?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

All national focal points are integrated in government administration's structure except in trade's cases where there's Cites focal point in each country if necessary.

3. Are there any dedicated infrastructures enabling for the national exchange of information and coordination of actions at identified black-spots of illegal activities?

If not, please list the reasons/challenges that prevented your authorities from action in this respect,

The control of illegal activities is the responsibility of the structures of the governmental administration, the communication is made between the different levels of the administration.

4. Are there any national platforms, for instance in the form of web portals, to provide information and resources for the professionals involved in fighting against illegal killing of birds?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

No, there's web portals to provide information of environmental department, natural heritage, and rangers.

C. Identification and standardisation of gravity factors and sentencing guidelines

1. Have authorities promoted or included gravity factors and sentencing guidelines to be integrated in the legal framework? **You can skip this question if you have completed the Scoreboard.**

The fixing of penalties is defined by national legislation detailed before:

- 1- Illegal killing or illegal trade of protected species: Penalty of arrest and 30000€ maximum
- 2- Illegal killing or illegal trade of endangered species: Prison max 2 years and 24000€ maximum
- 3- Illegal hunting species not protected: 2000€ and disqualification 3 years for hunting permit
- 4- Illegal hunting species can be hunted in hunting season: 1000-1500€ and disqualification 1 year for hunting permit
- 5- Hunting out of season, hunting with no allowed systems, hunting at night: 3000€ and disqualification 3 year for hunting permit

2. Where applicable: By which mean have your authorities brought the sentencing guidelines and gravity factors adopted by the Bern Convention Standing Committee through Recommendation N° 177 (2015) to the attention of the judiciary? And what feedback – if any- was received authorities?

If the sentencing guidelines and gravity factors have not yet been forwarded to the judiciary, please list the reasons/challenges that prevented your authorities from action in this respect

2. BIOLOGICAL AND INSTITUTIONAL ASPECTS

1. What are the mechanisms in place for analysing existing data on illegal activities affecting birds? Is there any standardised protocol for data collection, namely to identify black-spots for illegal killing of birds?

If no mechanism or protocol is in place, please list the reasons/challenges that prevented your authorities from action in this respect.

There's not a protocol specifically for illegal killing of birds but all the illegal activities are registered

2. Has your country established statistics on mortality within bird populations due to legal harvest? If yes, through which mechanism? If not, please explain why.

No, the hunters have not to rapport their captures.

3. What are the estimates of mortality due to illegal killing trapping and trade and illegal activities in your country (according to the definition given by the Bern Convention Recommendations or/and the CMS resolution 11.16 (Rev. COP12))? **You can skip this question if you have completed the Scoreboard.**

4. Has research been conducted, or data collected, regarding scale, modus operandi, socio-economic drivers, national and international legal and illegal trade in wild birds in the European and Mediterranean region?

The data from legal trade are collected. There's no cases of illegal trade detected with wild birds

3. AWARENESS ASPECTS

1. Is there any official study on the key drivers and benefits of wild-bird crimes in your country? **You can skip this question if you have completed the Scoreboard.**

No

2. Is there any operational platform put in place to raise awareness of the wider public on the consequences and biological impact of illegal killing of birds?

No

3. Is there any communication strategy adopted by the government, or guidance distributed to policy makers on how to react publicly against illegal killing of birds?

No

4. Has your country implemented any kind of campaign, including school campaigns, to raise awareness on this matter? **You can skip this question if you have completed the Scoreboard.**

No

4. COORDINATION, SYNERGIES AND MAINSTREAMING

1. Are there any protocols, procedures or mechanisms to ensure knowledge-sharing between the Special Focal Point for Illegal Killing of Birds under the Bern Convention, the MIKT member or observer, the National representative at the EU Ornithology Committee and the CITES enforcement officers?

If coordination is not foreseen, please list the reasons/challenges that prevented your authorities from action in this respect

Coordination is planned because same ministry is charged in control of illegal killing, control of hunting activities and control of trade of animals. Coordination with all the customs and police department is insured because we are in the same administrative structure and to be a little country makes those kinds of communication more easy.

2. How would you evaluate the cooperation of your main enforcement agency(ies) with the relevant INTERPOL National Central Bureau?

3. Has your country put in place the necessary mechanisms for encouraging and facilitating networking, cooperation and exchanges of information between the investigators and the advisers/prosecutors? Has the cooperation between judiciary and law enforcement official been strengthened at pan-Mediterranean level?

If not, please list the reasons/challenges that prevented your authorities from action in this respect

4. Has your country exchanged experiences (bilateral meetings, mutual traineeship programme, training visits to another country, etc.) with one or more parties to the Bern Convention and/or MIKT members and observers?

5. Which existing international networks, platforms and information exchange mechanisms has been used to maximise cooperation in law enforcement?

6. Overall by which means and with which results is your country addressing the need to enhance inter-sector cooperation involving all relevant Ministries, particularly the Ministries of Environment, Agriculture, Interior or Home Affairs, Justice and Education?

BELGIUM / BELGIQUE

Template

for the completion of the progress report on implementation of the Bern Convention Tunis Action Plan 2020 [RECOMMENDATION NO. 164 (2013)] and the Programme of Work of the UN-Environment/CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

The Secretariats of the Bern Convention and the CMS gratefully acknowledge the Bern Convention Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (Bern SFPs Network) and Members and Observers of the CMS MIKT that have completed in 2018 the *Scoreboard to assess the progress in combating illegal killing, taking and trade of wild birds (IKB)* (referred to in this document as the Scoreboard). The information collected through the Scoreboard has been considered when preparing the present template as to maximise the usefulness of available information and avoid duplication of effort to the extent possible.

Accordingly, those questions already covered by the Scoreboard have been indicated in the template below and can be skipped by Bern SPF, Members and Observers of MIKT that already completed and submitted the Scoreboard. Should you have updated or additional information, please include it in the present template.

Country	Belgium
Name and position of responsible person	FELTEN Pierre, forest ranger, law enforcement
Institution/Organization	Service Public de Wallonie
E-mail	pierre.felten@spw.wallonie.be
Bern Convention SFP	(Yes/No)
CMS MIKT Member/Observer	(Yes/No)
Date of completing the form	April 12 th , 2019

Definition and Reference Documents

"Illegal killing, trapping and trade of birds" is defined for the purpose of this questionnaire as: Activities which are illegal under national, regional or international law committed intentionally resulting in the death, injury or removal of specimens of wild birds from the wild either dead or alive, including their parts and derivatives.

- [Recommendation No. 164 \(2013\)](#) and the "Tunis Action Plan 2013-2020 for the eradication of illegal killing, trapping and trade of wild birds"
- [Recommendation No. 171 \(2014\)](#) of the Standing Committee, adopted on 5 December 2014, on the setting-up of national policing/investigation priorities to tackle illegal killing, trapping and trade of wild birds
- [Recommendation N° 177 \(2015\)](#) on the gravity factors and sentencing principles for the evaluation of offences against birds, and in particular the illegal killing, trapping and trade of wild birds
- [Programme of Work 2016 – 2020](#) for the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

- [UNEP/CMS Resolution 11.16 \(Rev. COP 12\): The Prevention of Illegal Killing, Taking and Trade of Migratory Birds](#)

INDEX

1.	ENFORCEMENT AND LEGAL ASPECTS
	G. Identification of National Priorities
	H. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution
	I. Identification and standardisation of gravity factors and sentencing guidelines
2.	BIOLOGICAL AND INSTITUTIONAL ASPECTS
3.	AWARENESS ASPECTS
4.	COORDINATION, SYNERGIES AND MAINSTREAMING

1. ENFORCEMENT AND LEGAL ASPECTS

A. Identification of National Priorities

1. Please provide the list of policing/investigation priorities identified to tackle wild-bird crimes in your country [following Recommendation No. 171 (2014) where applicable], as well as the bodies in charge of their enforcement and monitoring:

In case the list of priorities is not in place, please list the reasons/challenges that prevented your authorities from action in this respect.

Enforcement of the various environmental laws, especially the Nature conservation law (July 12th 1973), derogation measures for the breeding of the indigenous birds...

Wallonia region:

- Département Nature et Forêt
- Unité Anti-Braconnage
- Unité Bien-être Animal

Flanders region:

- Agentschap voor Natuur en Bos (Agency for Nature and Forests)

Brussels region:

- Leefmilieu Brussel/ Bruxelles Environnement (Brussels Environnement)

Federal government:

- CITES

2. By which administrative or legal means have the national priorities been established in your country?

Walloon region: Nature Conservation law (July 12th 1973), Walloon Government Bylaw stating derogation measures on the birds protection (November 27th 2003, Wallonia).

Flemish region: Nature Conservation Law (Natuurdecreet, 21 Octobre, 1997), Flemish Government and Species Act (Soortenbesluit) of 15 may 2009, Flemish Government

Brussels Capital Region: Ordinance of Nature Conservation (1/3/2012)

3. Which bodies and stakeholders were involved in the priority-setting process?

Belgian Royal League for the Protection of the Birds, Natagora.

4. What are the bodies in charge of their enforcement?

DNF, UAB, UBEA, Agentschap voor Natuur en Bos, Bruxelles Environnement.

5. What are the control mechanisms put in place to ensure that the identified priorities are applied as such?

- Investigations, controls in pet-shops, bird trade markets and bird exhibitions.
- In-the-act arrestations of bird trapping, killing or trade.
- House searches of known offenders.
- Sensitization of various law enforcement services on the issue.

6. What is your evaluation of the benefits and challenges linked to the implementation of national priorities?

In Wallonia, the regional government bylaw which the derogation measures for the breeding of the indigenous birds is too permissive, which doesn't help to stop the birds trafficking.

In Flanders, a more robust sanctioning system is in place since 2009; in consequence the catching and trafficking of wild birds has effectively diminished because of heavy fines for offenders.

In the Brussels Region, crimes have declined due to better cooperation between inspectorates and stakeholders such as the LRBPO in recent years. The relocation of physical trade to internet trade remains a challenge.

7. Where applicable: To which extent your authorities refer to the national priorities for the reporting obligations of Article 12 of the EU Birds Directive?

We don't refer to these priorities because these address something different: the reporting about the application of article 12 of the EU Birds Directive concerns derogations (which then are legal captures) and the national priorities concerns illegal captures.

8. Is IKB contemplated by the National Action Plans (NAPs) or have NAPs being developed to address IKB? **You can skip this question if you have completed the Scoreboard.**

No national action plan has been developed to address IKB.

There was a working group about this subject aiming to stress the collaboration between regions, aiming to improve the fight against wildlife trafficking.

B. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution

1.a What are the national mechanisms put in place for recording reports of wildlife cases/prosecution?

For the moment there is no national mechanism but we will use Impel-Esix.

Each region developed its own mechanisms.

1.b and to what extent these are also used to provide statistical evidence of the areas of offending (e.g. through adding categories of wildlife crime to those crimes already recorded nationally?)

In case such mechanisms are not in place, please list the reasons/challenges that prevented your authorities from action in this respect

In Walloon region, because of lack of human means we still not have an operational mechanism allowing to get appropriate statistics. We're now working to the setting up of such a mechanism.

In the Flemish region, the Agency for Nature and Forests publishes each year a report on the enforcement of nature legislation, including wildlife crime (available at www.natuurenbos.be, only in Dutch).

In the Brussels Region, data of all kind of inspectorate activities and crimes are centralised in a database.

2. Has your country appointed national focal points to assist investigators and prosecutors in accessing/locating expert knowledge providers, or at least established a compilation of a national contact list of expert providers (including scientists, specialist law firms, expert witnesses, and independent specialists)?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

No. We answer case by case to the request of experts or any other specialist.

3. Are there any dedicated infrastructures enabling for the national exchange of information and coordination of actions at identified black-spots of illegal activities?

If not, please list the reasons/challenges that prevented your authorities from action in this respect,

The Walloon and Flemish regions are used to collaborate, for instance in the case of an offender caught in-the-act in the other region and vice-versa. We also regularly proceed to information exchanges with other law enforcement agencies such as Search and Investigation Services (Federal Belgian Police).

So far, we haven't had the need to collaborate with the Brussels region agents, but that shouldn't be problem should the case happen.

4. Are there any national platforms, for instance in the form of web portals, to provide information and resources for the professionals involved in fighting against illegal killing of birds?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

No.

The national working group discussed about this question. Because several international platform already exist it was recommended to join one of these platform (<https://www.impel-esix.eu/>)

C. Identification and standardisation of gravity factors and sentencing guidelines

1. Have authorities promoted or included gravity factors and sentencing guidelines to be integrated in the legal framework? **You can skip this question if you have completed the Scoreboard.**

Walloon region : No. We are preparing guidelines about gravity factors but these will not be included in a legal framework.

Flemish Region: gravity factors are used to determine the height of administrative fines; the principle of gravity factors for administrative fines is integrated in the decree on the enforcement of environmental crimes (milieuhandhavingsdecreet = title XVI Decreet Algemene bepalingen milieubeleid).

Brussels Region:

2. Where applicable: By which mean have your authorities brought the sentencing guidelines and gravity factors adopted by the Bern Convention Standing Committee through Recommendation N° 177 (2015) to the attention of the judiciary? And what feedback – if any- was received authorities?

If the sentencing guidelines and gravity factors have not yet been forwarded to the judiciary, please list the reasons/challenges that prevented your authorities from action in this respect

2. BIOLOGICAL AND INSTITUTIONAL ASPECTS

1. What are the mechanisms in place for analysing existing data on illegal activities affecting birds? Is there any standardised protocol for data collection, namely to identify black-spots for illegal killing of birds?

If no mechanism or protocol is in place, please list the reasons/challenges that prevented your authorities from action in this respect.

Wallonia: We use PolEn, which is the software used for the writing of the police records. It also allows the regional law enforcement to record the offenders' data, which makes the software can be used as a database.

We're currently discussing with the federal authorities for the access of the BNG (National General Database), which shows the Police history of potential offenders.

Flemish and Brussels Region: each complaint or notification on possible bird crimes is registered in a database which can be used to identify black spots.

2. Has your country established statistics on mortality within bird populations due to legal harvest? If yes, through which mechanism? If not, please explain why.

Yes, through the reporting about the derogation to the Bird directive.

3. What are the estimates of mortality due to illegal killing trapping and trade and illegal activities in your country (according to the definition given by the Bern Convention Recommendations or/and the CMS resolution 11.16 (Rev. COP12))? **You can skip this question if you have completed the Scoreboard.**

Wallonia: We currently don't have the numbers but estimate it to be about 500 birds.

Flemish region: no reliable numbers on mortality available. Each year a few thousand living birds (mostly songbirds) are confiscated at offenders; they are released in nature if possible.

Brussels region: estimates 0-50birds/yr

4. Has research been conducted, or data collected, regarding scale, modus operandi, socio-economic drivers, national and international legal and illegal trade in wild birds in the European and Mediterranean region?

No

3. AWARENESS ASPECTS

1. Is there any official study on the key drivers and benefits of wild-bird crimes in your country? **You can skip this question if you have completed the Scoreboard.**

No

2. Is there any operational platform put in place to raise awareness of the wider public on the consequences and biological impact of illegal killing of birds?

No

3. Is there any communication strategy adopted by the government, or guidance distributed to policy makers on how to react publicly against illegal killing of birds?

No

4. Has your country implemented any kind of campaign, including school campaigns, to raise awareness on this matter? **You can skip this question if you have completed the Scoreboard.**

No

4. COORDINATION, SYNERGIES AND MAINSTREAMING

1. Are there any protocols, procedures or mechanisms to ensure knowledge-sharing between the Special Focal Point for Illegal Killing of Birds under the Bern Convention, the MIKT member or observer, the National representative at the EU Ornith Committee and the CITES enforcement officers?

If coordination is not foreseen, please list the reasons/challenges that prevented your authorities from action in this respect

Not for the moment.

2. How would you evaluate the cooperation of your main enforcement agency(ies) with the relevant INTERPOL National Central Bureau?

So far we only had two times the chance to ask them for informations, and the collaboration was successful everytime.

3. Has your country put in place the necessary mechanisms for encouraging and facilitating networking, cooperation and exchanges of information between the investigators and the advisers/prosecutors? Has the cooperation between judiciary and law enforcement official been strengthened at pan-Mediterranean level?

If not, please list the reasons/challenges that prevented your authorities from action in this respect

Walloon region. Each (year or two years?) there is a meeting with judiciary and law enforcement officials to sensitize them to the nature conservation issues.

Flemish region: there is a structural co-operation between environmental enforcement entities, the police and prosecutors at the Flemish High Enforcement Council for Spatial Planning and Environment. The Agency for Nature and Forests collaborates with environmental prosecutors on specific cases.

Brussels Region:

4. Has your country exchanged experiences (bilateral meetings, mutual traineeship programme, training visits to another country, etc.) with one or more parties to the Bern Convention and/or MIKT members and observers?

We meet once a year with French agents from the ONCFS (National Office for the Hunting and Wildlife) for an informations exchange meeting.

We also have worked a couple times with the dutch agents from the Groene Brigade, but so far not for wild birds related issues.

5. Which existing international networks, platforms and information exchange mechanisms has been used to maximise cooperation in law enforcement?

Wallonia: Impel-Esix

6. Overall by which means and with which results is your country addressing the need to enhance inter-sector cooperation involving all relevant Ministries, particularly the Ministries of Environment, Agriculture, Interior or Home Affairs, Justice and Education?

/

BOSNIA AND HERZEGOVINA / BOSNIE-HERZÉGOVINE

Template

for the completion of the progress report on implementation of the Bern Convention Tunis Action Plan 2020 [RECOMMENDATION NO. 164 (2013)] and the Programme of Work of the UN-Environment/CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

The Secretariats of the Bern Convention and the CMS gratefully acknowledge the Bern Convention Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (Bern SFPs Network) and Members and Observers of the CMS MIKT that have completed in 2018 the *Scoreboard to assess the progress in combating illegal killing, taking and trade of wild birds (IKB)* (referred to in this document as the Scoreboard). The information collected through the Scoreboard has been considered when preparing the present template as to maximise the usefulness of available information and avoid duplication of effort to the extent possible.

Accordingly, those questions already covered by the Scoreboard have been indicated in the template below and can be skipped by Bern SPF, Members and Observers of MIKT that already completed and submitted the Scoreboard. Should you have updated or additional information, please include it in the present template.

Country	Bosnia and Herzegovina
Name and position of responsible person	Nada Mlinar
Institution/Organization	Ministry of the Foreign Trade and Economic relations of Bosnia and Herzegovina Department for environmental protection
E-mail	nada.mlinar@mvteo.gov.ba
Bern Convention SFP	
CMS MIKT Member/Observer	Nada Mlinar
Date of completing the form	05.04.2019

Definition and Reference Documents

"Illegal killing, trapping and trade of birds" is defined for the purpose of this questionnaire as: Activities which are illegal under national, regional or international law committed intentionally resulting in the death, injury or removal of specimens of wild birds from the wild either dead or alive, including their parts and derivatives.

- [Recommendation No. 164 \(2013\)](#) and the "Tunis Action Plan 2013-2020 for the eradication of illegal killing, trapping and trade of wild birds"
- [Recommendation No. 171 \(2014\)](#) of the Standing Committee, adopted on 5 December 2014, on the setting-up of national policing/investigation priorities to tackle illegal killing, trapping and trade of wild birds

- [Recommendation N° 177 \(2015\)](#) on the gravity factors and sentencing principles for the evaluation of offences against birds, and in particular the illegal killing, trapping and trade of wild birds
- [Programme of Work 2016 – 2020](#) for the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).
- [UNEP/CMS Resolution 11.16 \(Rev. COP 12\): The Prevention of Illegal Killing, Taking and Trade of Migratory Birds](#)

INDEX

1.	ENFORCEMENT AND LEGAL ASPECTS
	J. Identification of National Priorities
	K. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution
	L. Identification and standardisation of gravity factors and sentencing guidelines
2.	BIOLOGICAL AND INSTITUTIONAL ASPECTS
3.	AWARENESS ASPECTS
4.	COORDINATION, SYNERGIES AND MAINSTREAMING

1. ENFORCEMENT AND LEGAL ASPECTS

A. Identification of National Priorities

1. Please provide the list of policing/investigation priorities identified to tackle wild-birdcrimes in your country [following Recommendation No. 171 (2014) where applicable], as well as the bodies in charge of their enforcement and monitoring:

In case the list of priorities is not in place, please list the reasons/challenges that prevented your authorities from action in this respect.

1. Identify policing/investigation priorities to tackle wild-bird crimes at national level, as well as the bodies in charge of their enforcement and monitoring, having in due regard the following criteria:

The recognition and evaluation of the impact that illegal killing, trapping and trade of wild birds has on the conservation status of the affected species,

The legal or administrative status of the area where the offence took place,

The particular nature of the area (e.g. hotspots of bird conservation),

The level of penalties provided by the legislation;

Public perception of the seriousness of the offence, Intrinsic value of wildlife,

Socio-economic benefits of wildlife,

Public interest,

Known regional black-spot of illegal activities;

2. Identify and actively engage in the eradication process the stakeholders already involved in the enforcement and the judiciary chain;
3. Step-up efforts towards the setting-up of the necessary infrastructures enabling for the national exchange information and effective action at identified black-spots of illegal activities;
4. Continue and improve efforts aimed at enhancing inter-sector cooperation at national level and involving all relevant Ministries, particularly the Ministries of Environment, Agriculture, Interior or Home Affairs, Justice and Education;
5. Where appropriate, implement the actions proposed in the methodology appended to this recommendation.

CHECKLIST FOR NATIONAL OR REGIONAL FOCAL POINTS AND STAKEHOLDER COORDINATORS TO IDENTIFY GAPS IN ACTION PLANS TO TACKLE WILD-BIRD CRIMES ON THE NATIONAL, REGIONAL AND STAKEHOLDER ORGANISATION LEVEL

- Preparation, information and data gathering
- Actors in the detection and investigation of wild-bird crimes identified
- Agreed database structure on wild-bird crimes is prepared, known and used
- Stakeholders for data collection and exchange are identified
- Stakeholders for prevention and communication are identified
- Round-table workshop is organized with all stakeholders to identify priorities and actions
- National wildlife crime priorities are established
- Timing and methodology for updates and review is agreed
- Training needs of stakeholder groups are identified
- Draft procedural protocols

2. By which administrative or legal means have the national priorities been established in your country?

Law of hunting of the Federation of Bosnia and Herzegovina, Official Gazzete of Federation BiH No. 4/06, 8/10 i 81/14)

Law of hunting of the Republika Srpska, Official Gazzete RS No. 60/2009

Law on Environmental Protection of the Federation of Bosnia and Herzegovina, Official Gazzete of Federation BiH No. 33/03

- Rulebook on the preparation of annual / semi-annual environmental protection programs

Law on Environmental Protection of Republika Srpska, (Official Gazzete RS No. 71/12)

Law on Nature protection of the Federation of Bosnia and Herzegovina,

- Official Gazzete of Federation BiH No. Official Gazzete of Federation BiH No. 66/13)

- Rulebook on establishment and management of information systems for nature protection and monitoring Official Gazzete of Federation BiH No. 46/05)
- Rulebook on the content and method of designing a protected area management plan
- Rulebook on new research or conservation measures to prevent significant negative impacts on animal species by deliberate capture or killing Official Gazzete of Federation BiH No.65/06
- Rulebook on the content and manner of keeping registers of protected areas
- Rulebook on Conditions for Access to Protected Areas (Official Gazzete of Federation BiH No.15/06)

Law on Nature protection of the Republika Srpska (Official Gazzete RS No. 113/08)

- Rulebook on the system for monitoring the deliberate keeping and killing of protected animals (Official Gazzete RS 85/5)
- Rulebook on the way of establishment and management of an information system for nature protection and monitoring system(Official Gazzete RS 85/5)

Law on Nature protection of the Brčko District of Bosnia and Herzegovina.

Bosnia and Herzegovina has committed itself to the following multilateral agreements in the field of environmental protection related to biodiversity:

- United Nations Convention on Biological Diversity (CBD) - ratified on 31.12.2002.
- Convention on International Trade in Endangered Species of Wild Animals and Plants (CITES) - ratified on 05.12.2008.
- Convention on the Protection of European Wildlife and Natural Habitats (Bern) - ratified on 15.09.2008.
- The Convention on Barn and Wetland Areas of International Importance, in particular water course habitats (Ramsar) - taken over by succession;
- Convention on the Protection of Migratory Species of Wild Animals (Bonn, 23 June 1979) - ratified on 10.08.2017.
- Cartagena Protocol on Biosafety - ratified on 24 December 2008.
- Batts Protection Agreement in Europe (EUROBATS), London, 4 December 1991 - ratified on 20 September 2018.

3. Which bodies and stakeholders where involved in the priority-setting process?

Ministry of the Foreign Trade and Economic Relations of Bosnia and Herzegovina,
Ministry of Spatial Planing, and Urban Development of Republica Srpska,
Federal Ministry of Tourism and Environment;
NGO / Ornithological Association "Our Birds"

4. What are the bodies in charge of their enforcement?

Ministry of the Foreign Trade and Economic Relations of Bosnia and Herzegovina
Ministry of Spatial Planning, and Urban Development of Republika Srpska,
Federal Ministry of Tourism and Environment;
Ministry of Agriculture, Forestry and Water Management Republika Srpska
Federal Ministry of Agriculture, Water Management and Forestry
Republic of Srpska Administration for Inspection Activities
Federal Department for inspection affairs

5. What are the control mechanisms put in place to ensure that the identified priorities are applied as such?

We must appoint that BiH don't have a proper control mechanisms but when we need data we use Monitoring conducted by Our Birds Association,

- Implementation of the provisions of the Strategy for the protection of biodiversity

6. What is your evaluation of the benefits and challenges linked to the implementation of national priorities?

- Improvements to better biodiversity protection, strengthening of tourism, strengthening of cooperation between NGOs and ministries
- Identified problems with hunting associations and work on eliminating them

7. Where applicable: To which extent your authorities refer to the national priorities for the reporting obligations of Article 12 of the EU Birds Directive?

N/A

8. Is IKB contemplated by the National Action Plans (NAPs) or have NAPs being developed to address IKB? **You can skip this question if you have completed the Scoreboard.**

BiH don't have prepared National Action Plans

B. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution

1.a. What are the national mechanisms put in place for recording reports of wildlife cases/prosecution?

There are currently no elaborated mechanisms

1.b and to what extent these are also used to provide statistical evidence of the areas of offending (e.g. through adding categories of wildlife crime to those crimes already recorded nationally?)

In case such mechanisms are not in place, please list the reasons/challenges that prevented your authorities from action in this respect

- No relevant statistics data in entity ministries.
- Implementation of existing laws is poor. The existing laws proscribe the methods of prosecution of poachers, but the number of prosecuted poachers is very small (cases of poaching of wildlife are not a priority on the court).
- There is no accurate evidence of poaching / illegal hunting, as well as monitoring mechanism.
- Some of the information is collected by the NGO sector

2. Has your country appointed national focal points to assist investigators and prosecutors in accessing/locating expert knowledge providers, or at least established a compilation of a national contact list of expert providers (including scientists, specialist law firms, expert witnesses, and independent specialists)?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

There is no state-level strategy and no action plans have been created at the entity level.
There are no appointed FPs for this matter.

3. Are there any dedicated infrastructures enabling for the national exchange of information and coordination of actions at identified black-spots of illegal activities?

If not, please list the reasons/challenges that prevented your authorities from action in this respect,

The exchange of information and coordination of actions on illegal activities is insufficient.

Different NGO's through different projects are working on data collection, data sharing, education and so on.

4. Are there any national platforms, for instance in the form of web portals, to provide information and resources for the professionals involved in fighting against illegal killing of birds?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

Part of the information can be found on the "Our Birds" website www.ptice.ba, but they are not systematically entered. It is written as news for those who are interested for this issue.

C. Identification and standardisation of gravity factors and sentencing guidelines

1. Have authorities promoted or included gravity factors and sentencing guidelines to be integrated in the legal framework? **You can skip this question if you have completed the Scoreboard.**

Entity Hunting Laws have been proposed punishment prices in accordance to the manner and type of criminal offense.

2. Where applicable: By which mean have your authorities brought the sentencing guidelines and gravity factors adopted by the Bern Convention Standing Committee through Recommendation N° 177 (2015) to the attention of the judiciary? And what feedback – if any- was received authorities?

If the sentencing guidelines and gravity factors have not yet been forwarded to the judiciary, please list the reasons/challenges that prevented your authorities from action in this respect

N/A

2. BIOLOGICAL AND INSTITUTIONAL ASPECTS

1. What are the mechanisms in place for analysing existing data on illegal activities affecting birds? Is there any standardized protocol for data collection, namely to identify black-spots for illegal killing of birds?

If no mechanism or protocol is in place, please list the reasons/challenges that prevented your authorities from action in this respect.

- Relevant protocols are still not developed in the institutions under whose jurisdiction they are,
- There is a certain activity in relation to the development of protocols in the NGO sector.

2. Has your country established statistics on mortality within bird populations due to legal harvest? If yes, through which mechanism? If not, please explain why.

No.

The existing data are unsystematically collected.

NGO "Our Birds" collects and processes data from different sources, but there are some obstacles due to the lack of data (eg. hunters do not provide public information, inspectorates etc.)

3. What are the estimates of mortality due to illegal killing trapping and trade and illegal activities in your country (according to the definition given by the Bern Convention Recommendations or/and the CMS resolution 11.16 (Rev. COP12))? **You can skip this question if you have completed the Scoreboard.**

According to the information available to "Our birds" association. It is estimated that about 200,000 birds a year out of illegal killing.

4. Has research been conducted, or data collected, regarding scale, modus operandi, socio-economic drivers, national and international legal and illegal trade in wild birds in the European and Mediterranean region?

NGO "Our Birds" collects data. They now have the results of preliminary research on the causes of the illegal hunting.

3. AWARENESS ASPECTS

1. Is there any official study on the key drivers and benefits of wild-bird crimes in your country? **You can skip this question if you have completed the Scoreboard.**

N/A

2. Is there any operational platform put in place to raise awareness of the wider public on the consequences and biological impact of illegal killing of birds?

N/A

3. Is there any communication strategy adopted by the government, or guidance distributed to policy makers on how to react publicly against illegal killing of birds?

- There is no strategy on the state level
- NGO "Our Birds" shares information in the form of leaflets for the fight against illegal killing and haunting

4. Has your country implemented any kind of campaign, including school campaigns, to raise awareness on this matter? **You can skip this question if you have completed the Scoreboard.**

The state Bosnia and Herzegovina and entities Republika Srpska and Federation of Bosnia and Herzegovina currently have no activity on this issue.

NGO has an actual campaign related to the matter.

4. COORDINATION, SYNERGIES AND MAINSTREAMING

1. Are there any protocols, procedures or mechanisms to ensure knowledge-sharing between the Special Focal Point for Illegal Killing of Birds under the Bern Convention, the MIKT member or observer, the National representative at the EU Ornith Committee and the CITES enforcement officers?

If coordination is not foreseen, please list the reasons/challenges that prevented your authorities from action in this respect

No

2. How would you evaluate the cooperation of your main enforcement agency(ies) with the relevant INTERPOL National Central Bureau?

No relevant information

3. Has your country put in place the necessary mechanisms for encouraging and facilitating networking, cooperation and exchanges of information between the investigators and the advisers/prosecutors? Has the cooperation between judiciary and law enforcement official been strengthened at pan-Mediterranean level?

If not, please list the reasons/challenges that prevented your authorities from action in this respect

There are no mechanisms at state or entity level for information exchange

4. Has your country exchanged experiences (bilateral meetings, mutual traineeship programme, training visits to another country, etc.) with one or more parties to the Bern Convention and/or MIKT members and observers?

Within the project “Managing Natural Resources and Combating Environmental Crime” implemented in period 2012-2017, representatives of different institutions (ministries, inspectorates, judiciary, prosecutors' offices, police, universities, NGOs) involved in the project activities had the opportunity to exchange of information and experiences in the field of environmental crimes with EU and other countries involved in the project through workshops, trainings and study visits.

5. Which existing international networks, platforms and information exchange mechanisms has been used to maximize cooperation in law enforcement?

The cooperation exists between the MOFTER and the Federal Ministries of Environment and Tourism with NGO “Our Birds”. The result is the participation of the mentioned NGO in drafting a new Hunting Law in Federation of Bosnia and Herzegovina.

6. Overall by which means and with which results is your country addressing the need to enhance inter-sector cooperation involving all relevant Ministries, particularly the Ministries of Environment, Agriculture, Interior or Home Affairs, Justice and Education?

- There is no program and nothing is funded.
- NGOs implement international projects in this field

CROATIA / CROATIE

Template

for the completion of the progress report on implementation of the Bern Convention Tunis Action Plan 2020 [RECOMMENDATION NO. 164 (2013)] and the Programme of Work of the UN-Environment/CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

The Secretariats of the Bern Convention and the CMS gratefully acknowledge the Bern Convention Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (Bern SFPs Network) and Members and Observers of the CMS MIKT that have completed in 2018 the *Scoreboard to assess the progress in combating illegal killing, taking and trade of wild birds (IKB)* (referred to in this document as the Scoreboard). The information collected through the Scoreboard has been considered when preparing the present template as to maximise the usefulness of available information and avoid duplication of effort to the extent possible.

Accordingly, those questions already covered by the Scoreboard have been indicated in the template below and can be skipped by Bern SPF, Members and Observers of MIKT that already completed and submitted the Scoreboard. Should you have updated or additional information, please include it in the present template.

Country	Croatia
Name and position of responsible person	Maja Polić – Nature protection inspector
Institution/Organization	State Inspectorate
E-mail	maja.polic@mzoe.hr
Bern Convention SFP	Yes
CMS MIKT Member/Observer	Yes
Date of completing the form	01.04.2019.

Definition and Reference Documents

"Illegal killing, trapping and trade of birds" is defined for the purpose of this questionnaire as: Activities which are illegal under national, regional or international law committed intentionally resulting in the death, injury or removal of specimens of wild birds from the wild either dead or alive, including their parts and derivatives.

- [Recommendation No. 164 \(2013\)](#) and the "Tunis Action Plan 2013-2020 for the eradication of illegal killing, trapping and trade of wild birds"
- [Recommendation No. 171 \(2014\)](#) of the Standing Committee, adopted on 5 December 2014, on the setting-up of national policing/investigation priorities to tackle illegal killing, trapping and trade of wild birds
- [Recommendation N° 177 \(2015\)](#) on the gravity factors and sentencing principles for the evaluation of offences against birds, and in particular the illegal killing, trapping and trade of wild birds
- [Programme of Work 2016 – 2020](#) for the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

- [UNEP/CMS Resolution 11.16 \(Rev. COP 12\): The Prevention of Illegal Killing, Taking and Trade of Migratory Birds](#)

INDEX

1.	ENFORCEMENT AND LEGAL ASPECTS
	M. Identification of National Priorities
	N. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution
	O. Identification and standardization of gravity factors and sentencing guidelines
2.	BIOLOGICAL AND INSTITUTIONAL ASPECTS
3.	AWARENESS ASPECTS
4.	COORDINATION, SYNERGIES AND MAINSTREAMING

1. ENFORCEMENT AND LEGAL ASPECTS

A. Identification of National Priorities

1. Please provide the list of policing/investigation priorities identified to tackle wild-bird crimes in your country [following Recommendation No. 171 (2014) where applicable], as well as the bodies in charge of their enforcement and monitoring:

In case the list of priorities is not in place, please list the reasons/challenges that prevented your authorities from action in this respect.

Bodies in charge of their enforcement and monitoring are: Ministry of Environment and Energy (monitoring), State Inspectorate-Hunting inspection and Nature protection inspection (enforcement), Police (enforcement) and Customs (enforcement)

1.1 Complementary information where appropriate, please see table below (OPTIONAL)

Rank	Priority	Type of offence / Crime targeted	Species affected	Level of threat on the species	Ongoing actions	Actions to be put in place	Body(ies) in charge of enforcement	Body(ies) in charge of monitoring
1.	Eradicate shooting on raptor and owl species	Shooting on raptors	golden eagle, eagle owl, goshawk or buzzard	Moderate (locally high)	NGO BIOM is currently developing a National Species Action Plan for the golden eagle, in which poaching will also be one of the topics. This is being developed for the Ministry of Environment and Energy.	Preparing national (enforcement) action plan	States Inspectorate (Hunting inspection and Nature protection inspection) Police	Ministry of environment and energy (NGO experts and academia employees are subcontracted for monitoring)
2.	Eradicate illegal methods in hunting	Using of tape luring for hunting	quail, coots and ducks	Moderate (locally high) (quail – high)	NGO BIOM is currently implementing projects financed by the LIFE Programme, MAVIA and BirdLife on the topic of tackling IKB. Within these projects they are determining the scale of quail poaching using tape lures. They will also create and implement a campaign to raise awareness among the general public concerning tape lures.	Preparing national (enforcement) action plan	States Inspectorate (Hunting inspection and Nature protection inspection) Police	Ministry of environment and energy (NGO experts and academia employees are subcontracted for monitoring)
		Hunting with artificial light	ducks and coots	Moderate		Preparing national (enforcement) action plan	States Inspectorate (Hunting inspection and Nature protection inspection) Police	Ministry of environment and energy (NGO experts and academia employees are subcontracted for monitoring)
3.	Eradicate unintentional poisoning of raptors	Use of poison/illegal killing	Raptors (including vultures)	Locally high	Preparation of the National action plans for the Golden Eagle and another for the Gryphon Vulture where poisoning of raptors is	Preparing national (enforcement) action plan	States Inspectorate (Hunting inspection and Nature	Ministry of environment and energy

	(by illegal poisoned baits aimed to control foxes, jackals, martens etc.)				identified as a priority pressure. Association BIOM is also currently implementing the Balkan Anti-Poisoning project, aimed at creating a national action plan to tackle poisoning of raptors..		protection inspection) Police	(NGO experts and academia employees are subcontracted for monitoring)
4.	Eradicate illegal shooting of waterfowl birds	illegal killing	Non-huntable waterfowl species	Moderate (locally high)	NGO BIOM is currently implementing a project on Neretva Delta and on continental fishponds to tackle waterfowl poaching. Activities include: systematic monitoring of IKB in these areas, awareness raising actions and building capacities of enforcement structures.	Preparing national (enforcement) action plan	States Inspectorate (Hunting inspection and Nature protection inspection) Police	Ministry of environment and energy (NGO experts and academia employees are subcontracted for monitoring)
5.	Eradicate illegal capturing of songbirds	Trapping (using glue or nets)	Songbirds (mostly Fringillidae)	Moderate		Preparing national (enforcement) action plan	States Inspectorate (Hunting inspection and Nature protection inspection) Police	Ministry of environment and energy (NGO experts and academia employees are subcontracted for monitoring)

2. By which administrative or legal means have the national priorities been established in your country?

decision (internal procedure)

3. Which bodies and stakeholders were involved in the priority-setting process?

Nature protection inspection, Ministry of Environmental protection and Energy (former Croatian Agency for the Environment and Nature) and NGO BIOM

4. What are the bodies in charge of their enforcement?

State Inspectorate-Hunting inspection and Nature protection inspection , Police and Customs

5. What are the control mechanisms put in place to ensure that the identified priorities are applied as such?

Monitoring of level of criminal-illegal activities

6. What is your evaluation of the benefits and challenges linked to the implementation of national priorities?

- Police officers and the inspection are understaffed to deal with the problem of IKB systematically.
- Prosecutors and judges who deal with wildlife crime have not received training on the topic
- The general public is not informed about IKB and does not report cases to enforcement bodies

7. Where applicable: To which extent your authorities refer to the national priorities for the reporting obligations of Article 12 of the EU Birds Directive?

National priorities will be fully integrated in report prescribed by Art 12.of the EU Birds Directive. Croatia will send report prescribed by Article 12 of the EU Birds Directive in 2019 for the first time.

8. Is IKB contemplated by the National Action Plans (NAPs) or have NAPs being developed to address IKB? **You can skip this question if you have completed the Scoreboard.**

We have completed the Scoreboard

B. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution

1.a What are the national mechanisms put in place for recording reports of wildlife cases/prosecution?

We still don't have national mechanism for recording reports of all wildlife cases/prosecution.
We have compiled statistic on cases of criminal – illegal activities on strictly protected species but still not on game birds.
There is not prescribed mechanism for collecting of informations- we do it on request.

1.b and to what extent these are also used to provide statistical evidence of the areas of offending (e.g. through adding categories of wildlife crime to those crimes already recorded nationally?)

In case such mechanisms are not in place, please list the reasons/challenges that prevented your authorities from action in this respect

Due to fact that Croatia has few cases (because only the IKB cases that someone reported are processed) these data were not used to assess IKB scale and distribution because the small number of cases reported does not reflect the real situation on the field - most cases are not reported.

2. Has your country appointed national focal points to assist investigators and prosecutors in accessing/locating expert knowledge providers, or at least established a compilation of a national contact list of expert providers (including scientists, specialist law firms, expert witnesses, and independent specialists)?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

The body to assist investigators and prosecutors is Ministry of Environment and Energy (former Croatian Agency for the Environment and Nature)

3. Are there any dedicated infrastructures enabling for the national exchange of information and coordination of actions at identified black-spots of illegal activities?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

Low capacity for such action.

Nature protection inspection collects data about black-spots of illegal activities but there is not coordination of actions-it will be solved through action plan.

4. Are there any national platforms, for instance in the form of web portals, to provide information and resources for the professionals involved in fighting against illegal killing of birds?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

No there are not-still not established.

C. Identification and standardisation of gravity factors and sentencing guidelines

1. Have authorities promoted or included gravity factors and sentencing guidelines to be integrated in the legal framework? **You can skip this question if you have completed the Scoreboard.**

We have completed the Scoreboard

2. Where applicable: By which mean have your authorities brought the sentencing guidelines and gravity factors adopted by the Bern Convention Standing Committee through Recommendation N° 177 (2015) to the attention of the judiciary? And what feedback – if any- was received authorities?

If the sentencing guidelines and gravity factors have not yet been forwarded to the judiciary, please list the reasons/challenges that prevented your authorities from action in this respect

We have completed the Scoreboard

2. BIOLOGICAL AND INSTITUTIONAL ASPECTS

1. What are the mechanisms in place for analysing existing data on illegal activities affecting birds? Is there any standardised protocol for data collection, namely to identify black-spots for illegal killing of birds?

If no mechanism or protocol is in place, please list the reasons/challenges that prevented your authorities from action in this respect.

NGOs are the only ones that analyse IKB data in blackspots, there are neither established mechanisms nor standardised protocols.

NGOs Biom and Croatian Society for the Bird and Nature protection are conducting IKB monitoring in several hotspots of IKB in Croatia. For some areas they have quantitative data from weekly year round monitoring, like the worst hotspot in Croatia (Neretva Delta). For some hotspots the NGOs have quantitative data and records from condensed anti-poaching camps organized for 2 weeks in the top poaching season (autumn/winter), from which extrapolation is made (2 out of 5 hotspots). For 2 out of 5 other hotspots the NGOs have data based on best expert opinion and anecdotal information. This is why we propose a total score of 2. Detailed explanation on the numbers of illegally killed birds in Croatia is in the excel table, where question 2 of the Scoreboard is answered by Biom and the Croatian Society for the Bird and Nature protection.

2. Has your country established statistics on mortality within bird populations due to legal harvest? If yes, through which mechanism? If not, please explain why.

Yes, there is statistic on mortality within bird populations due to legal hunting.

Once a year hunting associations send reports to Hunting Directorate.

3. What are the estimates of mortality due to illegal killing trapping and trade and illegal activities in your country (according to the definition given by the Bern Convention Recommendations or/and the CMS resolution 11.16 (Rev. COP12))? **You can skip this question if you have completed the Scoreboard.**

We have completed the Scoreboard

4. Has research been conducted, or data collected, regarding scale, modus operandi, socio-economic drivers, national and international legal and illegal trade in wild birds in the European and Mediterranean region?

No, it hasn't.

3. AWARENESS ASPECTS

1. Is there any official study on the key drivers and benefits of wild-bird crimes in your country?
You can skip this question if you have completed the Scoreboard.

We have completed the Scoreboard

2. Is there any operational platform put in place to raise awareness of the wider public on the consequences and biological impact of illegal killing of birds?

No there is not.

NGO Biom has developed leaflets about IKB in 2017 which have been distributed to police officers, inspections and the general public at various events. Biom also regularly posts about IKB on social media and websites, sends press releases, etc. From March 2019, BIOM is taking part in the BirdLife International campaign "Flight for survival", aimed to raise awareness among the general public about illegal killing of migratory birds. Additionally, in 2019 BIOM will create and implement a nation-wide campaign concerning the use of illegal tape lures during quail poaching.

Ministry of environment has produced informative poster (provides informations about responsible bodies and illegal activities) which has been distributed to police officers.

3. Is there any communication strategy adopted by the government, or guidance distributed to policy makers on how to react publicly against illegal killing of birds?

There is no communication strategy.

4. Has your country implemented any kind of campaign, including school campaigns, to raise awareness on this matter? **You can skip this question if you have completed the Scoreboard.**

We have completed the Scoreboard

4. COORDINATION, SYNERGIES AND MAINSTREAMING

1. Are there any protocols, procedures or mechanisms to ensure knowledge-sharing between the Special Focal Point for Illegal Killing of Birds under the Bern Convention, the MIKT member or observer, the National representative at the EU Ornithology Committee and the CITES enforcement officers?

If coordination is not foreseen, please list the reasons/challenges that prevented your authorities from action in this respect

We share all relevant information.

This exchange of information works based on good relations between the competent representatives.

2. How would you evaluate the cooperation of your main enforcement agency(ies) with the relevant INTERPOL National Central Bureau?

The cooperation is good.

3. Has your country put in place the necessary mechanisms for encouraging and facilitating networking, cooperation and exchanges of information between the investigators and the advisers/prosecutors? Has the cooperation between judiciary and law enforcement official been strengthened at pan-Mediterranean level?

If not, please list the reasons/challenges that prevented your authorities from action in this respect

There is no protocol for exchanging information between investigators and the advisers/prosecutors.

4. Has your country exchanged experiences (bilateral meetings, mutual traineeship programme, training visits to another country, etc.) with one or more parties to the Bern Convention and/or MIKT members and observers?

NGO BIOM has conducted a training visit to Malta in September 2017, as this country has been recognized as one of the worst blackspots for IKB in the past, but has made large progress in eradicating bird crime in recent years. This study tour allowed practical exchange of IKB tackling strategies, as well as sharing hands-on experience of good cooperation between NGOs, enforcement units and local administrations. BirdLife Malta, CABS and the Wild Birds Regulation Unit were visited during the study trip.

5. Which existing international networks, platforms and information exchange mechanisms has been used to maximise cooperation in law enforcement?

Nature protection inspection educated 500 policeman's (in 20 educations) about present illegal acts on birds and legal methods to solve it.

6. Overall by which means and with which results is your country addressing the need to enhance inter-sector cooperation involving all relevant Ministries, particularly the Ministries of Environment, Agriculture, Interior or Home Affairs, Justice and Education?

The Nature Protection Inspectorate (Ministry of Environment and Energy) in 2018 educated police officers (Ministry of Interior) on IKB in Croatia. Employees of Association Biom served as trainers during educational courses, due to actively tackling IKB with competent institutions. As part of the training, around 500 police officers from 20 counties have been educated about bird crime.

CZECH REPUBLIQUE / RÉPUBLIQUE TCHÈQUE

Report of the Czech Republic on national actions related to the MIKT POW 2016-2020 and the Tunis Action Plan 2013-2020.

Further to the information provided within the Mid-Term Review of the Implementation by Parties of the Tunis Action Plan 2020 in 2016 and to the IKB Scoreboard submitted in 2018, the Czech Republic is pleased to report on progress regarding the preparation of the National Strategy to prevent poisoning and illegal killing of wild animals.

The Strategy has been finalised and is now undergoing the procedure necessary for its official adoption by the Government of the Czech Republic, which is expected to be completed by the end of spring 2019. Subsequently, the document shall be translated to English and submitted to the Secretariats of the Convention on Migratory Species and the Bern Convention.

The Strategy is foreseen for the period 2020–2030 and deals with 5 key issues:

1. Illegal poisoning of wild animals
2. Other methods of illegal killing of wild animals
3. Lead in hunting ammunition and fishing weights or sinkers
4. Pesticides (insecticides and rodenticides in particular)
5. Veterinary pharmaceuticals

ESTONIA / ESTONIE

Template

for the completion of the progress report on implementation of the Bern Convention Tunis Action Plan 2020 [RECOMMENDATION NO. 164 (2013)] and the Programme of Work of the UN-Environment/CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

The Secretariats of the Bern Convention and the CMS gratefully acknowledge the Bern Convention Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (Bern SFPs Network) and Members and Observers of the CMS MIKT that have completed in 2018 the *Scoreboard to assess the progress in combating illegal killing, taking and trade of wild birds (IKB)* (referred to in this document as the Scoreboard). The information collected through the Scoreboard has been considered when preparing the present template as to maximise the usefulness of available information and avoid duplication of effort to the extent possible.

Accordingly, those questions already covered by the Scoreboard have been indicated in the template below and can be skipped by Bern SPF, Members and Observers of MIKT that already completed and submitted the Scoreboard. Should you have updated or additional information, please include it in the present template.

Country	Estonia
Name and position of responsible person	Environmental Inspectorate
Institution/Organization	Chief Inspector
E-mail	Piret.reinsalu@kki.ee
Bern Convention SFP	(Yes/No)
CMS MIKT Member/Observer	(Yes/No)
Date of completing the form	15.04.2019

Definition and Reference Documents

"Illegal killing, trapping and trade of birds" is defined for the purpose of this questionnaire as: Activities which are illegal under national, regional or international law committed intentionally resulting in the death, injury or removal of specimens of wild birds from the wild either dead or alive, including their parts and derivatives.

- [Recommendation No. 164 \(2013\)](#) and the "Tunis Action Plan 2013-2020 for the eradication of illegal killing, trapping and trade of wild birds"
- [Recommendation No. 171 \(2014\)](#) of the Standing Committee, adopted on 5 December 2014, on the setting-up of national policing/investigation priorities to tackle illegal killing, trapping and trade of wild birds
- [Recommendation N° 177 \(2015\)](#) on the gravity factors and sentencing principles for the evaluation of offences against birds, and in particular the illegal killing, trapping and trade of wild birds
- [Programme of Work 2016 – 2020](#) for the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

- [UNEP/CMS Resolution 11.16 \(Rev. COP 12\): The Prevention of Illegal Killing, Taking and Trade of Migratory Birds](#)

INDEX

1.	ENFORCEMENT AND LEGAL ASPECTS
	P. Identification of National Priorities
	Q. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution
	R. Identification and standardisation of gravity factors and sentencing guidelines
2.	BIOLOGICAL AND INSTITUTIONAL ASPECTS
3.	AWARENESS ASPECTS
4.	COORDINATION, SYNERGIES AND MAINSTREAMING

1. ENFORCEMENT AND LEGAL ASPECTS
A. Identification of National Priorities

1. Please provide the list of policing/investigation priorities identified to tackle wild-bird crimes in your country [following Recommendation No. 171 (2014) where applicable], as well as the bodies in charge of their enforcement and monitoring:

In case the list of priorities is not in place, please list the reasons/challenges that prevented your authorities from action in this respect.

In accordance with the Nature Conservation Act In the event of wild birds, it is prohibited to:

1) intentionally destroy or damage their nests and eggs or eliminate their nests, (except in the interests of public safety; in the interests of air safety;

if it is necessary to prevent damage to important agricultural crops or farm animals, fish farming or other important assets; educational or research purposes ; all this actions may be officiated on the basis of a permit issued by the Environmental Board);

2) to intentionally disturb them during nesting and brood rearing, except in the event if the animal directly endangers the life or health of a person and the attack cannot be prevented or controlled in any other manner specified when the Environmental Board must be notified of disturbing not later than one working day after the disturbing.

Also many wild bird species are inlisted as protected species (3 different categories). The protection of all known habitats of species in the protected category I will be ensured by formation of protected areas and limited-conservation areas or determination of species protection sites. The protection of at least 50 per cent of known habitats of the protected category II entered in the environmental register will be ensured by formation of protected areas

and limited-conservation areas or determination of species protection sites based on the representativity of the areas and sites. The protection of at least 10 per cent of known habitats of the protected category III entered in the environmental register will be ensured by formation of protected areas and limited-conservation areas or determination species protection sites based on the representativity of the areas and sites. In habitats of species in the protected categories II and III that have not been differentiated, individual specimens of such species will be protected.

It is required by law to have Action plan for conservation and management of species in cases 1) organisation of protection of a species in the protected category I; 2) ensuring the favourable conservation status of a species, if the results of the species inventory indicate that the current measures fail to do so, or if prescribed by an international obligation; 3) management of a species if the results of the species inventory indicate a significant negative impact to the environment caused by the increase in the population of the species, or a danger to the health or property of persons.

2. By which administrative or legal means have the national priorities been established in your country?

Nature Conservation Act and it's subacts (action plans for different protected species; regulation for calculating environmental damage etc)

3. Which bodies and stakeholders where involved in the priority-setting process?

Ministry of Environment, the Environment Board, the Environment Agency, and the Estonian Ornithological Society

4. What are the bodies in charge of their enforcement?

Environmental Inspectorate

5. What are the control mechanisms put in place to ensure that the identified priorities are applied as such?

As priorities are in accordance in law there is no separate control mechanism about applying

6. What is your evaluation of the benefits and challenges linked to the implementation of national priorities?

The most challenging issue is to raise awareness of hunters (especially foreign hunters) of wild birds. Also there is an ongoing debate about the admissibility of logging during spring nesting

7. Where applicable: To which extent your authorities refer to the national priorities for the reporting obligations of Article 12 of the EU Birds Directive?

Rapporteur is the Ministry of the Environment

8. Is IKB contemplated by the National Action Plans (NAPs) or have NAPs being developed to address IKB? **You can skip this question if you have completed the Scoreboard.**

B. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution

1.a What are the national mechanisms put in place for recording reports of wildlife cases/prosecution?

All misdemeanors and criminal cases are included in the information systems

1.b and to what extent these are also used to provide statistical evidence of the areas of offending (e.g. through adding categories of wildlife crime to those crimes already recorded nationally?)

In case such mechanisms are not in place, please list the reasons/challenges that prevented your authorities from action in this respect

Using the databases, these data are visible and can be used in the same way as the data collected for all other cases

2. Has your country appointed national focal points to assist investigators and prosecutors in accessing/locating expert knowledge providers, or at least established a compilation of a national contact list of expert providers (including scientists, specialist law firms, expert witnesses, and independent specialists)?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

Environment Agency and several specialized experts from research institutions (such as the University of Tartu, Estonian University of Life Sciences, Tallinn Zoo)

3. Are there any dedicated infrastructures enabling for the national exchange of information and coordination of actions at identified black-spots of illegal activities?

If not, please list the reasons/challenges that prevented your authorities from action in this respect,

Environmental Inspectorate collect data, analyze them and set up enforcement priorities to targeting and preventing of violations of Nature Conservation Act

4. Are there any national platforms, for instance in the form of web portals, to provide information and resources for the professionals involved in fighting against illegal killing of birds?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

Professionals involved in fighting against illegal killing of birds are inspectors working in Environmental Inspectorate and there are specific data collecting and information tools. Also there is a public website of the Ministry of the Environment that provides different kind of information

C. Identification and standardisation of gravity factors and sentencing guidelines

1. Have authorities promoted or included gravity factors and sentencing guidelines to be integrated in the legal framework? **You can skip this question if you have completed the Scoreboard.**

In determining the fine, these criteria will be assessed on a case-by-case basis for any misdemeanour

2. Where applicable: By which mean have your authorities brought the sentencing guidelines and gravity factors adopted by the Bern Convention Standing Committee through Recommendation N° 177 (2015) to the attention of the judiciary? And what feedback – if any- was received authorities?

If the sentencing guidelines and gravity factors have not yet been forwarded to the judiciary, please list the reasons/challenges that prevented your authorities from action in this respect

2. BIOLOGICAL AND INSTITUTIONAL ASPECTS

1. What are the mechanisms in place for analysing existing data on illegal activities affecting birds? Is there any standardised protocol for data collection, namely to identify black-spots for illegal killing of birds?

If no mechanism or protocol is in place, please list the reasons/challenges that prevented your authorities from action in this respect.

Environmental Inspectorate collects data about Hunting Act offenses, including the hunting of the bird, during supervision and inspection. We have specific database for collecting and analysing data about all offenses.

2. Has your country established statistics on mortality within bird populations due to legal harvest? If yes, through which mechanism? If not, please explain why.

Environment Agency collect these data and publish it on its website

3. What are the estimates of mortality due to illegal killing trapping and trade and illegal activities in your country (according to the definition given by the Bern Convention Recommendations or/and the CMS resolution 11.16 (Rev. COP12))? **You can skip this question if you have completed the Scoreboard.**

The experience shows, that over the past decade the interest of local hunters in hunting birds shows downward trend. However, there is increasing the interest of the hunters of foreign countries (especially from Southern Europe).

4. Has research been conducted, or data collected, regarding scale, modus operandi, socio-economic drivers, national and international legal and illegal trade in wild birds in the European and Mediterranean region?

No

3. AWARENESS ASPECTS

1. Is there any official study on the key drivers and benefits of wild-bird crimes in your country?
You can skip this question if you have completed the Scoreboard.

No

2. Is there any operational platform put in place to raise awareness of the wider public on the consequences and biological impact of illegal killing of birds?

This particular issue is a part of the wildlife conservation program of the Ministry of Environment and the Environmental Board

3. Is there any communication strategy adopted by the government, or guidance distributed to policy makers on how to react publicly against illegal killing of birds?

There is no need for such particular communication strategy, it is a part of communications strategy about illegal hunting.

4. Has your country implemented any kind of campaign, including school campaigns, to raise awareness on this matter? **You can skip this question if you have completed the Scoreboard.**

Campaigns to raise awareness of this matter will be conducted in accordance with the needs and possibilities (mostly in combination of other environmental issues) of both the Ministry of Environment and the Environmental Board

4. COORDINATION, SYNERGIES AND MAINSTREAMING

1. Are there any protocols, procedures or mechanisms to ensure knowledge-sharing between the Special Focal Point for Illegal Killing of Birds under the Bern Convention, the MIKT member or observer, the National representative at the EU Ornithological Committee and the CITES enforcement officers?

If coordination is not foreseen, please list the reasons/challenges that prevented your authorities from action in this respect

There is no need for such protocols as the same person has to cover most of these issues

2. How would you evaluate the cooperation of your main enforcement agency(ies) with the relevant INTERPOL National Central Bureau?

Cooperation is sufficient

3. Has your country put in place the necessary mechanisms for encouraging and facilitating networking, cooperation and exchanges of information between the investigators and the advisers/prosecutors? Has the cooperation between judiciary and law enforcement official been strengthened at pan-Mediterranean level?

If not, please list the reasons/challenges that prevented your authorities from action in this respect

Yes

4. Has your country exchanged experiences (bilateral meetings, mutual traineeship programme, training visits to another country, etc.) with one or more parties to the Bern Convention and/or MIKT members and observers?

no

5. Which existing international networks, platforms and information exchange mechanisms has been used to maximise cooperation in law enforcement?

IMPEL-ESIX

6. Overall by which means and with which results is your country addressing the need to enhance inter-sector cooperation involving all relevant Ministries, particularly the Ministries of Environment, Agriculture, Interior or Home Affairs, Justice and Education?

Officials from different ministries and agencies interact according to specific problems. The results of cooperation are generally good

FRANCE / FRANCE

Template

for the completion of the progress report on implementation of the Bern Convention Tunis Action Plan 2020 [RECOMMENDATION NO. 164 (2013)] and the Programme of Work of the UN-Environment/CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

The Secretariats of the Bern Convention and the CMS gratefully acknowledge the Bern Convention Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (Bern SFPs Network) and Members and Observers of the CMS MIKT that have completed in 2018 the *Scoreboard to assess the progress in combating illegal killing, taking and trade of wild birds (IKB)* (referred to in this document as the Scoreboard). The information collected through the Scoreboard has been considered when preparing the present template as to maximise the usefulness of available information and avoid duplication of effort to the extent possible.

Accordingly, those questions already covered by the Scoreboard have been indicated in the template below and can be skipped by Bern SPF, Members and Observers of MIKT that already completed and submitted the Scoreboard. Should you have updated or additional information, please include it in the present template.

Country	FRANCE
Name and position of responsible person	François Lamarque Officer for International and European Conventions and Programs regarding Wildlife Species – National focal point for Bern Convention and for CMS.
Institution/Organization	Ministry for ecological and inclusive transition (MTES)
E-mail	francois.lamarque@developpement-durable.gouv.fr
Bern Convention SFP	Bern Convention SFP
CMS MIKT Member/Observer	MIKT member
Date of completing the form	8 April 2019

Definition and Reference Documents

"Illegal killing, trapping and trade of birds" is defined for the purpose of this questionnaire as: Activities which are illegal under national, regional or international law committed intentionally resulting in the death, injury or removal of specimens of wild birds from the wild either dead or alive, including their parts and derivatives.

- [Recommendation No. 164 \(2013\)](#) and the "Tunis Action Plan 2013-2020 for the eradication of illegal killing, trapping and trade of wild birds"
- [Recommendation No. 171 \(2014\)](#) of the Standing Committee, adopted on 5 December 2014, on the setting-up of national policing/investigation priorities to tackle illegal killing, trapping and trade of wild birds

- [Recommendation N° 177 \(2015\)](#) on the gravity factors and sentencing principles for the evaluation of offences against birds, and in particular the illegal killing, trapping and trade of wild birds
- [Programme of Work 2016 – 2020](#) for the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).
- [UNEP/CMS Resolution 11.16 \(Rev. COP 12\): The Prevention of Illegal Killing, Taking and Trade of Migratory Birds](#)

INDEX

1.	ENFORCEMENT AND LEGAL ASPECTS
	S. Identification of National Priorities
	T. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution
	U. Identification and standardisation of gravity factors and sentencing guidelines
2.	BIOLOGICAL AND INSTITUTIONAL ASPECTS
3.	AWARENESS ASPECTS
4.	COORDINATION, SYNERGIES AND MAINSTREAMING

1. ENFORCEMENT AND LEGAL ASPECTS
A. Identification of National Priorities

1. Please provide the list of policing/investigation priorities identified to tackle wild-bird crimes in your country [following Recommendation No. 171 (2014) where applicable], as well as the bodies in charge of their enforcement and monitoring: In case the list of priorities is not in place, please list the reasons/challenges that prevented your authorities from action in this respect.

Legislation is in place (see C1).

The fight against poaching and trafficking of protected species in particular goldfinches and other passerine species is one of the priorities of the National Agency for Hunting and Wildlife (ONCFS) defined in its contract of objectives with the State for the period 2019-2020 (Objective 2.2). In addition, ONCFS impulsed a proposal in 2016 to include the goldfinch in the Washington Convention annexes.

ONCFS provides an effective control service in the field through 1,120 agents, commissioned and sworn in, environmental inspectors under the authority of the prosecutors of the Republic (Article L. 172-1 of the Environment Code). 15,200 offenses were reported in 2016 (all cases combined).

In addition, ONCFS' environmental inspectors have been granted new judicial police powers since 1 July 2013 by Order No. 2012-34 of 11 January 2012 on the simplification, reform and harmonization of provisions on administrative and judicial police in the Environment code. They

now have the opportunity to conduct thorough judicial investigations and identify offenders without any flagrante delicto and without the intervention of a judicial police officer.

The law on the recovery of biodiversity, nature and landscapes n ° 2016-1087 of 8 August 2016 strengthened the prerogatives of judicial police officers. The Article 130 of this Law creates an Article L. 172-11-1 of the Environment Code and an Article 706-2-3 in the Code of Criminal Procedure, which gives environmental inspectors the possibility of making "fake purchases" on the Internet. This judicial device allows them, in addition to the "cyber-tracking" technique, to get in touch, using a pseudonym, with people suspected of illegally selling specimens of protected species on the Web.

The Law project *creating the AFB-ONCFS, modifying the missions of federations of hunters and strengthening the environmental police*, to be adopted before summer, further strengthens the police power of environment inspectors. The future law will also enable the prosecutor's office to delegate them more easily judicial investigations, which they may carry out from the observation of the offense to the orientation of prosecutions once the investigation is completed.

Within the Judicial Police Department of the ONCFS Police Directorate, there is a unit specifically in charge of animating and managing a specialized network made up of more than 300 agents represented in each departmental service, whose action focuses on the import, trade and holding of species regulated by the CITES convention, as well as on the trade of protected native species including birds. This work is done in close collaboration with the other services in charge of CITES and general police services.

ONCFS also runs, in partnership with the National Federation of Hunters (FNC), a national network of epidemio-vigilance, the SAGIR network, which monitors causes of non-hunting wildlife deaths due to, among other, poisoning.

1.1 Complementary information where appropriate, please see table below (OPTIONAL)

N/A

2. By which administrative or legal means have the national priorities been established in your country?

Priorities have been defined in the ONCFS Contract of Objectives (see A1). These priorities are confirmed as far as the fight against illegal catches, detentions and commercialization of protected species are concerned. The Police Directorate supports departmental services in these actions.

3. Which bodies and stakeholders were involved in the priority-setting process?

It is the ONCFS Police Directorate which is propose police matters to the Director General of the agency. Priority proposals from this Directorate are established by cross-checking information from departmental services, NGOs and other relevant national and international bodies.

4. What are the bodies in charge of their enforcement?

The ONCFS agents, Environmental Inspectors (see Article L. 172-1 of the Environment Code), are in charge of the enforcement. Two networks structured and led by the ONCFS Police Directorate around judicial issues and CITES are the tools for monitoring, control and intervention in the field.

5. What are the control mechanisms put in place to ensure that the identified priorities are applied as such?

The information goes up to the central level through departmental and regional referents. Annual reports of the activity make it possible to assess the action of the ONCFS.

6. What is your evaluation of the benefits and challenges linked to the implementation of national priorities?

Significant improvements have been achieved, particularly in the area of illegal trade in passerines and especially goldfinches (see recent case on: <https://www.ouest-france.fr/provence-alpes-cote-dazur/var/var-le-traffic-de-rouges-gorges-et-de-chardonnerets-est-plus-rentable-que-la-drogue-6191296>).

7. Where applicable: To which extent your authorities refer to the national priorities for the reporting obligations of Article 12 of the EU Birds Directive?

France reports to the European Commission all derogations to the Birds Directive in accordance with Article 12 of this Directive without assigning any priorities.

8. Is IKB contemplated by the National Action Plans (NAPs) or have NAPs being developed to address IKB? **You can skip this question if you have completed the Scoreboard.**

Scoreboard completed.

B. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution

1.a. What are the national mechanisms put in place for recording reports of wildlife cases/prosecution?

ONCFS has set up a tool for managing and monitoring infringements identified by its services. This tool also makes it possible to specify and record the investigation acts implemented in the framework of each judicial procedure (seizures, searches, hearings, etc.).

In addition, in the framework of collaborations with specialized environmental protection associations, such as the League for the Protection of Birds (LPO), the ONCFS Police Department centralises the reports of illegal sale of protected species on the Internet. These reports are analyzed and sent to the various departmental services, depending on the place of sale. The Police Directorate is more specifically responsible for centralizing and communicating the results of these cases. One-third of the files processed result in a report.

1.b and to what extent these are also used to provide statistical evidence of the areas of offending (e.g. through adding categories of wildlife crime to those crimes already recorded nationally?)

In case such mechanisms are not in place, please list the reasons/challenges that prevented your authorities from action in this respect

The tool mentioned in B.1a makes it possible to publish statistical summaries of the police actions implemented over a given period. These data are sent each year to the National Observatory of Delinquency and Criminal Responses to feed an annual report.

This tool also provides a basis for geographical location of sensitive points and areas of occurrence of offenses in the territory.

2. Has your country appointed national focal points to assist investigators and prosecutors in accessing/locating expert knowledge providers, or at least established a compilation of a national contact list of expert providers (including scientists, specialist law firms, expert witnesses, and independent specialists)?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

Within ONCFS, the Police Directorate set up a dedicated network Cf. A.1. The Police Directorate staff is in regular contact with experts from NGOs such as TRAFFIC or institutional structures such as the National Museum of Natural History, etc.

The Police Directorate also exchanges with the Central Office for the fight against damage to the environment and public health (OCLAESP) specialized in the large-scale cases of trafficking of protected animal species. The Police Directorate finally interacts with ONCFS experts on different species from the Research and Expertise Department.

Focal points also exist for CITES.

3. Are there any dedicated infrastructures enabling for the national exchange of information and coordination of actions at identified black-spots of illegal activities?

If not, please list the reasons/challenges that prevented your authorities from action in this respect,

Cf. Question B.2

4. Are there any national platforms, for instance in the form of web portals, to provide information and resources for the professionals involved in fighting against illegal killing of birds?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

Such a platform exists for CITES on: <https://cites.application.developpement-durable.gouv.fr/accueilInternaute.do>.

In addition, there are contacts between the different actors in the fight against poaching and trafficking of species as specified in question B.2.

C. Identification and standardisation of gravity factors and sentencing guidelines

1. Have authorities promoted or included gravity factors and sentencing guidelines to be integrated in the legal framework? **You can skip this question if you have completed the Scoreboard.**

Scoreboard completed.

2. Where applicable: By which mean have your authorities brought the sentencing guidelines and gravity factors adopted by the Bern Convention Standing Committee through Recommendation N° 177 (2015) to the attention of the judiciary? And what feedback – if any- was received authorities?

If the sentencing guidelines and gravity factors have not yet been forwarded to the judiciary, please list the reasons/challenges that prevented your authorities from action in this respect

Not applicable

2. BIOLOGICAL AND INSTITUTIONAL ASPECTS

1. What are the mechanisms in place for analysing existing data on illegal activities affecting birds? Is there any standardised protocol for data collection, namely to identify black-spots for illegal killing of birds?

If no mechanism or protocol is in place, please list the reasons/challenges that prevented your authorities from action in this respect.

See question B.1 (Crime Management Tool Providing a Geographic Location Base for Hot Spots).

2. Has your country established statistics on mortality within bird populations due to legal harvest? If yes, through which mechanism? If not, please explain why.

A survey on hunting bags for the 2013-2014 hunting season was conducted by ONCFS in partnership with the National Federation of Hunters (FNC). This survey, published in 2016 (http://www.oncfs.gouv.fr/IMG/file/publications/revue%20faune%20sauvage/FS_310_enquete_tableau_de_chasse.pdf), covers all hunted species, mammals and birds particularly migratory. The survey provides an overview of the evolution of hunting bags compared to the results of the last national survey conducted in 1999.

3. What are the estimates of mortality due to illegal killing trapping and trade and illegal activities in your country (according to the definition given by the Bern Convention Recommendations or/and the CMS resolution 11.16 (Rev. COP12))? **You can skip this question if you have completed the Scoreboard.**

Scoreboard completed

4. Has research been conducted, or data collected, regarding scale, modus operandi, socio-economic drivers, national and international legal and illegal trade in wild birds in the European and Mediterranean region?

No

3. AWARENESS ASPECTS

1. Is there any official study on the key drivers and benefits of wild-bird crimes in your country?
You can skip this question if you have completed the Scoreboard.

Scoreboard completed

2. Is there any operational platform put in place to raise awareness of the wider public on the consequences and biological impact of illegal killing of birds?

No government platform has been put in place. The general public outreach on this issue is made by NGOs, such as the LPO (League for the protection of birds, official French representative of BirdLife International).

In addition, information, prevention and public awareness are an integral part of the day-to-day work of ONCFS departmental services officers as part of their overall monitoring of local territories.

3. Is there any communication strategy adopted by the government, or guidance distributed to policy makers on how to react publicly against illegal killing of birds?

As part of its 2019-2020 objectives contract, ONCFS regularly organizes "raid" operations on poaching and trafficking of species, both to crack down on potential infringements and to publicize involvement of its services in the relevant fields, and ensures the most appropriate communication under the control of prefects or prosecutors (e.g. through the national and regional press and, occasionally, through the audiovisual media).

4. Has your country implemented any kind of campaign, including school campaigns, to raise awareness on this matter? **You can skip this question if you have completed the Scoreboard.**

Scoreboard completed

4. COORDINATION, SYNERGIES AND MAINSTREAMING

1. Are there any protocols, procedures or mechanisms to ensure knowledge-sharing between the Special Focal Point for Illegal Killing of Birds under the Bern Convention, the MIKT member or

observer, the National representative at the EU Ornithological Committee and the CITES enforcement officers?

If coordination is not foreseen, please list the reasons/challenges that prevented your authorities from action in this respect

The focal point of the Berne and Bonn Conventions has been appointed as the specific focal point for the illegal killing of the Bern Convention and to represent France in the CMS Pan-Mediterranean Task Force. He also represents France in the EU NADEG group.

The focal point also works in liaison with the ONCFS Police Directorate, in particular responsible for CITES controls as well as with the CITES office of the Ministry of the Environment.

2. How would you evaluate the cooperation of your main enforcement agency(ies) with the relevant INTERPOL National Central Bureau?

ONCFS is not the contact point with INTERPOL

3. Has your country put in place the necessary mechanisms for encouraging and facilitating networking, cooperation and exchanges of information between the investigators and the advisers/prosecutors? Has the cooperation between judiciary and law enforcement official been strengthened at pan-Mediterranean level?

If not, please list the reasons/challenges that prevented your authorities from action in this respect

Yes. As part of these police missions, ONCFS is committed to developing ongoing relations with Justice. The Police Directorate maintains a direct link with the Chancellery in the training of magistrates, for which the Office intervenes to present its police missions.

The departmental services and mobile intervention brigades of ONCFS work closely with the prosecutors and magistrates. These exchanges make it possible to ensure the proper follow-up of the procedures that have been initiated, to enlighten the jurisdictions on environmental issues and to ensure a criminal response adapted to the infringements.

4. Has your country exchanged experiences (bilateral meetings, mutual traineeship programme, training visits to another country, etc.) with one or more parties to the Bern Convention and/or MIKT members and observers?

Pursuant to its contract of objective 2019-2020, the ONCFS, under the authority and with the support of its supervisory authorities, is entitled to export internationally its police know-how regarding in particular the fight against the poaching and trafficking of species.

Staff from ONCFS Police Directorate participates twice a year in the European Working Group on the Application of CITES (Enforcement Working Group - EWG). This entity includes all police, customs and management bodies working for CITES in the European Union. EWG members meet in Brussels to inform each other about traffic trends and techniques.

The Police Directorate also conducts training in other countries to improve the implementation of CITES and the fight against poaching and trafficking in protected species. For example, it has conducted training in Europe, particularly in Belgium, Spain and Andorra, but also in South America, Ecuador and Brazil, at the request of embassies.

5. Which existing international networks, platforms and information exchange mechanisms has been used to maximize cooperation in law enforcement?

EU-TWIX

6. Overall by which means and with which results is your country addressing the need to enhance inter-sector cooperation involving all relevant Ministries, particularly the Ministries of Environment, Agriculture, Interior or Home Affairs, Justice and Education?

Environmental inspectors of ONCFS are under the authority of the prosecutors of the Republic (Ministry of Justice); in some cases, they conduct joint operations with police forces (Ministry of the Interior).

ONCFS is under the dual supervision of the Ministry of the Environment and the Ministry of Agriculture. The information collected by the SAGIR network on bird poisoning due to the normal or fraudulent use of pesticides is shared with the Ministry of Agriculture. In a few cases, this information led to the removal of plant protection compounds.

ONCFS agents also carry out awareness-raising activities to protect the natural heritage, for instance, they often intervene punctually in schools.

ONCFS has a special relationship with the Central Office for Combating Environmental and Public Health offenses (OCLAESP). It is an interdepartmental office to which an ONCFS officer is permanently attached to facilitate exchanges. OCLAESP aims to focus on all litigation arising from environmental and public health violations. ONCFS and OCLAESP cooperate particularly on the large-scale cases of trafficking in protected animal species (CITES).

The proximity of the National Gendarmerie and the ONCFS in rural areas explains a long lasting tradition of cooperation formalized by a framework convention since 2004, which results in reciprocal training sessions, exchanges of expertise and increased collaboration on the ground, including the reinforcement of human and material resources by the Gendarmerie during major operations conducted by ONCFS. ONCFS officers also bring their technical knowledge to the procedures instructed by the National Gendarmerie especially for the recognition of species.

A collaboration agreement between ONCFS and Customs, formalized in 2011, allows for better coordination of joint operations and the pooling of skills and technical-legal means around international wildlife trade cases. This agreement is concretised particularly around the

monitoring and control of trading and transport platforms such as harbours and airports. These controls are carried out in a targeted manner on the basis of intelligence data or according to provenances or shipments at risk.

HUNGARY / HONGRIE

Template

for the completion of the progress report on implementation of the Bern Convention Tunis Action Plan 2020 [RECOMMENDATION NO. 164 (2013)] and the Programme of Work of the UN-Environment/CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

The Secretariats of the Bern Convention and the CMS gratefully acknowledge the Bern Convention Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (Bern SFPs Network) and Members and Observers of the CMS MIKT that have completed in 2018 the *Scoreboard to assess the progress in combating illegal killing, taking and trade of wild birds (IKB)* (referred to in this document as the Scoreboard). The information collected through the Scoreboard has been considered when preparing the present template as to maximise the usefulness of available information and avoid duplication of effort to the extent possible.

Accordingly, those questions already covered by the Scoreboard have been indicated in the template below and can be skipped by Bern SPF, Members and Observers of MIKT that already completed and submitted the Scoreboard. Should you have updated or additional information, please include it in the present template.

Country	Hungary
Name and position of responsible person	András Schmidt, Deputy Head of Department for Nature Conservation
Institution/Organization	Ministry of Agriculture
E-mail	andras.schmidt@am.gov.hu
Bern Convention SFP	Yes
CMS MIKT Member/Observer	No
Date of completing the form	22 March 2019

Definition and Reference Documents

"Illegal killing, trapping and trade of birds" is defined for the purpose of this questionnaire as: Activities which are illegal under national, regional or international law committed intentionally resulting in the death, injury or removal of specimens of wild birds from the wild either dead or alive, including their parts and derivatives.

- [Recommendation No. 164 \(2013\)](#) and the "Tunis Action Plan 2013-2020 for the eradication of illegal killing, trapping and trade of wild birds"
- [Recommendation No. 171 \(2014\)](#) of the Standing Committee, adopted on 5 December 2014, on the setting-up of national policing/investigation priorities to tackle illegal killing, trapping and trade of wild birds
- [Recommendation N° 177 \(2015\)](#) on the gravity factors and sentencing principles for the evaluation of offences against birds, and in particular the illegal killing, trapping and trade of wild birds
- [Programme of Work 2016 – 2020](#) for the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

- [UNEP/CMS Resolution 11.16 \(Rev. COP 12\): The Prevention of Illegal Killing, Taking and Trade of Migratory Birds](#)

INDEX

1.	ENFORCEMENT AND LEGAL ASPECTS
	V. Identification of National Priorities
	W. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution
	X. Identification and standardisation of gravity factors and sentencing guidelines
2.	BIOLOGICAL AND INSTITUTIONAL ASPECTS
3.	AWARENESS ASPECTS
4.	COORDINATION, SYNERGIES AND MAINSTREAMING

1. ENFORCEMENT AND LEGAL ASPECTS
A. Identification of National Priorities

1. Please provide the list of policing/investigation priorities identified to tackle wild-bird crimes in your country [following Recommendation No. 171 (2014) where applicable], as well as the bodies in charge of their enforcement and monitoring:

In case the list of priorities is not in place, please list the reasons/challenges that prevented your authorities from action in this respect.

1.1 Complementary information where appropriate, please see table below (OPTIONAL)

Rank	Priority	Type of offence / Crime targeted	Species affected	Level of threat on the species	Ongoing actions	Actions to be put in place	Body(ies) in charge of enforcement	Body(ies) in charge of monitoring
1	1	Poisoning (targeted, against small game predators)	<i>Aquila heliaca</i> <i>Aquila chrysaetos</i> <i>Haliaeetus albicilla</i> <i>Falco cherrug</i> <i>Buteo buteo</i> <i>Circus aeruginosus</i> <i>Accipiter gentilis</i>	high medium medium high low low low	regular monitoring of species' populations; official cooperation between state nature conservation and BirdLife Hungary to monitor raptor populations jointly; employment of dog units to increase detection rate of poisoned carcasses and illegal poison stores; co-operation with zoos & wildlife rescue centres: collecting and possibly saving & releasing poisoned birds, educating rangers and volunteers how to first aid poisoned birds; building data base and mapping poisoning cases; LIFE projects against illegal poisoning; police investigations and court cases in several cases; communications & public awareness raising among farmers and hunters	continuation of on-going activities, plus training of prosecutors and judges, extension of the employment of dog units (dog units to be employed at several national park directorates to increase detection rate)	national park directorates' rangers, police, judiciary,	Ministry of Agriculture, national park directorates, BirdLife Hungary,
2	2	Direct persecution of raptors by pigeon-fanciers (poisoning, shooting, trapping & other methods)	<i>Accipiter gentilis</i> <i>Accipiter nisus</i> <i>Aquila heliaca</i> <i>Falco peregrinus</i> <i>Falco cherrug</i>	medium medium medium medium medium	no specific action has been taken yet	studying international experience on possible actions	national park directorates' rangers, police, judiciary, county authorities	Ministry of Agriculture, national park directorates, BirdLife Hungary,
3	3	Direct persecution of raptors and fish-eating birds at poultry and pheasant/duck/fish farms	<i>Aquila heliaca</i> <i>Haliaeetus albicilla</i> <i>Accipiter gentilis</i> <i>Buteo buteo</i> <i>fish-eating birds, such as herons, gulls, Phalacrocorax pygmeus</i>	medium low low low low	Several pheasant farms have been contacted by national park directorates to help remove specimens of <i>Accipiter gentilis</i> from the farms vicinity	extension of communication to further pheasant farms, possibly with the involvement of falconry societies	national park directorates, county authorities	national park directorates
4	4	Shooting (to protect small game)	<i>Aquila heliaca</i>	low	Official cooperation between state nature	continuation of on-going activities,	national park directorates'	Ministry of Agriculture, national park

			<i>Buteo buteo</i> <i>Circus aeruginosus</i> <i>Accipiter gentilis</i> <i>Falco cherrug</i>	low low low low	conservation and Birdlife Hungary to monitor raptor populations jointly; awareness raising lectures for hunters on regional level; carcasses of strictly protected raptor species are x-rayed according to the protocol on routine examinations of potential victims of illegal activities	training of prosecutors and judges	rangers, police, judiciary, county authorities	irectorates, BirdLife Hungary,
5	5	Egg/chick robbing from nest	<i>Aquila heliaca</i> <i>Aquila chrysaetos</i> <i>Accipiter gentilis</i> <i>Falco peregrinus</i>	low low low low	Monitoring breeding success of populations of the affected species (only in the most affected areas in case of Goshawk). It is allowed again to take legally certain amount of Goshawk chicks (better for falconry than fledged juveniles taken from wild) from threatened nests, instead of & beside taking fledged juveniles from pheasant farms, while agreeing with falconers that they increase their support to removal of Goshawks from pheasant farms to release those birds; agreement with falconers on cooperation on Goshawk protection	Training of prosecutors and judges on nature crimes (to take them more seriously).	national park directorates' rangers, police, judiciary, county authorities	Ministry of Agriculture national park irectorates, BirdLife Hungary,
6	6	Destruction of Bee-eaters and their colonies	<i>Merops apiaster</i>	unknown	Some awareness-raising activities (e.g. articles published for beekeepers) carried out.	Increase awareness-raising activities; increase population monitoring at sample sites to identify population trend and threats more precisely; training of prosecutors and judges.	national park directorates' rangers, police, judiciary, county authorities	Ministry of Agriculture, national park directorates, BirdLife Hungary,

7	7	Illegal shooting of protected wildfowl	<i>Anas, Aythya, Branta and possibly Anser species</i>	low	Restrictions imposed on wildfowl hunting concerning seasons, especially in Eastern Hungary where <i>Anser erythropus</i> and <i>Branta ruficollis</i> occur in relatively larger numbers; training of hunters	continuation of ongoing activities; conference with hunters and farmers to review regulation of wildfowl hunting; training of prosecutors and judges	national park directorates' rangers, police, judiciary, county authorities	Ministry of Agriculture, national park directorates, BirdLife Hungary,
			<i>Aythya nyroca</i>	low				
			<i>Branta ruficollis</i>	low				
8	8	Illegal shooting or transporting of protected birds for food	mainly passerines, especially <i>Alauda arvensis</i> , <i>Anthus spp.</i> , <i>Turdus pilaris</i> and also <i>Streptopelia turtur</i> , <i>Coturnix coturnix</i> etc.	low	Awareness-raising activities: brochures on Hungarian legislation in several languages; huntings by foreigners to be reported to national park directorates, occasional controls by rangers; controls at Schengen borders, training of customs officers, who are in direct contact with national park directorates	continuation of ongoing activities	national park directorates' rangers, police, customs officers	Ministry of Agriculture, national park directorates, BirdLife Hungary,
9	9	Illegal trapping of songbirds (for keeping them as cage birds)	<i>Fringilla coelebs</i> , <i>Serinus serinus</i> , <i>Carduelis carduelis</i> , <i>Carduelis cannabina</i>	low	Conservation authorities and policy do perquisition, where information emerges about illegal trapping and keeping activity, and issue a court case once any proof gathered on the spot.	continuation of ongoing activities	national park directorates' rangers, police, judiciary, county authorities	Ministry of Agriculture, national park directorates, BirdLife Hungary,

2. By which administrative or legal means have the national priorities been established in your country?

No administrative or legal means were applied to establish the priorities.

3. Which bodies and stakeholders were involved in the priority-setting process?

Department for Nature Conservation of the Ministry of Agriculture, Herman Ottó Institute (a background institute of the ministry), BirdLife Hungary

4. What are the bodies in charge of their enforcement?

Ministry of Agriculture, national park directorates, National Bureau of Investigation, other police forces, BirdLife Hungary

5. What are the control mechanisms put in place to ensure that the identified priorities are applied as such?

The national park directorates report annually and also in any emergency (such as poisoning or illegal shooting of a raptor) to the Ministry of Agriculture, where actions may be identified if necessary at this level (e.g. if police forces tend to react slowly, this is communicated to the National Bureau of Investigation).

6. What is your evaluation of the benefits and challenges linked to the implementation of national priorities?

The national priorities are useful for state nature conservation organisations and NGOs to establish priorities but other stakeholders (police, prosecutors, judiciary) often do not recognise the conservation priorities.

7. Where applicable: To which extent your authorities refer to the national priorities for the reporting obligations of Article 12 of the EU Birds Directive?

The level of threat of IKB and conservation measures against IKB are included in the species-specific accounts of the Birds Directive Article 12 report.

8. Is IKB contemplated by the National Action Plans (NAPs) or have NAPs being developed to address IKB? **You can skip this question if you have completed the Scoreboard.**

B. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution

1.a What are the national mechanisms put in place for recording reports of wildlife cases/prosecution?

The field investigation protocol on bird crime cases (focusing on illegal poisoning and shooting) prescribes to immediately inform the police, the relevant national park directorate and the contact person of BirdLife Hungary (see: http://imperialeagle.hu/sites/imperialeagle.hu/files/PDFs/HELICON_A4_FINAL_WEB_Field_protocol_2014_EN.pdf) BirdLife Hungary maintains the database on all these cases. IKB data exchanged annually between the Ministry of Agriculture and BirdLife Hungary on the basis of the MoU drawn between them in 2016. This database of IKB cases has a focus on illegal poisoning and illegal shooting. Other IKB cases (such as illegal transportation of birds shot illegally) are also reported by the national park directorates to the Ministry of Agriculture. The process of prosecution is difficult to follow, but these cases are tracked by the national park directorates and BirdLife Hungary and information is stored in the database of BirdLife Hungary.

1.b and to what extent these are also used to provide statistical evidence of the areas of offending (e.g. through adding categories of wildlife crime to those crimes already recorded nationally?)

In case such mechanisms are not in place, please list the reasons/challenges that prevented your authorities from action in this respect

The database maintained by BirdLife Hungary has a focus on illegal killing and shooting. For other types of IKB, the database does not provide full coverage, but all other types of IKB are only sporadic anyway. This latter is the reason why there is no mechanism to add categories of wildlife crime on the basis of the statistics in the database.

2. Has your country appointed national focal points to assist investigators and prosecutors in accessing/locating expert knowledge providers, or at least established a compilation of a national contact list of expert providers (including scientists, specialist law firms, expert witnesses, and independent specialists)?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

Expert knowledge is best provided by the national park directorates and experts of BirdLife Hungary, and their contacts are accessible to investigators and prosecutors. Under the HELICON LIFE project, BirdLife Hungary, several national park directorates and the National Bureau of Investigation were partners within the same project, and presentations were made for prosecutors, too, through their national organisation.

3. Are there any dedicated infrastructures enabling for the national exchange of information and coordination of actions at identified black-spots of illegal activities?

If not, please list the reasons/challenges that prevented your authorities from action in this respect,

Presently, the Pannon Eagle LIFE project provides the frame of exchange of information and coordination of actions.

4. Are there any national platforms, for instance in the form of web portals, to provide information and resources for the professionals involved in fighting against illegal killing of birds?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

<http://imperialeagle.eu/en/content/documents>

C. Identification and standardisation of gravity factors and sentencing guidelines

1. Have authorities promoted or included gravity factors and sentencing guidelines to be integrated in the legal framework? **You can skip this question if you have completed the Scoreboard.**

2. Where applicable: By which mean have your authorities brought the sentencing guidelines and gravity factors adopted by the Bern Convention Standing Committee through Recommendation N° 177 (2015) to the attention of the judiciary? And what feedback – if any- was received authorities?

If the sentencing guidelines and gravity factors have not yet been forwarded to the judiciary, please list the reasons/challenges that prevented your authorities from action in this respect

The Hungarian legislation incorporates most of the gravity factors by establishing the “nature conservation monetary value” of each protected species. This monetary value is established on the basis of national and international status, among others. Other aspects are also incorporated in the Criminal Code (e.g. the population level effect of the damage) and in the decree on nature conservation fines.

2. BIOLOGICAL AND INSTITUTIONAL ASPECTS

1. What are the mechanisms in place for analysing existing data on illegal activities affecting birds? Is there any standardised protocol for data collection, namely to identify black-spots for illegal killing of birds?

If no mechanism or protocol is in place, please list the reasons/challenges that prevented your authorities from action in this respect.

The field investigation protocol on bird crime cases prescribes to immediately inform the police, the relevant national park directorate and the contact person of BirdLife Hungary (see: http://imperialeagle.hu/sites/imperialeagle.hu/files/PDFs/HELICON_A4_FINAL_WEB_Field_protocol_2014_EN.pdf) BirdLife Hungary maintains the database on all these cases. IKB data exchanged annually between the Ministry of Agriculture and BirdLife Hungary on the basis of the MoU drawn between them in 2016. This mechanism makes it possible for both state nature conservation and BirdLife Hungary to analyse the data.

2. Has your country established statistics on mortality within bird populations due to legal harvest? If yes, through which mechanism? If not, please explain why.

Legal harvest is possible by hunting and by way of derogations in the case of non-huntable bird species. Hunters are obliged to report the numbers of birds harvested under hunting law, and statistics are available online. The licensees of derogation permits are also obliged to report the number of birds harvested to the authority issuing the permit (e.g. the number of Great Cormorants, Yellow-legged and Caspian Gulls etc.).

3. What are the estimates of mortality due to illegal killing trapping and trade and illegal activities in your country (according to the definition given by the Bern Convention Recommendations or/and the CMS resolution 11.16 (Rev. COP12))? **You can skip this question if you have completed the Scoreboard.**

4. Has research been conducted, or data collected, regarding scale, modus operandi, socio-economic drivers, national and international legal and illegal trade in wild birds in the European and Mediterranean region?

No such research is known.

3. AWARENESS ASPECTS

1. Is there any official study on the key drivers and benefits of wild-bird crimes in your country?
You can skip this question if you have completed the Scoreboard.

2. Is there any operational platform put in place to raise awareness of the wider public on the consequences and biological impact of illegal killing of birds?

Both the HELICON LIFE project and the Pannon Eagle LIFE project contained/contains communication and awareness-raising elements (including fora with stakeholders, publications, videoclips etc.).

3. Is there any communication strategy adopted by the government, or guidance distributed to policy makers on how to react publicly against illegal killing of birds?

The above-mentioned LIFE projects had/has a communication strategy, adopted by the partners. The projects have been supported by the ministry responsible for nature conservation. There is no guidance to policy makers on how to react to IKB, but this has not been a problem, even the deputy prime minister has participated in project actions, such as the release of a rescued Imperial Eagle.

4. Has your country implemented any kind of campaign, including school campaigns, to raise awareness on this matter? **You can skip this question if you have completed the Scoreboard.**

4. COORDINATION, SYNERGIES AND MAINSTREAMING

1. Are there any protocols, procedures or mechanisms to ensure knowledge-sharing between the Special Focal Point for Illegal Killing of Birds under the Bern Convention, the MIKT member or observer, the National representative at the EU Ornithology Committee and the CITES enforcement officers?

If coordination is not foreseen, please list the reasons/challenges that prevented your authorities from action in this respect

The first three positions are held by the same person, who works side by side with the CITES enforcement officers and they regularly exchange information on IKB.

2. How would you evaluate the cooperation of your main enforcement agency(ies) with the relevant INTERPOL National Central Bureau?

There is no direct cooperation between environmental authorities and the INTERPOL National Central Bureau, only through police headquarters.

3. Has your country put in place the necessary mechanisms for encouraging and facilitating networking, cooperation and exchanges of information between the investigators and the advisers/prosecutors? Has the cooperation between judiciary and law enforcement official been strengthened at pan-Mediterranean level?

If not, please list the reasons/challenges that prevented your authorities from action in this respect

In November 2017, the National Bureau of Investigation has submitted a grant application to finance the establishment of cooperation and coordination framework on environmental law enforcement, a National Environmental Security Taskforce (NEST). This framework will further strengthen the cooperation among enforcement bodies and provide a formalized forum to discuss enforcement strategies and combat illegal trade.

4. Has your country exchanged experiences (bilateral meetings, mutual traineeship programme, training visits to another country, etc.) with one or more parties to the Bern Convention and/or MIKT members and observers?

The PannonEagle LIFE project is an international project taking place in Hungary (lead partner is BirdLife Hungary), Czech Republic, Slovakia, Austria and Serbia. The project facilitates exchange of experience and there are regular meetings among the project partners.

5. Which existing international networks, platforms and information exchange mechanisms has been used to maximise cooperation in law enforcement?

No such mechanism is known to have been used.

6. Overall by which means and with which results is your country addressing the need to enhance inter-sector cooperation involving all relevant Ministries, particularly the Ministries of Environment, Agriculture, Interior or Home Affairs, Justice and Education?

The two above-mentioned LIFE projects enhance cooperation between the relevant sectors, involving, for example, the hunting society through the National Hunting Chamber. The Ministry of Agriculture embraces both the environmental sector and the hunting sector, so cooperation is relatively easy, taking place within the same ministry. The National Bureau of Investigation was a partner in the HELICON LIFE project and still cooperates with BirdLife Hungary and the Ministry of Agriculture on IKB. There is no direct cooperation, however, with the Ministry of Interior or the Ministry of Justice.

ITALY / ITALIE

Template

for the completion of the progress report on implementation of the Bern Convention Tunis Action Plan 2020 [RECOMMENDATION NO. 164 (2013)] and the Programme of Work of the UN-Environment/CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

The Secretariats of the Bern Convention and the CMS gratefully acknowledge the Bern Convention Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (Bern SFPs Network) and Members and Observers of the CMS MIKT that have completed in 2018 the *Scoreboard to assess the progress in combating illegal killing, taking and trade of wild birds (IKB)* (referred to in this document as the Scoreboard). The information collected through the Scoreboard has been considered when preparing the present template as to maximise the usefulness of available information and avoid duplication of effort to the extent possible.

Accordingly, those questions already covered by the Scoreboard have been indicated in the template below and can be skipped by Bern SPF, Members and Observers of MIKT that already completed and submitted the Scoreboard. Should you have updated or additional information, please include it in the present template.

Country	Italy
Name and position of responsible person	Eugenio Duprè
Institution/Organization	Ministry of the Environment
E-mail	Dupre.eugenio@minambiente.it
Bern Convention SFP	No
CMS MIKT Member/Observer	No
Date of completing the form	18 April 2019

Definition and Reference Documents

"Illegal killing, trapping and trade of birds" is defined for the purpose of this questionnaire as: Activities which are illegal under national, regional or international law committed intentionally resulting in the death, injury or removal of specimens of wild birds from the wild either dead or alive, including their parts and derivatives.

- [Recommendation No. 164 \(2013\)](#) and the "Tunis Action Plan 2013-2020 for the eradication of illegal killing, trapping and trade of wild birds"
- [Recommendation No. 171 \(2014\)](#) of the Standing Committee, adopted on 5 December 2014, on the setting-up of national policing/investigation priorities to tackle illegal killing, trapping and trade of wild birds
- [Recommendation N° 177 \(2015\)](#) on the gravity factors and sentencing principles for the evaluation of offences against birds, and in particular the illegal killing, trapping and trade of wild birds
- [Programme of Work 2016 – 2020](#) for the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

- [UNEP/CMS Resolution 11.16 \(Rev. COP 12\): The Prevention of Illegal Killing, Taking and Trade of Migratory Birds](#)

INDEX

1.	ENFORCEMENT AND LEGAL ASPECTS
	Y. Identification of National Priorities
	Z. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution
	AA. Identification and standardisation of gravity factors and sentencing guidelines
2.	BIOLOGICAL AND INSTITUTIONAL ASPECTS
3.	AWARENESS ASPECTS
4.	COORDINATION, SYNERGIES AND MAINSTREAMING

1. ENFORCEMENT AND LEGAL ASPECTS

A. Identification of National Priorities

1. Please provide the list of policing/investigation priorities identified to tackle wild-bird crimes in your country [following Recommendation No. 171 (2014) where applicable], as well as the bodies in charge of their enforcement and monitoring:

In case the list of priorities is not in place, please list the reasons/challenges that prevented your authorities from action in this respect.

Main illegal activities have been listed, reporting the type of infringement, target species, period of the year, geographical location and drivers.

To tackle these activities, priorities have been given to combat IKB in seven black-spots, to promote coordinated anti-poaching actions at national level and to contrast the illegal trade and poisoned baits.

1.1 Complementary information where appropriate, please see table below (OPTIONAL)

2. By which administrative or legal means have the national priorities been established in your country?

National priorities have been established in the National Action Plan (NAP) to prevent illicit activities against wild birds. The NAP was prepared by the Ministry of the Environment and the Italian Institute for Environmental Protection and Research (ISPRA) in 2016 and formally approved by the *Conferenza Stato-Regioni* on March 30th, 2017.

3. Which bodies and stakeholders were involved in the priority-setting process?

A round-table workshop with all relevant stakeholders was held in June 2016 to identify priorities and actions. The workshop was organised by the Ministry of the Environment and ISPRA and attended by State Forestry Corps (now *Carabinieri Forestali*), Regions, Provinces, NGOs (mainly Environmental and Hunting Associations), police officers and volunteer guards. A draft list of priorities based on the workshop results was widely shared among stakeholders and institutions (Ministry of Agriculture, Ministry of the Interior, Ministry of Health, Regional Administrations) and amended accordingly based on their comments.

4. What are the bodies in charge of their enforcement?

Carabinieri Forestali, regional forestry corps (only in autonomous regions), local polices, volunteer ecological guards (most of which belonging to NGOs).

5. What are the control mechanisms put in place to ensure that the identified priorities are applied as such?

A Steering Committee has been established to ensure a coordinated approach in implementing the NAP. The Committee is composed by a technical panel coordinated by *Carabinieri Forestali* and a political board directed by the Ministry for the Environment. To assess the degree of implementation of the NAP, a report on the activities to contrast IKB is produced annually.

6. What is your evaluation of the benefits and challenges linked to the implementation of national priorities?

The NAP represents the first coordinated effort to contrast IKB at a national level. Many central and local institutions have been involved to guarantee an integrated approach, to create synergies and to optimise resources. All illegal activities have been identified, including bird trading and nest robbery, black-spots have been officially recognised, main actors involved in tackling IKB have been indicated.

The NAP has prompted the development of a local coordination among police forces in each black-spot and the strengthening of anti-poaching efforts at the national level.

The main challenges are:

- to increase surveillance, also assuring a closer involvement of all local actors;
- to increase the deterrent effect of penalties
- to develop programmes to increase public awareness of IKB.

7. Where applicable: To which extent your authorities refer to the national priorities for the reporting obligations of Article 12 of the EU Birds Directive?

In the reporting under Article 12 of the EU Birds Directive, Italian authorities consider poaching and poisoning among the threats affecting the trigger species.

8. Is IKB contemplated by the National Action Plans (NAPs) or have NAPs being developed to address IKB? **You can skip this question if you have completed the Scoreboard.**

Yes, see answers 1.A.2 and 1.A.3.

B. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution

1.a What are the national mechanisms put in place for recording reports of wildlife cases/prosecution?

Each year, regions are requested to report to the Parliament on surveillance activities to prevent poaching (article 33 in Law n.157/92). In the regional reports the number of hunters, of enforcement officers and of administrative and criminal offences are reported.

A new specialized IKB database is being created by Carabinieri Forestali. This database originates from a previous web application used to store data on illegal acts against wolves and bears. This new tool will allow to obtain more detailed information on each recorded offence (species involved, type of offence, location, number of persons involved, etc.).

A national database is going to be created to collect data on shot, trapped or poisoned birds from wildlife rescue centres, through a web interface which will allow rehab centres personnel to enter the data.

1.b and to what extent these are also used to provide statistical evidence of the areas of offending (e.g. through adding categories of wildlife crime to those crimes already recorded nationally?)

In case such mechanisms are not in place, please list the reasons/challenges that prevented your authorities from action in this respect

Up to now national mechanisms listed in answer B.1.a have not been used to provide statistical evidence of the areas of offending. Currently, regional reports are not standardised and therefore cannot be used to make any inference.

The new databases will be used for this purpose as soon as they will be adequately populated with data.

2. Has your country appointed national focal points to assist investigators and prosecutors in accessing/locating expert knowledge providers, or at least established a compilation of a national contact list of expert providers (including scientists, specialist law firms, expert witnesses, and independent specialists)?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

In Italy, neither official focal points nor a list of experts have been established. However, in several cases investigators and prosecutors are already collaborating with independent specialists.

3. Are there any dedicated infrastructures enabling for the national exchange of information and coordination of actions at identified black-spots of illegal activities?

If not, please list the reasons/challenges that prevented your authorities from action in this respect,

In compliance with the NAP, in 2018 a coordination was established by Carabinieri Forestali in each black-spot. Such coordination is finalised to ensure an exchange of information and coordination of actions among enforcement officers.

4. Are there any national platforms, for instance in the form of web portals, to provide information and resources for the professionals involved in fighting against illegal killing of birds?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

No. Activity foreseen in the National Action Plan but not yet implemented for the time being.

C. Identification and standardisation of gravity factors and sentencing guidelines

1. Have authorities promoted or included gravity factors and sentencing guidelines to be integrated in the legal framework? **You can skip this question if you have completed the Scoreboard.**

2. Where applicable: By which mean have your authorities brought the sentencing guidelines and gravity factors adopted by the Bern Convention Standing Committee through Recommendation N° 177 (2015) to the attention of the judiciary? And what feedback – if any- was received authorities?

If the sentencing guidelines and gravity factors have not yet been forwarded to the judiciary, please list the reasons/challenges that prevented your authorities from action in this respect

A guidance document is under preparation by the Steering Committee of the NAP to be made available to those involved in the surveillance and prosecution process.

2. BIOLOGICAL AND INSTITUTIONAL ASPECTS

1. What are the mechanisms in place for analysing existing data on illegal activities affecting birds? Is there any standardised protocol for data collection, namely to identify black-spots for illegal killing of birds?

If no mechanism or protocol is in place, please list the reasons/challenges that prevented your authorities from action in this respect.

See answer 1.B.1.a.

A ring-recovery analysis of data stored at the ISPRA National ringing centre is ongoing to assess long term trend of IKB in Italy, on the basis of recovery conditions of reported birds.

2. Has your country established statistics on mortality within bird populations due to legal harvest? If yes, through which mechanism? If not, please explain why.

Reporting mechanism under art.12 of Bird Directive. The Decree issued on November 6th, 2012, by the Ministries of Environment and Agriculture calls on Regional Administrations to report hunting bag data on an yearly basis.

3. What are the estimates of mortality due to illegal killing trapping and trade and illegal activities in your country (according to the definition given by the Bern Convention Recommendations or/and the CMS resolution 11.16 (Rev. COP12))? **You can skip this question if you have completed the Scoreboard.**

4. Has research been conducted, or data collected, regarding scale, modus operandi, socio-economic drivers, national and international legal and illegal trade in wild birds in the European and Mediterranean region?

Survey through investigations has been conducted in order to fully understand bird of prey trafficking, thrushes trade from Poland and Romania to Italy and skylark trade from Southern to Northern Italy

3. AWARENESS ASPECTS

1. Is there any official study on the key drivers and benefits of wild-bird crimes in your country?
You can skip this question if you have completed the Scoreboard.

2. Is there any operational platform put in place to raise awareness of the wider public on the consequences and biological impact of illegal killing of birds?

A page of the website of the Ministry of the Environment is focused on IKB
<https://www.minambiente.it/pagina/piano-di-azione-il-contrasto-degli-illeciti-contro-gli-uccelli-selvatici>.

3. Is there any communication strategy adopted by the government, or guidance distributed to policy makers on how to react publicly against illegal killing of birds?

Not yet.

4. Has your country implemented any kind of campaign, including school campaigns, to raise awareness on this matter? **You can skip this question if you have completed the Scoreboard.**

4. COORDINATION, SYNERGIES AND MAINSTREAMING

1. Are there any protocols, procedures or mechanisms to ensure knowledge-sharing between the Special Focal Point for Illegal Killing of Birds under the Bern Convention, the MIKT member or observer, the National representative at the EU Ornithological Committee and the CITES enforcement officers?

If coordination is not foreseen, please list the reasons/challenges that prevented your authorities from action in this respect

The coordination is ensured within the Steering Committee of the NAP.

2. How would you evaluate the cooperation of your main enforcement agency(ies) with the relevant INTERPOL National Central Bureau?

3. Has your country put in place the necessary mechanisms for encouraging and facilitating networking, cooperation and exchanges of information between the investigators and the advisers/prosecutors? Has the cooperation between judiciary and law enforcement official been strengthened at pan-Mediterranean level?

If not, please list the reasons/challenges that prevented your authorities from action in this respect

The Steering Committee of the NAP is currently working for facilitating networking. The on-going efforts to draft a guidance document (see answer 1.C.2), although not binding, would facilitate investigators and advisers/prosecutors.

4. Has your country exchanged experiences (bilateral meetings, mutual traineeship programme, training visits to another country, etc.) with one or more parties to the Bern Convention and/or MIKT members and observers?

Italian representatives have attended two meetings on this issue:

- Programme green IRI Italy, 16 May 2016, Calabria and Sicily
- ENPE Life project Wildlife Crime Working Group Workshop for Government Prosecutors on the Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean Region, Segovia, Spain, May 9-11, 2018

5. Which existing international networks, platforms and information exchange mechanisms has been used to maximise cooperation in law enforcement?

Currently, some procurators who deal with wildlife crime have been promoting initiatives to share knowledge and experience among colleagues.

6. Overall by which means and with which results is your country addressing the need to enhance inter-sector cooperation involving all relevant Ministries, particularly the Ministries of Environment, Agriculture, Interior or Home Affairs, Justice and Education?

The coordination is ensured within the Steering Committee of the NAP.

MALTA / MALTE

MALTA'S REPORT ON THE IMPLEMENTATION OF THE PRIORITIES OF CMS MIKT PROGRAMME OF WORK AND BERN CONVENTION TUNIS ACTION PLAN DURING THE 2017-2019 REPORTING PERIOD.

1. Introduction

This report has been prepared pursuant to the request by the Secretary of the Bern Convention and by the Coordinator of CMS MIKT, to report on the progress of national actions related to the MIKT Programme of Work (POW) 2016–2020 and the Tunis Action Plan (TAP) 2013–2020 regarding the mitigation of the problem of the illegal killing of birds (IKB) since the MIKT meeting in Malta in June 2017. The present report therefore gives an overview of all measures undertaken by Malta in respect of the implementation of CMS MIKT POW and Bern Convention TAP between June 2017 and February 2019. This report has been compiled by the Wild Birds Regulation Unit within the Parliamentary Secretariat for Agriculture, Fisheries and Animal Rights (Ministry for the Environment, Sustainable Development and Climate Change).

2. Cooperation with the hunting community and conservation NGOs

In 2017, the Parliamentary Secretary for Agriculture, Fisheries and Animal Rights launched the 'Conservation of Wild Birds Fund', a new funding scheme that offers financial support in the form of grants to registered non-governmental organisations (NGOs) which are active within the domain of conservation of wild birds. This fund emerged from commitment made by Malta during a high level conference on wildlife crime held in March 2017 in the Hague. During this meeting, Malta had committed itself to establish a bird conservation fund as a "wildlife deal".

Financial support under this Fund was available for projects that directly contribute to the conservation of wild birds, in accordance with the priorities of this funding scheme such as activities that help to contribute towards initiatives related to sustainable hunting, species reintroduction programmes, species and habitats conservation, training for personnel involved in the sector, scientific research, innovation, awareness raising and educational initiatives. The fund provides up to 80% of eligible project value which was capped at a maximum of €20,000 per project.

Later in February 2018, the Parliamentary Secretariat for Agriculture, Fisheries and Animal Rights awarded a total of €106,188 in grants to five NGOs for projects that promote conservation of wild birds. The Federation for Hunting and Conservation (FKNK), Saint Hubert Hunters (KSU), BirdLife Malta, Nature Trust Malta and Fridericus Rex falconry club benefitted from these grants for projects ranging from educational campaigns on the conservation of avian species to installation of nesting sites for locally breeding birds, pest management, awareness raising initiatives on hunting safety and handling birds of prey to the re-introduction of the Barn Owl (*Tyto alba alba*).

Figure 1 – Barn Owl (*Tyto alba alba*) reintroduction project conducted by the Federation for Hunting and Conservation (FKNK)



Figure 2- 'Il-Bejta' nest installation project carried out by Saint Hubert Hunters (KSU)

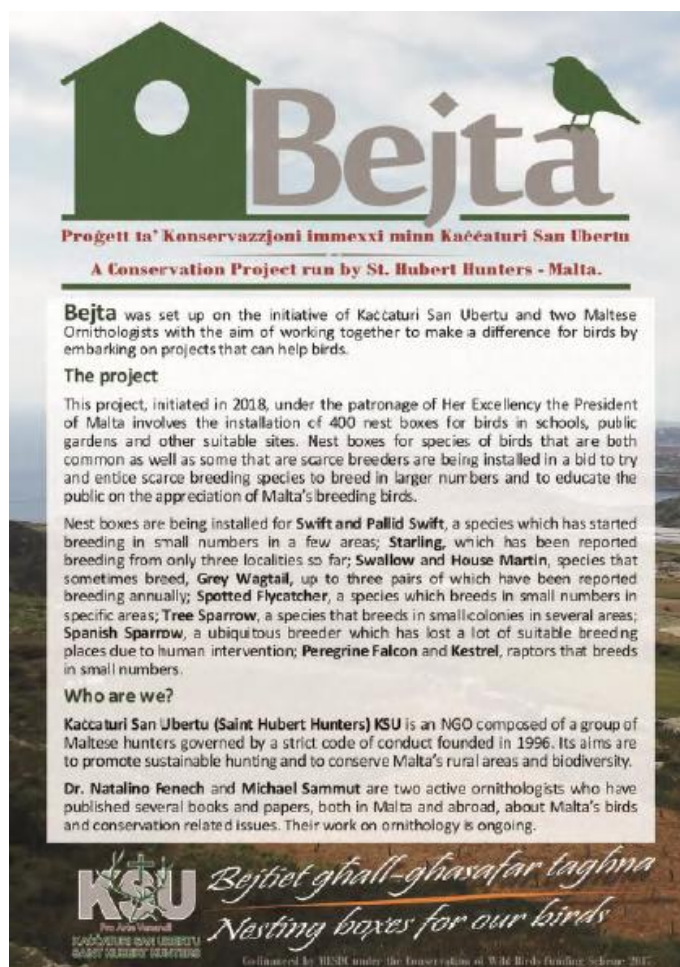


Figure 3 – ‘Education and Awareness in Bird of Prey Handling and Welfare for Voluntary and Regulatory Organisations Workshop’ organised by Fridericus Rex falconry club



Apart from the provision of financial assistance, from May to October 2018, the Wild Birds Regulation Unit also participated in the informational project ‘Aġġornat’ organised by Saint Hubert Hunters (KSU). This project was an initiative of KSU, co-financed by the Conservation of Wild Birds Fund. The project consisted of a series of six talks organised in four different localities around Malta and Gozo. During these talks, representatives from the Wild Birds Regulation Unit (WBRU), Police from the Administrative Law Enforcement Unit (ALE), the Environment Resources Authority (ERA) and from the Malta Tourism Authority (MTA) together with ornithologists covered subjects concerning conservation of wild birds, the future of hunting and trapping, man and birds, local traditions related to birds, the use of firearms and their safety, bird identification, the importance of Natura 2000 sites, ethics of the countryside user and history of hunting and live-capturing (trapping) in Malta.

Figure 4 – Participation by the Wild Birds Regulation Unit in ‘Aġġornat’ project organised by Saint Hubert Hunters (KSU)



In addition, regular awareness raising activities targeting the public are carried out throughout the years. These activities are aimed at informing all members of society about the various aspects of local legislation concerning conservation and sustainable use of bird species together with information regarding conservation measures adopted to safeguard bird species. Information was delivered through the publication of various press releases and press articles, the participation in educational programs, the dissemination of web-information including guidance documents and the participation in informational courses.

Projects financed under this Fund will directly contribute towards diverse priorities of MIKT POW and TAP

Furthermore, in August 2018, the Wild Birds Regulation Unit introduced a new requirement in the procedure of application for new hunting licences. As from August 2018, individuals interested in acquiring a hunting licence are requested to attend an obligatory course which provides a deeper insight on bird conservation and hunting regulations, responsibilities and legal obligations pegged to hunting licences and bird identification. These courses are being conducted with the aim of instilling a better understanding of the law and respect towards the environment. Candidates who fail to attend the course would not be allowed to sit for the hunting exam.

This initiative directly contributes towards priorities of thematic area 4 of MIKT POW and corresponding priorities of TAP.

3. Training and capacity building for enforcement officers

As was also the case in previous years, during the reporting period the Wild Birds Regulation Unit continued to deliver specialised training sessions to enforcement officers from the Malta Police Force and the Armed Forces of Malta. These training sessions are organised ahead of each hunting / live-capturing season in order to provide training on basic ornithology, wildlife crime detection techniques, inspection procedures, applicable regulations and prosecution processes. Through this initiative, around 60 enforcement officers are provided with specialised training on average twice a year.

Figure 5 – Training for enforcement officers organised by the Wild Birds Regulation Unit



This action directly addresses MIKT POW objectives 2.4 and 2.5, and the corresponding priorities of the TAP.

4. ECJ Case C-577/15 on the live-capturing of finches and subsequent legal amendments.

Up until 2017, Malta used to apply Article 9(1)(c) derogation under EU Birds Directive to permit the limited live-capturing of seven finch species using traditional manually operated clap-nets. This derogation was hotly contested by European Commission and conservation NGOs, resulting in infringement proceedings that culminated in a European Court of Justice judgment (Case C-557/15).

The Court of Justice of the European Union, in Case C-557/15 on finch trapping in Malta, dated 21 June 2018, declared, that:

1. *The 2014 and 2015 Declarations authorising the Autumn trapping of finches during the 2014 and 2015 seasons do not comply with Article 9 of Directive 2009/147 because: those declarations do not contain any reference to the absence of another satisfactory solution; in any event, those declarations do not refer to the technical, legal and scientific reports which, according to the Republic of Malta, had been submitted to the Ornithological Committee, nor to the recommendations based on that information which had allegedly been made by the Ornithological Committee to the Minister. It follows that those declarations do not constitute decisions containing a clear and sufficient statement of reasons concerning the condition of the absence of another satisfactory solution laid down in Article 9 of Directive 2009/147. Consequently, the Commission's complaint alleging failure to state reasons, in the Maltese derogation system, concerning the absence of another satisfactory solution is well founded and must therefore be upheld. In the light of this finding, the Court considered that it was not necessary to examine the complaint alleging failure to demonstrate the absence of another satisfactory solution within the meaning of Article 9(1) of Directive 2009/147.*
2. *Premised that, according to its established case-law and on the basis of current scientific knowledge, 'small numbers', within the meaning of Article 9(1)(c) of Directive 2009/147, should be understood as any sample of less than 1% of the total annual mortality of the population in question (average value) for those species which are not to be hunted and a sample in the order of 1% for those species which may be hunted, and 'population in question' is to be understood, with regard to migratory species, as the population of those regions from which come the main contingents passing through the region to which the derogation applies during its period of application. The 'small numbers' requirement cannot be met if the trapping of birds authorised by way of derogation does not ensure the maintenance of the population of the species concerned at a satisfactory level.*

As regards the Goldfinch and the Chaffinch, the 'reference population' cannot be determined in the light of the sole available relevant study in the context of the present case, that is the 2007 Raine study, according to which the sample of rings recovered for both those species is too limited to provide conclusive information on the regions of origin of the main bird contingents frequenting the Maltese islands. In these circumstances and in the absence of any other relevant evidence, Malta has not shown that the bag limits, fixed at 800 specimens for the Goldfinch and 5 000 for the Chaffinch, correspond to 'small numbers' within the meaning of Article 9(1)(c) of Directive 2009/147.

The same applies to the Hawfinch, for which, first, there has been no ring recovery reported in Malta and, second, the Maltese authorities relied on ring recoveries in Italy, without substantiating with any scientific evidence the view that such a sample could constitute a suitable 'proxy'.

As regards the four other finch species covered by the derogation, although the bag limits permitted for those species are quite clearly below the ceiling of 1% of the total annual mortality rate of the populations in question, as identified by the 2007 Raine study, the limited size of the sample of ringed and released birds, namely 112 specimens, on which that study is based, casts doubt on the accuracy of the identification of those populations, particularly if that study is compared to the large number

of birds declared captured in Malta during the 2014 Autumn season, which amounts to 7 222 finches. Therefore, for the Linnet, the Greenfinch, the Siskin and the Serin, there cannot be any scientific certainty regarding the regions selected in that study, as regions of origin of the populations which supply the main contingents frequenting the region to which the derogation at issue applies.

In addition, it is apparent from the file that a study of the migratory flux of the seven finch species in question over the Maltese Islands during the period of the derogation at issue was only carried out after the adoption of the derogation regime by the Republic of Malta.

Furthermore, the 2007 Raine study itself shows that, in Malta, trapping is so intensive that only a handful of each of the common finch species regularly breed on the islands, whereas they breed in high numbers in other areas of the Mediterranean. According to that study, breeding populations in Malta, in particular of the Serin, the Greenfinch and the Linnet, only include, at most, one to five pairs.

Finally, although Malta claimed to have taken into account only reference populations from countries with stable or increasing populations, it must be noted that Malta's selection of those populations has not always been consistent with the stated methodology. In that connection, as regards the Linnet, it is apparent from the WBRU's technical memorandum relating to the conservation of the seven finch species in question of May 2015 that the Maltese authorities also took into account, for the purpose of the 2015 Autumn capturing season, reference populations in decline or whose conservation status was not known. That is also true for the Greenfinch, the Serin and the Siskin.

It follows from all the foregoing considerations that the Republic of Malta has not adduced sufficient evidence that its derogation regime for the trapping of the seven finch species in question makes it possible to ensure the maintenance of the populations of those species at a satisfactory level. Therefore it must be held that the condition of 'small numbers' is not met in the present case.

3. *Premised that, according to its settled case-law, where the condition that the trapping of protected species must concern only certain birds in small numbers is not met, the exploitation of birds by trapping for recreational purposes cannot, in any event, be considered judicious within the meaning of Article 9(1)(c) of Directive 2009/147. As held in paragraph 75 of the present judgment, the condition of 'small numbers' is not met in this instance. In the light of the case-law, it follows that the exploitation of the birds in question through trapping for recreational purposes cannot, in any event, be considered judicious. Furthermore, as regards the Commission's complaint alleging the non-selective nature of clap nets, the Maltese authorities acknowledged, in the WBRU's technical memorandum, the non-selective nature of such nets since they have admitted the existence of 'by-catch' despite the fact that those nets are manually triggered by hunters. The non-selective nature of that method of capture is, moreover, confirmed by Birdlife Malta's study of July 2015. Consequently, the condition laid down in Article 9(1)(c) of Directive 2009/147, according to which the live-capturing of finches can only be permitted if it is carried out on a selective basis, is not met in this instance. Therefore, the Commission's complaint alleging lack of evidence that the authorised derogation amounts to a judicious use, within the meaning of Article 9(1)(c) of Directive 2009/147, and the complaint alleging that the method of capture at issue is non-selective, in infringement of that provision and of Article 8(1) of that directive, must be upheld.*

4. *Premised that, according to its established case-law, trapping of protected bird species such as those at issue can only be permitted, pursuant to Article 9(1)(c) of Directive 2009/147, if it is, in particular, carried out under strictly supervised conditions. The Court noted in this regard that:*

- 30 licence holders declared that they had reached the individual seasonal bag limit of ten finches on the last day of the season, on which day the study of the migratory influx of the seven finch species in question recorded the lowest migration levels of the season. In these circumstances, the accuracy of such statements by the licence holders seems uncertain.

- In the context of Malta, which is characterised by a very high density of licence holders (namely over 4 000) and of registered trapping stations (namely over 6 400), the fact that merely 23% of hunters have been subject to individual checks seems inadequate.

- Furthermore, it is apparent from Birdlife Malta's study of July 2015 that failure to observe the restrictions relating to authorised catch periods and locations, in particularly by trapping inside 'Natura 2000' sites, has been rather frequent during the 2014 Autumn capturing season. According to that study, 41 591 single-use rings were issued for the 2014 Autumn capturing season, bearing in mind that the catch limit for all seven finch species had been fixed at 26 850 specimens. The system provided for and required licence holders to return unused rings. At the end of the season, 38 602 rings remained in the possession of licence holders that is 11 752 more than the catch limit of 26 850 birds and 31 380 more than the 7 222 finches whose capture had been declared during that season.

It follows that the Republic of Malta failed to adduce evidence that the derogation at issue is used under strictly controlled conditions, within the meaning of Article 9(1)(c) of Directive 2009/147. Therefore, the complaint based on that failure to adduce evidence must also be upheld.

In line with this judgment, the Maltese government repealed the finches framework regulations via LN 383/2018: 'Framework for Allowing a Derogation Opening an Autumn Live-Capturing Season for Finches (Revocation) Regulations, 2018'¹.

Following this judgment and the recommendation of the Malta Ornis Committee, the European Commission requested bilateral discussions with the Maltese authorities to address aspects of the Court's judgment that were deemed to have a direct bearing on the Golden Plover and Song Thrush live-capturing derogation regime. On the basis of these discussions, a number of legal amendments were enacted to the Framework Regulations² and the Notice of Derogation³:

Changes to the Framework Regulations (amended via LN 333 of 2018)

- The minimum mesh size increased from 30mm x 30mm to 45mm x 45mm;
- The number of live-capturing stations registered on each licensee was reduced from two stations to one, consisting of not more than two clap-net pairs from one hide, with a proviso that prohibits the setting up of an additional clap-net pair if only one pair was approved, and another proviso prohibiting the subdivision of a hide into two or more hides to make use of more than two clap-net pairs from the original hide;
- The layering of two or more nets on top of each other or any other modification, including creation of 'pockets' was prohibited;

¹ <https://msdec.gov.mt/en/Document%20Repository/WBRU/2018/legislationAndPolicy/ln383.pdf>

² <http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11936&l=1>

³ <https://msdec.gov.mt/en/Document%20Repository/WBRU/2018/legislationAndPolicy/334Of2018.pdf>

- A legal requirement specifying that nets shall either be removed from the site or completely covered over before the licensee leaves the site and throughout prohibited hours;
- A Standard Operating Procedure with an emphasis on spot-checks on individual licence holders throughout Malta and Gozo, which were subdivided into ten regions;
- Inclusion of a statutory minimum of 40 police/marshals to operate in the ten regions at all times during the permitted hours for trapping instead of the former ratio of 7 officers per 1,000 licences issued;
- Cooperation with NGOs;
- Publication of co-ordinates of the approved trapping stations (clap-net pairs) at least three days before opening of the season; and
- Limiting the scope (rationale) of capturing Golden Plovers and Song Thrushes to their use as live-decoys during *open hunting season*, thus amending the text of the Notice of Derogation from “to be used as live-decoys during open hunting and live-capturing seasons” to “...as live-decoys during open hunting season”.

Changes to the Notice of Derogation (Legal Notice 334 of 2018)

Former notices of derogations up to 2017 consisted solely of the establishment of the season and respective quotas. Further to the bilateral discussions with the European Commission, the notice of derogation was restructured to include:

- Reference to the recommendation of the Malta Ornis Committee and an online link to the associated minutes;
- Minister’s assertion that there is no other satisfactory solution for the acquisition of live specimens of Golden Plovers and Song Thrushes other than by means of live-capturing using clap-nets, in small numbers, and insofar as it is absolutely necessary to replenish the limited stock of live birds in captivity for use as live-decoys;
- Minister’s account of the favourable conservation status of both species and an online link to the latest conservation status report (Annex I to this report);
- Determination of the reference population and small numbers; and
- Calculation of the 1% of the total annual mortality of the reference population.

The above actions contributed to the implementation of objectives 2.1 and 2.3 of MIKT POW and to Result 1 under “Biological and Institutional Aspects” priority of the TAP.

5. Strengthening enforcement against IKB during 2017 and 2018 autumn and spring migration seasons

5.1 Enforcement deployment during the autumn / winter hunting seasons of 2017 (1st September 2017 to 31st January 2018) and 2018 (1st September 2018 to 31st January 2019)

During the 2017 autumn hunting season (1st September 2017 to 31st January 2018), the Maltese authorities deployed a total maximum complement of 74 officers tasked with overseeing compliance with the parameters of the season. This complement consisted of 17 officers of the Administrative Law Enforcement Unit (ALE) of the police, 28 officers of the Armed Forces of Malta (AFM), 26 police officers temporarily seconded with the ALE from other police units and three officers from the Wild Birds Regulation

Unit's Specialist Enforcement Branch. This enforcement complement was deployed gradually, ranging from a minimum of 12 officers deployed daily during each shift in early September, reaching a maximum of 45 officers by early October, averaging at 32 officers deployed daily during each shift over the duration of the season. The officers conducted field patrols split into two shifts between 05:00 hours and 21:00 hours daily.

For the 2018 autumn hunting season (1st September 2018 to 31st January 2019), the authorities deployed a total maximum complement of 92 officers. This complement consisted of 43 officers of the Administrative Law Enforcement Unit (ALE) of the Malta Police Force, 7 officers of the Armed Forces of Malta (AFM), 40 police officers temporarily seconded with the ALE from other police units and two officers from the Wild Birds Regulation Unit's Specialist Enforcement Branch. This enforcement complement was deployed gradually, ranging from a minimum of 11 officers deployed daily in early September, reaching maximum strength of 41 officers daily from mid-September to end of December and to a minimum of 10 from mid- to end-January. The officers conducted field patrols split into two shifts between 05:00 hours and 21:00 hours daily.

The objectives of enforcement deployment were:

1. To ensure continuous deployment presence in the countryside to deter any potential abuse from occurring in the first place;
2. To ensure that no illegal targeting of protected species occurs, and that any detected incidents of abuse are dealt with swiftly and effectively;
3. To ensure that the general prohibitions and parameters related to the open season are enforced.

5.2 Patrols, inspections and spot checks conducted during autumn / winter hunting seasons of 2017 (1st September 2017 to 31st January 2018) and 2018 (1st September 2018 to 31st January 2019)

The officers utilised a mixture of techniques, including vehicular patrols, covert observation, stationary observation posts, foot patrols, physical inspections and spot-checks on individual hunters, and road-blocks.

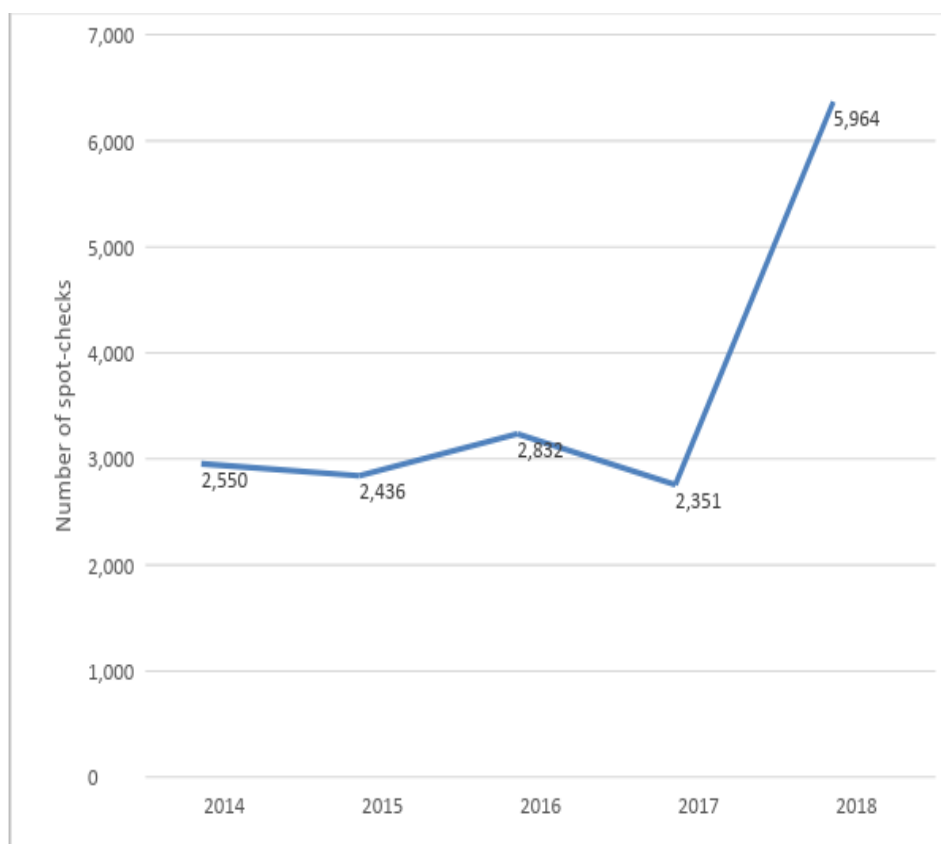
During the 2017 autumn hunting season, the officers conducted 32,854 field patrols to specific locations / site inspections (24,888 in Malta and 7,966 in Gozo) and 2,351 spot-checks on individual licensees (1,788⁴ in Malta and 563 in Gozo).

As from autumn 2018, enforcement authorities assigned high priority to spot-checks on individual licensees which led to a total of 5,964⁵ spot-checks on individual licensees (4,777 in Malta and 1,187 in Gozo), which is more than double the number of spot-checks conducted during the same period in 2017 (2,351) and 2016 (2,832). The below figure presents a comparison of the number of spot-checks, including road checks conducted over the past five years during autumn/winter hunting seasons (1st September – 31st January).

⁴ Out of which 806 are road checks.

⁵ Out of which 331 were road checks.

Figure 6 – Comparison of the number of spot-checks (including road checks) conducted over the past five years during autumn hunting seasons (1st September – 31st January)



5.3 Offences detected during 2017 / 2018 autumn / winter hunting seasons

In the course of field surveillance, inspections and spot-checks of the 2017 autumn hunting season, authorities disclosed a total of 38 infringements, which led to legal action being taken against 37 offenders, including 13 persons being subject to criminal prosecution and 24 persons subject to administrative fine.

Enforcement effort during the 2018 autumn hunting season disclosed a total of 112 cases, that led to legal action against 70 offenders, including 23 persons being subject to criminal prosecution and 47 persons subject to administrative fines. No legal action could be taken on the remaining cases given that the perpetrator remained unknown.

The below table and figure represent a comparison of enforcement statistics with the corresponding metrics for previous years. The data show offences which were detected and confirmed by enforcement officers, and where sufficient material evidence was gathered to enable identification and appropriate judicial action against the perpetrator. It is to be noted that cases comprised of more than one offence have been listed under each respective category.

Table 1 – Offences disclosed during autumn hunting / trapping seasons (1st September – 31st January) between 2012-2018

Offences confirmed during autumn hunting / trapping seasons (1st September - 31st January of the following year)	2012	2013	2014	2015	2016	2017	2018
Hunting within prohibited distances / prohibited areas	17	12	1	6	2	0	0
Hunting / trapping without licence	76	21	4	8	1	0	0
Illegal trapping of protected birds	137	29	1	2	0	0	14 ⁶
Illegal shooting of protected birds	2	6	4	1	2	0	0 ⁷
Hunting / trapping using illegal means / firearms irregularities / other breaches of licence conditions	236	89	78	102	61	25	54 ⁸
Hunting / trapping during closed season / outside of permitted hours	16	1	2	5	1	7	2 ⁹
Illegal possession of bird carcasses/ stuffed birds	4	16	5	3	3	1	3 ¹⁰
Illegal possession of live birds	137	30	3	3	2	4	5 ¹¹
Illegal sale of protected birds	0	0	7	1	1	1	0
Smuggling of protected birds	1	3	1	0	0	0	1
Total offences disclosed	391	125	106	131	73	38¹²	79¹³
Persons against whom legal action was taken	226	87	83	128	65	37¹⁴	70¹⁵

⁶ Cases refer to 13 cases of illegal trapping for finches and one illegal trapping of Dotterel (*Charadrius morinellus*).

⁷ No offences concerning illegal shooting of protected birds were detected by enforcement officers, nonetheless a number of protected birds have been confirmed illegally shot by the government-appointed veterinarian as outlined later on in this report.

⁸ Total consists of 44 cases of use of birdcaller, one case of failure to declare all hunted birds, one case of carrying an uncovered firearm, one case of firearm having a magazine capable of holding more than two rounds of ammunition, one case of use of nets of mesh size smaller than that allowed by law, three unattended nets, one case of trapping on an unregistered site and two cases involving cage-traps.

⁹ Both cases refer to trapping during closed season.

¹⁰ Two cases of illegal possession of stuffed protected birds and one case of illegal possession of carcasses of protected birds.

¹¹ Cases refer to one case of illegal possession of Dotterels, one illegal possession of Hawfinch and three cases of illegal possession of finches.

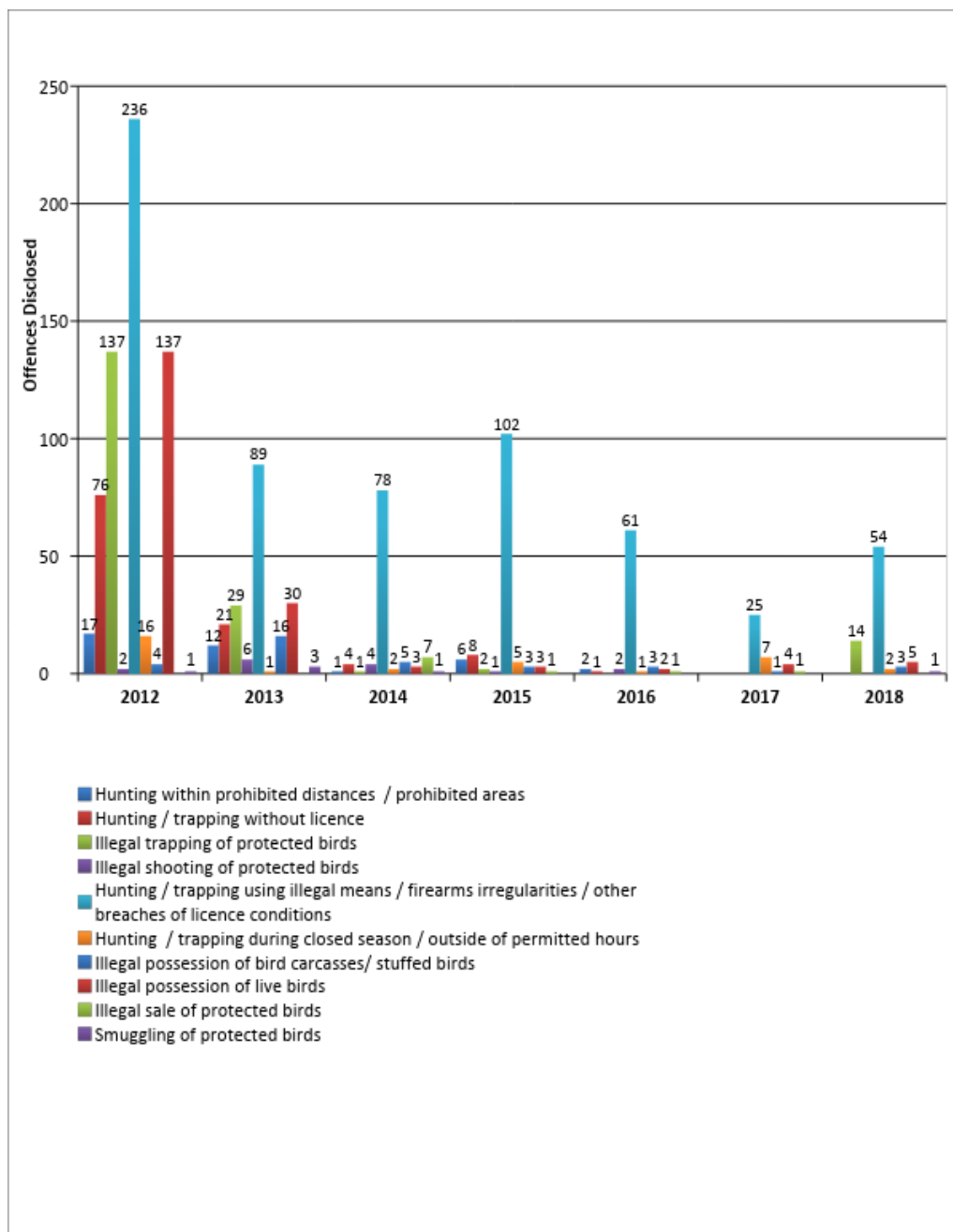
¹² The total number of disclosed offences includes a case which involves trapping during closed season using illegal means (cage trap), thus for the purpose of the above table the same offence was listed under both trapping during closed season and use of illegal means.

¹³ Total consists of 79 offences pertaining to 23 cases, some cases comprised of more than one offence.

¹⁴ Legal action was taken for all offences detected and confirmed by enforcement officers during 2017 where sufficient material evidence was gathered to enable identification and appropriate judicial action against the perpetrator.

¹⁵ 47 administrative fines and 23 court cases.

Figure 7 – Offences disclosed during autumn hunting seasons (1st September – 31st January) between 2012-2018.



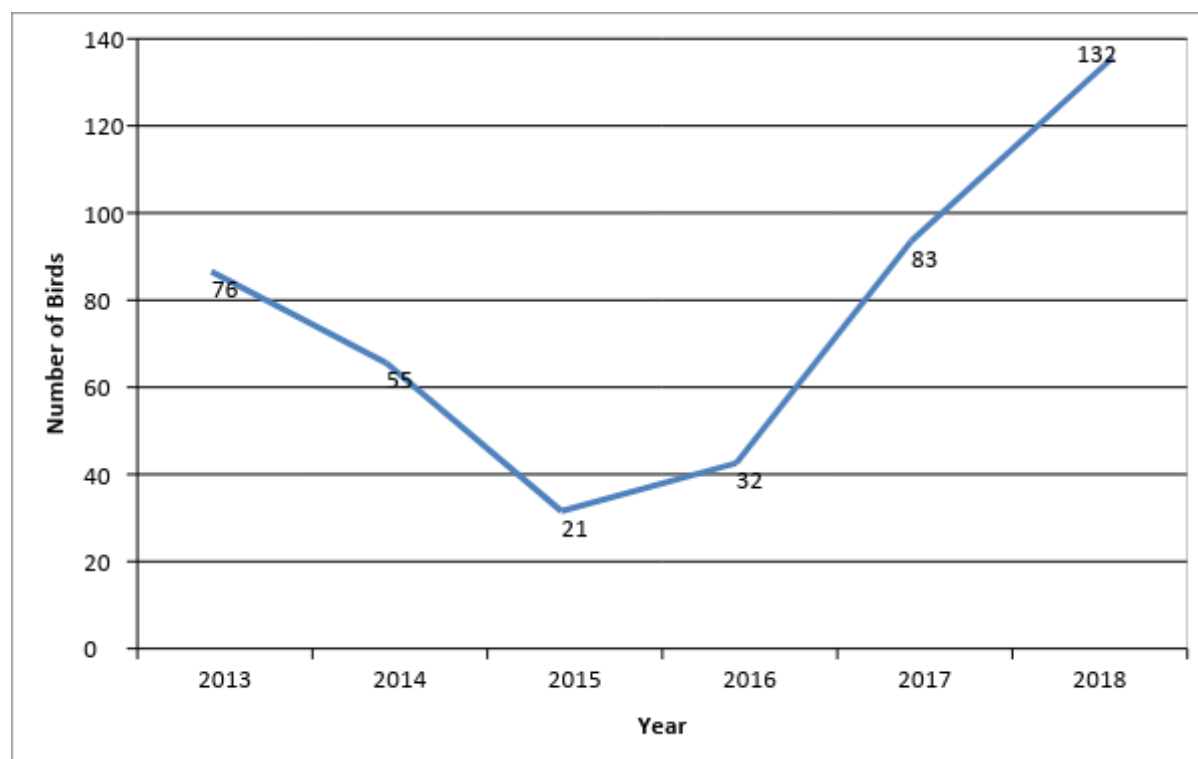
The above table and figure also list offences that are not directly related to hunting or trapping offences (e.g., illegal possession of protected birds; illegal sale / smuggling cases), but which were disclosed during the period in question. Moreover, the statistics do not include illegalities reported to enforcement officials during the period under review, where no or insufficient evidence was available to enable identification of the perpetrator(s) for subsequent legal action.

Throughout 2017, the authorities recovered around 215 wild birds belonging to numerous species that were provided with the appropriate veterinary care and rehabilitation. Of these, 83 protected birds were confirmed to have suffered gunshot wounds as a result of illegal targeting. Most of these birds were retrieved during the period of the autumn hunting season.

In 2018, the authorities recovered around 320 wild birds belonging to 86 species that were provided with the appropriate veterinary care and in a number of cases also successful rehabilitation and release back into the wild. Of these, 132 protected birds (41.25%) were confirmed to have sustained gunshot wounds as a result of illegal targeting.

A procedure coordinated by the Wild Birds Regulation Unit was put in place in conjunction with the ALE, BirdLife Malta and a government-appointed veterinarian to provide appropriate veterinary care and, where possible, coordinate rehabilitation of such birds. Below figure presents a comparison of the number of illegally shot protected birds recovered by the authorities over the past years.

Figure 8 - Number of illegally shot / injured protected birds recovered by the authorities and diagnosed as suffering gunshot wounds



Despite an increase in the number of spot-checks on individual licence holders when compared with the previous seasons, the above figures clearly show an increasing trend in the illegal killing of protected birds. A full assessment of the factors that may have led to such trend merits the attention of all stakeholders at both local and national level since there is a need for a concerted effort to actively curb and reverse this increase in IKB-related crime.

5.4 Ensuring sustainability of hunting tourism

Aware of the fact that some Maltese hunters opt to travel on hunting trips abroad and the increasing trend of people interested in keeping different bird species for aviculture, the Wild Birds Regulation Unit maintained a very active role in disseminating information about the procedure concerning the importation of live or dead birds amongst hunters and individuals involved in aviculture. In order to disseminate information, WBRU used its office's front desk as an information hub whereby interested parties are taken through the whole procedure by experienced enforcement personnel. WBRU also made use of its social media including the Unit's Facebook page and website¹⁶ which were routinely updated with the latest information. In order to better reach the hunting community, WBRU collaborated with hunting organizations in the dissemination of information through their social media.

In parallel with implementing an information campaign, in order to enforce compliance, during 2017 the Unit also carried out 153 inspections at points of entry, namely Customs and Cargo Sections of the Malta International Airport (MIA) and the Sea Passenger Terminal, out of which five were surprise inspections at MIA. This represents a 30% increase in inspections from the previous year ($n_{2016}=118$). During these inspections, 17,549 bird specimens were examined for compliance with the regulations. Around 85 specimens were seized due to insufficient proof of legal acquisition but were subsequently released upon provision of adequate documented proof.

During 2018, the Unit carried out 109 inspections at points of entry, namely Customs and Cargo Sections of the Malta International Airport (MIA) and the Sea Passenger Terminal, out of which 23 were surprise inspections at MIA. During these inspections 8,567 bird specimens were examined for compliance with the regulations, of which four live birds were seized and subsequently released due to the fact that they were not fitted with a closed ring. The case has been forwarded to the Police for legal action

5.5 Investigations concerning illicit possession of protected birds

Recognising the fact that illicit trade and taxidermy of illegally acquired protected birds has in the past been a substantial driver behind illegal targeting of protected birds, the law enforcement authorities continued to dedicate substantial effort towards preventing, detecting and curtailing any potential abuse.

During 2017, the Specialist Enforcement Branch of the Wild Birds Regulation Unit together with the Administrative Law Enforcement Unit of the Police conducted five inspections at private residences during which 1,449 stuffed bird specimens held in private collections were examined. Legal action was taken against one person for illegal possession of a protected bird specimen and illegal disposal of 27 stuffed protected birds which had been declared with the authorities amongst other irregularities.

During 2018, the Specialist Enforcement Branch of the Wild Birds Regulation Unit together with the Administrative Law Enforcement Unit of the Police inspected 1,292 stuffed bird specimens held in eleven private collections. During these investigations, a total of 126 registered stuffed bird specimens were found to have been illegally disposed without appropriate authorisation, whilst 46 specimens were illegally possessed. Legal action was initiated.

¹⁶ <https://msdec.gov.mt/en/Pages/WBRU/Wild-Birds-Regulation-Unit.aspx>

5.6 Enforcement during 2018 spring migration period, including during spring hunting derogation for Common Quail

During the 2018 limited spring hunting derogation¹⁷ for quail (5th April–25th April 2018), the Maltese authorities sought to further consolidate and improve upon the level of enforcement effort deployed in the previous year, which, as described in Malta's report on the outcome of the 2017 spring hunting derogation¹⁸, was already unprecedented in terms of its intensity. As was also the case in previous years, field surveillance and patrols were deployed from within the Administrative Law Enforcement (ALE) section of the Malta Police Force, with additional support from divisional police forces (from the 11 district police areas), from the Mounted Police Section and from the Armed Forces of Malta.

Prior to commencement of the season, enforcement officers received specialised training delivered by officials of the Specialist Enforcement Branch of the Wild Birds Regulation Unit. Two training sessions were held: one on the 27th March 2018 in Malta and another on the 28th March 2018 in Gozo. In all, around 70 members of enforcement personnel participated in this training, during which they received a detailed briefing on:

- The legal framework concerning the conservation of wild birds
- Legal requirements pertaining to the spring hunting season
- Monitoring and surveillance techniques and approaches
- Basic species identification skills
- Inspections
- Hotspots and areas requiring particular attention
- Potential law enforcement evasion techniques deployed by poachers

Furthermore, officers received a specialised briefing organised by the Wild Birds Regulation Unit on the objectives of the enforcement operation which were defined as follows:

- To ensure continuous deployment presence in the countryside to deter any potential abuse from occurring in the first place;
- To ensure that no illegal targeting of species other than Common Quail occurs, and that any detected incidents of abuse are dealt with swiftly and effectively (that is, apprehension of suspects and gathering sufficient field evidence to enable swift prosecution);
- To ensure that the general prohibitions and parameters related to the open season are enforced (that is, no hunting in prohibited areas, outside permitted hours, using prohibited means like bird callers, semi-automatic or automatic weapons with a magazine capable of holding more than two rounds of ammunition, hunting without a valid spring hunting licence, etc);

¹⁷ A detailed report is available from here:

<https://msdec.gov.mt/en/Document%20Repository/WBRU/2018/springHuntingDerogations/2018%20SH%20derogation%20report.pdf>

¹⁸ The outcome of enforcement effort for the 2017 spring season has been reported in the previous reporting cycle, a detailed report is available from here:

<https://msdec.gov.mt/en/Document%20Repository/WBRU/2017/springHuntingDerogations/Report%20on%20the%20Outcome%20of%20the%202017%20spring%20hunting%20season%20in%20Malta.pdf>

- To ensure that specific regulations applicable to the spring hunting derogation are enforced (enforcement of bag limits, spot-checks to determine that bags have been duly reported through telephonic game reporting system, etc).

As was also the case in previous years, the enforcement operation throughout the season deployed a mix of the following approaches and techniques:

- Vehicular patrols concentrated in non-extensive pre-allocated areas that collectively ensure sufficient coverage of the countryside, particularly around the priority surveillance areas;
- Foot patrols by uniformed officers (both the Armed Forces of Malta and ALE) within particular locations, especially those areas with difficult vehicular access;
- Stationary observation posts manned by uniformed and plain clothes personnel. Stationary observation posts were located at vantage points within priority surveillance areas;
- Spot-checks and roadblocks at strategic vehicular entry and exit points. The aim of the spot-checks is two-fold: (1) to detect the possession of illegally shot protected birds or other illegal material and (2) to enforce bag limit and real-time reporting requirements.
- Deployment of covert surveillance backed up by mobile units especially in response to large influxes of protected birds or to ensure sufficient surveillance of particular hotspots known for targeting of protected birds.

The Maltese authorities paid particular attention to collaboration with the numerous NGO volunteers who were present in the countryside during the season. These volunteers aided the overall enforcement effort by:

- Acting as a deterrent to illegal hunting by virtue of their presence in the countryside;
- Submitting vital day-to-day information about the presence of birds and alerting the authorities to the presence of high risk species or high risk sites such as roosting sites;
- Acting as ocular witnesses to illegal hunting incidents, and reporting such incidents to the authorities;
- Gathering of video/photographic evidence of poaching and making available such evidence to the enforcement authorities.

During inspections, police forces were responsible for ensuring the lawful operation of hunting practices. Police officers were, *inter alia*, instructed to:

- Verify that hunters were in possession of all requisite documents;
- Verify that birds caught were being immediately reported in accordance with regulations;
- Ensure compliance with the provisions of the Conservation of Wild Birds Regulations (S.L. 549.42), including through appropriate handling of firearms and the Framework Regulations (S.L. 549.57¹⁹) and the Regulations opening the spring 2018 season (S.L. 549.57²⁰);
- Ensure that no species other than Common Quail were being hunted;
- Ensure compliance with bag limits and time restrictions.

¹⁹ <http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11570&l=1>

²⁰ <http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=12044&l=1>

During the period of the derogation, an overall daily field complement reaching up to around 85 officers (76 in Malta and 9 in Gozo) was deployed. Daily field deployment consisted of a complement that ranged between 31 and 50 officers (29–45 officers in Malta and 2–5 officers in Gozo) deployed during morning shift²¹ and between 30 and 35 officers (29–31 officers in Malta and 1–4 officers in Gozo) during afternoon shift.

During the period of the derogation, between 1st April and 21st April 2018, when the season was open, field officers from the Administrative Law Enforcement, Gozo police and the Wild Birds Regulation Unit carried out a total of 5,924 field inspections / patrols (4,405 in Malta and 1,519 in Gozo) and 692 spot-checks on individual hunters (514 in Malta and 178 in Gozo). In addition, ALE officers carried out 667 road checks with the aim of ensuring that all legal obligations of the spring hunting special licence and other regulations concerning the carrying of firearms are being respected. This enforcement effort cumulatively amounts to 7,283 inspections, spot-checks and road checks. On each day of the derogation, every patrol noted low number of hunters present in the field. Nonetheless, authorities maintained constant enforcement presence and high levels of inspections throughout the whole season.

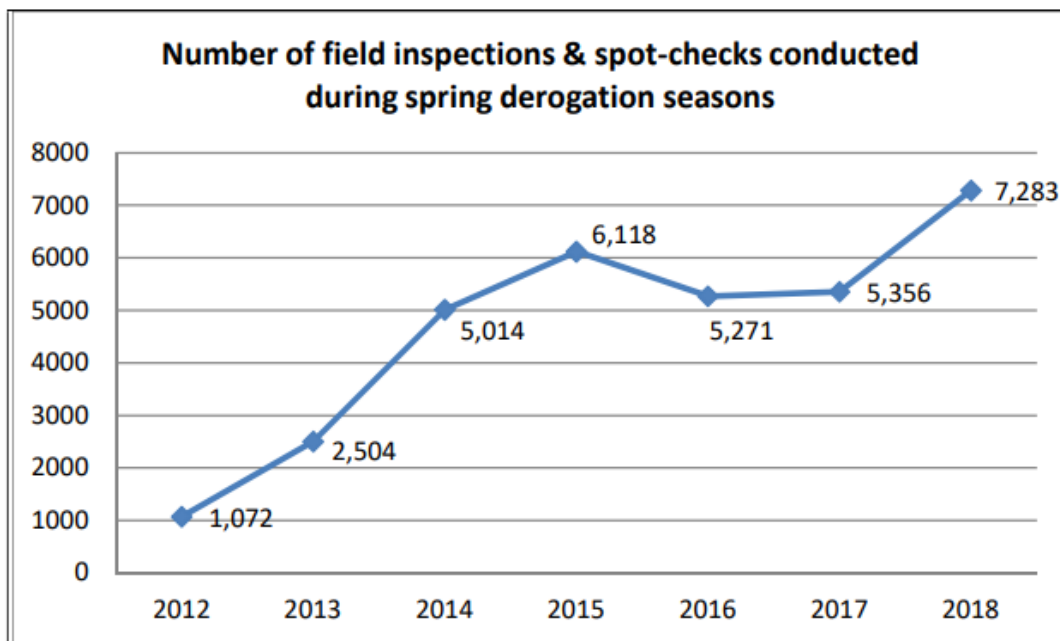
In addition, enforcement officers carried out a total of five night patrols, four in Malta and one in Gozo. Three of these night patrols were carried out by ALE, on the 5th, 6th and 7th April. During the night patrol of the 5th April, ALE officers detected a bird caller in Bingemma, limits of Mgarr. A follow-up inspection was carried out the following morning with the aim of finding the owner of the bird caller. However, neither the bird caller nor the owner was found on site. On the 6th April, ALE patrolled the South area of Malta where an active bird caller was detected in Ta' Kandja. The same location was inspected the following day during the morning shift but the bird caller was switched off and no hunters were present. The night patrol of the 7th April targeted the northern side of Malta where no irregularities were detected.

WBRU assisted CABS in a night inspection on the 6th April in Malta. During this inspection a bird caller was found active in a field in Siggiewi. The device was immediately dismantled and seized. The GPS coordinates were forwarded to the police for further investigation. Another joint night inspection was carried on the 10th April in Gozo after the illegal use of pre-recorded calls of Eurasian Stone-curlew (*Burhinus oedicnemus*)—listed in Annex I of the Birds Directive and Schedule I of the Conservation of Wild Birds Regulations (SL549.42)—was suspected. The report was not confirmed due to the fact that the alleged bird caller was not in use at time of inspection.

One joint night patrol was carried between ALE, WBRU and BirdLife Malta on the 11th April along the northwestern part of Malta. During this night patrol, GPS coordinates of six bird callers were identified for subsequent inspection by ALE during the following morning shift with the aim of identifying and charging the perpetrators. Investigations are currently ongoing.

²¹ In Malta, enforcement officers operated on a two-shift basis: 0500 – 1330 and 1330 – 2130, whilst in Gozo, shift roster followed different pattern: number of officers varied between 0500–0700; 0700–1800 and 1800–2000 periods. In Malta peak number of officers was deployed during the morning shift (0500 and 1330) whilst in Gozo, the highest number of officers on the beat was deployed between 0700 and 1800.

Figure 9 – Comparison of number of field inspections and spot checks performed during the spring hunting seasons over the past 6 years



Source: Wild Birds Regulation Unit / Malta Police Force, 2018

In the course of these inspections and spot-checks, the officers disclosed a total of 44 offences (32 in Malta and 12 in Gozo), which led to legal action being taken against 14 persons (13 in Malta and 1 in Gozo), of which three persons are being charged for multiple offences. Investigations are still ongoing on 14 cases (8 in Malta and 6 in Gozo), whilst no further action could be taken on the remaining 13 cases (8 in Malta and 5 in Gozo) due to the lack of information on the possible culprits.

Table 2 - Enforcement deployment and offences detected during 2018 spring hunting season

Date	Number of officers deployed 0500-1500 (ALE / District / AFM)		Number of officers deployed 1500-2100 (ALE / District / AFM)		Night patrols conducted		Number of field inspections conducted (visits to specific areas)		Number of spot-checks on individual hunters		Offences detected (number of cases and nature of offence)	
	Malta	Gozo	Malta	Gozo	Malta	Gozo	Malta ²²	Gozo	Malta	Gozo	Malta	Gozo
01/04/2018	45	4	29	1	0	0	208	94	21	13	0	0
02/04/2018	45	4	29	1	0	0	208	50	23	1	1 offence Illegal trapping ²³	0
03/04/2018	45	4	29	1	0	0	208	91	26	2	0	0
04/04/2018	45	4	29	2	0	0	208	67	17	2	0	0
05/04/2018	45	5	31	3	1	0	208	30	21	7	1 offence Bird caller ²⁴	0
06/04/2018	45	3	31	1	1	0	208	53	18	0	4 offences 1 case of decoys of protected birds ²⁵ 1 Illegal trapping ²⁶ 2 bird callers ²⁷	1 offence Illegal shooting of

²² A total of 52 localities were visited and surveyed by patrolling teams at least twice during each shift in Malta on each day of the season. In Gozo, enforcement teams conduct patrols throughout the island.

²³ Case refers to an illegal trapping site found by enforcement officers of the Wild Birds Regulation Unit during a patrol in Magħtab, limits of Naxxar. All trapping paraphernalia was seized and case was referred to the police for further investigation with the aim of identifying and charging the perpetrator.

²⁴ During a night patrol, ALE enforcement officers identified an unattended active bird caller for Quail (*Coturnix coturnix*) in Bingemma, limits of Mgarr. A follow-up inspection was carried out with the aim of identifying the perpetrator however the bird caller was not found and no hunters were on site.

²⁵ Case refers to plastic decoys of Turtle-doves (*Streptopelia turtur*) found by WBRU enforcement officers on an electricity pole in Bahrja. Given that the species was not hutable during the spring hunting season, case was referred to the police who coordinated the removal and seizure. The owner of these decoys could not be found.

²⁶ Case refers to illegal trapping of finches during closed season after ALE found a person illegally trapping in Qrendi. All trapping paraphernalia was seized and the birds found on site were immediately released. A person has been charged for illegal trapping during closed season and is currently awaiting court hearing.

²⁷ Case refers to a bird caller detected during a night inspection between WBRU and CABS, which was seized from a field in Siggiewi. Details of the case have been forwarded to the police for further investigation. Another bird caller was identified by ALE during a night patrol in Ta' Kandja Siggiewi.

												protected bird ²⁸
07/04/2018	45	5	31	1	1 ²⁹	0	208	45	38	5	0	0
08/04/2018	45	3	29	3	0	0	208	72	18	7	1 offence Illegal shooting of protected bird ³⁰	0
09/04/2018	45	3	29	3	0	0	208	54	17	28	0	0
10/04/2018	45	3	29	3	0	1 ³¹	208	57	31	8	0	0
11/04/2018	45	4	29	3	1	0	208	100	16	8	6 offences Bird callers ³²	0
12/04/2018	45	3	29	3	0	0	208	67	12	10	5 offences 1 Illegal shooting of protected birds ³³ 1 Illegal shooting of protected birds and illegal possession and disposal of stuffed birds ³⁴ 2 Illegal trapping ³⁵	0
13/04/2018	45	3	29	4	0	0	208	135	22	22	0	0

The site was inspected on the following day with the aim of identifying the owner of the bird caller and charge him accordingly. The perpetrator was not on site and the bird caller could not be located as it was switched off. No hunters were in sight.

²⁸ Case refers to the illegal shooting of a Marsh Harrier (*Circus aeruginosus*) found in Ghasri, Gozo. The protected bird of prey suffered from a shotgun injury to its left wing and is currently being kept under observation by the government-appointed veterinarian.

²⁹ Patrol north side of Malta, no irregularities were detected.

³⁰ Case refers to the illegal killing of a Marsh Harrier (*Circus aeruginosus*) found by a cyclist in Mizieb area, culprit is unknown.

³¹ This night patrol took place jointly between WBRU and CABS after the illegal use of pre-recorded calls of Eurasian Stone-curlew (*Burhinus oedipnemus*) was suspected. The report was not confirmed due to the fact that the alleged caller was not in use at time of inspection.

³² Case refers to a joint night patrol between WBRU, ALE and BirdLife Malta along the north-west side of Malta. During this patrol, six bird callers were located for subsequent inspection by ALE the following morning with the aim of identifying and charging the perpetrators. Investigations are ongoing.

³³ Cases refer to the illegal killing of a Pallid Harrier (*Circus macrourus*). The person shooting at this specimen remained unknown.

³⁴ Case refers to the illegal killing of a Turtle-dove (*Streptopelia turtur*) in Ghaxaq. For the latter case, WBRU assisted in the identification of a taxidermy collection found in possession of the accused. The person is being charged for the illegal killing of a protected bird, illegal possession of four stuffed protected birds: Black-headed Gull (*Larus ridibundus*), Mediterranean Gull (*Larus melanocephalus*), Corn Bunting (*Emberiza calandra*) and Great Reed Warbler (*Acrocephalus arundinaceus*) and for the illegal disposal of registered stuffed protected birds. The case is currently awaiting court hearing.

³⁵ Case refers to illegal trapping of finches during closed season in Mtaħleb. The police seized all trapping paraphernalia and issued charges against two persons for illegal trapping during closed season. Both cases are awaiting court hearing.

14/04/2018	45	4	29	3	0	0	208	64	26	14	0	0
15/04/2018	45	4	29	3	0	0	208	20	21	2	8 offences 1 Hunting within prohibited hours and Arms act ³⁶ 1 Conspiracy of breaking the law ³⁹ 1 Hunting within prohibited hours and illegal possession and disposal of stuffed birds ³⁷ 2 Arms Act ^{39 40} 1 Hunting without special licence ³⁸	0
16/04/2018	45	3	29	3	0	0	208	61	23	6	2 offences 1 Illegal shooting of protected bird ³⁹	0

³⁶ Case refers to an incident of hunting during unpermitted hours in the area of Santu Kristu Chapel in Ghaxaq on the 15th April. During an inspection in the area, police found two persons hunting during late afternoon (ie. during non-permitted hours). Both were arrested by members of the Administrative Law Enforcement Unit, and arraigned on the following day. During court hearing of the 16th of April one of the accused pleaded not guilty to having been allegedly out hunting during non-permitted hours, to having conspired to breach hunting regulations, having carried a firearm without the necessary licence and also with having breached the terms of his weapons licence. Bail was granted against a deposit of €200, a personal guarantee of €2,000 and ordered him to sign the bail book once a week. Moreover, the court strictly warned the man not to make use of any of the weapons not registered on his name. The other person was separately charged with having conspired to breach hunting regulations and was handed a €1,500 fine payable within six months after admitting to his wrongdoing. The other person on whom the gun was registered will be charged separately for breaching regulations concerning firearms licence.

³⁷ During inspections on the 15th April, ALE found a person hunting outside the legal-time window using a modified firearm in Tarxien. Enforcement officers of the Wild Birds Regulation Unit assisted the police in the identification of a collection of stuffed birds found in his residence. From inspection it was found that the accused had disposed of a number of registered birds without prior authorisation from the authorities and was in possession of two protected specimens: a Brent Goose (*Branta bernicla*) and a Black-necked Grebe (*Podiceps nigricollis*), which were subsequently seized. The man was arrested and was later granted police bail before charges were pressed against him during court hearing on the 17th April. The man was charged with breaching conditions of the hunting licence, using a modified firearm and other offences against the firearms regulation. Bail was granted against a personal guarantee of €5,000 was ordered to sign the bail book on a daily basis until the date of judgment. Another person in connection with this case has been charged for offences related to firearms regulations.

³⁸ Case refers to a person found hunting during the spring hunting season without the relevant special licence. The person has been charged and case is currently pending hearing.

³⁹ Case refers to the illegal shooting of a Turtle-dove (*Streptopelia turtur*). The bird was recovered by a member of the public from an area known as il-Bidni in Żabbar and handed over to the Administrative Law Enforcement Unit. The culprit remains unknown.

											1 Arms Act ⁴⁰	
17/04/2018	45	3	29	2	0	0	208	130	20	9	0	0
18/04/2018	45	4	29	2	0	0	208	54	23	6	0	0
19/04/2018	45	2	29	1	0	0	208	98	47	8	3 offences 2 cases of illegal shooting of a protected bird ⁴¹ 1 Illegal possession and disposal of stuffed birds ⁴²	0
20/04/2018	45	3	29	2	0	0	208	71	32	10	0	8 offences 5 Cage traps ⁴³

⁴⁰ During road checks conducted in Żejtun by ALE enforcement officers, a person was found carrying a firearm and ammunition in his vehicle. Charges have been issued for irregularities concerning weapons regulations which case is currently awaiting court hearing.

⁴¹ Case refers to the illegal shooting of a Turtle-dove (*Streptopelia turtur*) in the limits of Kuncizzjoni in Rabat, Malta. Members of BirdLife Malta provided the police with a video footage of the incident. The culprit is expected to be charged in the coming days. On the same day, WBRU enforcement witnessed an incident of illegal shooting of Turtle-doves in Has-Saptan area; police were informed and assisted to inspect the area however the culprit was not identified.

⁴² Case refers to an investigation on the alleged illegal shooting of protected birds. The investigation on illegal shooting did not yield any results however following an inspection in the accused's residence, police found a collection of stuffed birds. WBRU enforcement officers assisted the police in inspecting a number of live birds and in the identification of the stuffed birds collection. Although nothing irregular was found with respect to the live birds, the accused was found to have illegally disposed of registered stuffed protected birds without authorisation and was also in possession of two stuffed protected birds: Green Sandpiper (*Tringa ochropus*) and European Honey Buzzard (*Pernis apivorus*) which were subsequently seized. The perpetrator has been charged and is currently awaiting court hearing.

⁴³ Case refers to a joint patrol carried out between Gozo police, CABS and WBRU enforcement officers targeting illegal trapping sites found by CABS volunteers. During this patrol, five illegal cage traps were identified. One active cage trap in Żebbuġ contained a Song Thrush (*Turdus philomelos*) and twelve Starlings (*Sturnus vulgaris*), which were released on site. Another cage trap found in Żebbuġ contained several Turtle-doves (*Streptopelia turtur*), but given that at time of inspection the birds were raising a number of chicks it was decided not to release the birds as yet in order not to disrupt the nests. Another two cage traps in Xaghra containing a total of 13 Turtle-doves (*Streptopelia turtur*) which were all released on the spot. The fifth cage trap was found in Marsalforn. It comprised of an upper section aimed at catching birds and a lower aviary housing Turtle-doves (*Streptopelia turtur*) which act as decoys to lure other birds to the trap. On first inspection the cage trap was found inactive with its door open. Given the lack of substantial evidence of illegal trapping, the birds in the lower aviary were not released. The cage trap was inspected again on the 30th April with volunteers from BirdLife Malta, and at this time the cage trap was found to be active and contained a freshly-caught Turtle-dove (*Streptopelia turtur*). During this second inspection, a total of 16 Turtle-doves (*Streptopelia turtur*), 15 from the lower aviary and one freshly caught from the upper chamber, were seized and released on site. Investigations are currently ongoing with the aim of identifying and charging the perpetrators.

												1 Illegal trapping ⁴⁴ 2 Illegal shooting of protected bird ⁴⁵
21/04/2018	45	3	29	2	0	0	208	95	22	7	1 offence Illegal shooting of protected bird ⁴⁶	3 offences 1 Cage trap ⁴⁷ 2 Illegal trapping ⁴⁸
Total					4	1	4,368 ⁴⁹	1,508 ⁵⁰	494 ⁵¹	175 ⁵²	32	12

⁴⁴ Case refers to an illegal trapping site targeting wader species found during a joint inspection between CABS, WBRU and Gozo police in Xaghra. All trapping paraphernalia was seized by the police, investigations are currently ongoing to identify and charge the perpetrator(s).

⁴⁵ Case refers to the illegal killing of a Turtle-dove (*Streptopelia turtur*) which was presented dead to the police after it was incidentally retrieved by a dog in Xaghra and another case of illegal shooting of a Turtle-dove witnessed by WBRU. Perpetrators could not be identified.

⁴⁶ Case refers to illegal killing of a Turtle-dove (*Streptopelia turtur*) in Siggiewi. A person is currently being investigated in relation to this case.

⁴⁷ Case refers to a cage trap found in Marsalforn during a joint patrol between CABS and Gozo police. The case is currently under investigation to identify and charge the perpetrator.

⁴⁸ Case refers to a joint inspection carried out between CABS and Gozo police where a net and cages containing two Common Quails (*Coturnix coturnix*) were found in a field in Xaghra. The equipment was seized and the quails were immediately released, the perpetrator is unknown to the police. In the other case, a trapper was caught red-handed in Marsalforn, charged and is expected to be taken to court soon.

⁴⁹ This total represents the field inspection conducted by ALE, an additional 37 field inspections conducted by WBRU enforcement team must be added to this amount to obtain the cumulative total of 4,405 field inspections which were carried out in Malta.

⁵⁰ This total represents the field inspections conducted by Gozo police, an additional 11 field inspections conducted by WBRU enforcement team must be added to this amount to obtain the cumulative total of 1,519 field inspections which were carried out in Gozo.

⁵¹ This total represents the number of spot-checks conducted by ALE, an additional 20 spot-checks conducted by WBRU enforcement team must be added to this amount to obtain the cumulative total of 514 spot-checks which were carried out in Malta.

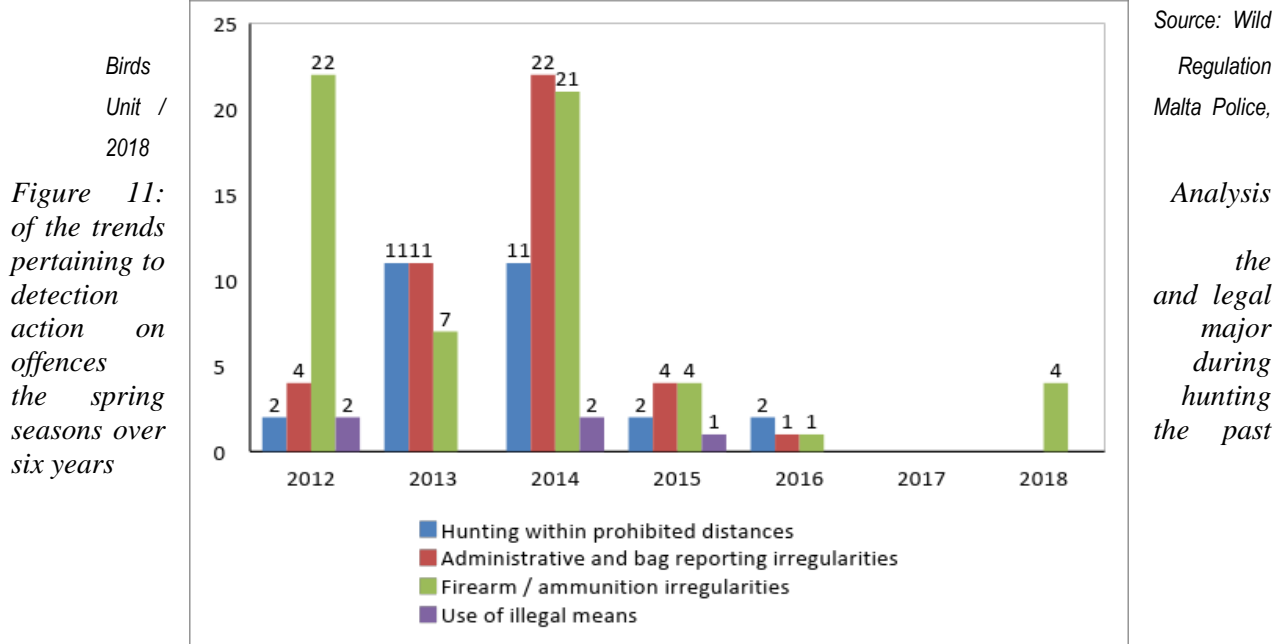
⁵² This total represents the number of spot-checks conducted by Gozo police, an additional 3 spot-checks conducted by WBRU enforcement team must be added to this amount to obtain the cumulative total of 178 spot-checks which were carried out in Gozo.

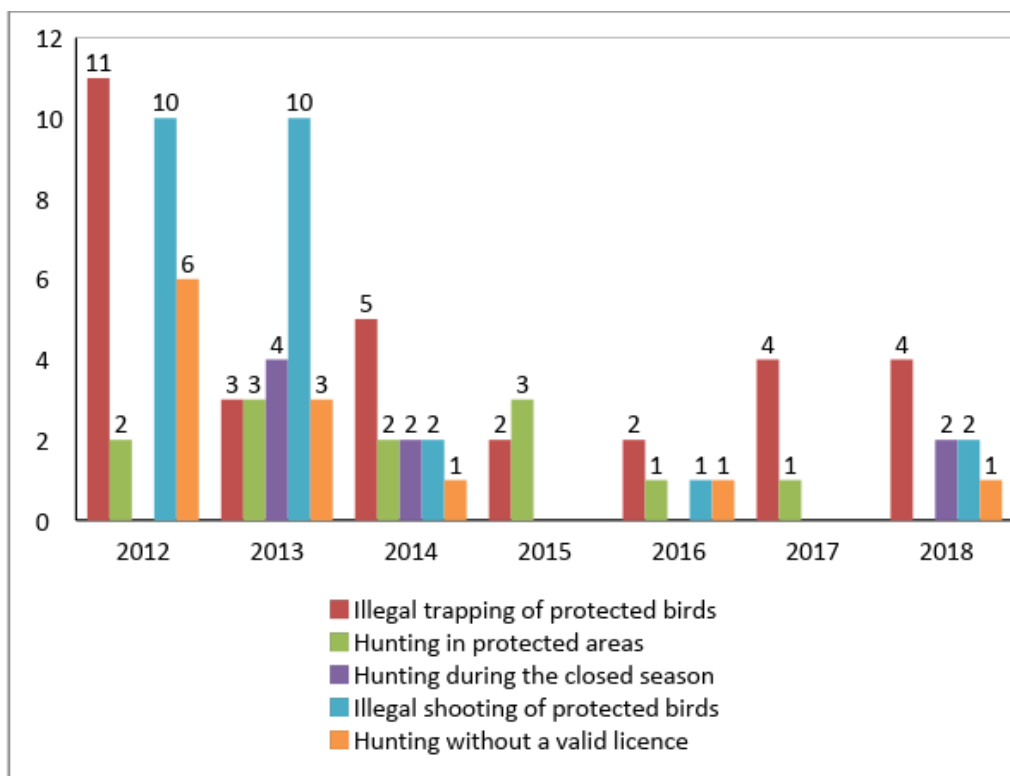
The table below (Table 3) compares the number and nature of the offences detected during 2018 spring hunting season with the corresponding statistics for the previous seasons.

<i>Table 3: Comparison of offences detected on which legal action was taken during 2012 – 2018 spring hunting seasons</i>							
Offences	2012	2013	2014	2015	2016	2017	2018
Hunting within prohibited distances	2	11	11	2	2	0	0
Administrative and bag reporting irregularities	4	11	22	4	1	0	0
Firearm / ammunition irregularities	22	7	21	4	1	0	4
Use of illegal means	2	0	2	1	0	0	0
Illegal trapping of protected birds	11	3	5	2	2	4	4
Illegal shooting of protected birds	2	3	2	3	1	1	2
Possession of protected species	5	1	1	2	0	0	3
Hunting in protected areas	0	4	2	0	0	0	0
Hunting without a valid licence	10	10	2	0	1	0	1
Hunting during the closed season	6	3	1	0	1	0	2
Conspiracy of breaking the law	0	0	0	0	0	0	1
Total offences against which legal action was taken	64	53	69	18	9	5	17

Source: Wild Birds Regulation Unit / Malta Police Force, 2018

Figure 10: Analysis of the trends pertaining to detection and legal action on relatively minor offences during the period of spring hunting derogation over the past six years





Source: Wild Birds Regulation Unit / Malta Police, 2018

Table 4 below provides a comparison between the total number of birds confirmed to have been illegally shot during the 2017 and 2018 spring hunting seasons.

Table 4: Birds confirmed to have been illegally shot during the 2017 and 2018 spring hunting seasons. Entries in light grey are birds illegally shot outside season.

2017 spring hunting season (24/03/2017 – 14/04/2017)			2018 spring hunting season (01/04/2018 – 21/04/2018)		
Date of retrieval	Species	Retrieved from	Date of retrieval	Species	Retrieved from
25/03/2017	-	-	25/03/2018	-	-
26/03/2017	Marsh Harrier (<i>Circus aeruginosus</i>)	Selmun	26/03/2018	Yellow-legged Gull (<i>Larus michahellis</i>)	Unspecified
27/03/2017	-	-	27/03/2018	-	-
28/03/2017	Common Kestrel (<i>Falco tinnunculus</i>)	Unspecified	28/03/2018	-	-
29/03/2017	-	-	29/03/2018	-	-
30/03/2017	Common Swift (<i>Apus apus</i>)	L-Aħrax - Mellieħa	30/03/2018	-	-
31/03/2017	-	-	31/03/2018	-	-
01/04/2017	Hoopoe (<i>Upupa epops</i>)	Siggiewi	01/04/2018	-	-
	Marsh Harrier (<i>Circus aeruginosus</i>)	Qormi		-	-
	Marsh Harrier (<i>Circus aeruginosus</i>)	Għasri - Gozo		-	-
02/04/2017	Hoopoe (<i>Upupa epops</i>)	Siggiewi	02/04/2018	-	-
	Barn Swallow (<i>Hirundo rustica</i>)	Marsa		-	-
03/04/2017	Marsh Harrier (<i>Circus aeruginosus</i>)	Mgarr	03/04/2018	-	-
04/04/2017	Lesser Kestrel (<i>Falco naumanni</i>)	Gozo	04/04/2018	-	-

05/04/2017	Eurasian Stone-curlew (<i>Burhinus oedicephalus</i>)	Pembroke	05/04/2018	-	-
06/04/2017	-	-	06/04/2018	Marsh Harrier (<i>Circus aeruginosus</i>)	Għasri - Gozo
07/04/2017	-	-	07/04/2018	-	-
08/04/2017	-	-	08/04/2018	Marsh Harrier (<i>Circus aeruginosus</i>)	Miżieb
09/04/2017	-	-	09/04/2018	-	-
10/04/2017	-	-	10/04/2018	-	-
11/04/2017	-	-	11/04/2018	Turtle-dove (<i>Streptopelia turtur</i>)	Xemxija
12/04/2017	Marsh Harrier (<i>Circus aeruginosus</i>)	Miġra l-Ferħa	12/04/2018	Pallid Harrier (<i>Circus macrourus</i>)	Marsascalea
13/04/2017	Eurasian Stone-curlew (<i>Burhinus oedicephalus</i>)	L-Aħrax - Mellieħa	13/04/2018	Turtle-dove (<i>Streptopelia turtur</i>)	Għaxaq
14/04/2017	Hoopoe (<i>Upupa epops</i>)	Gozo	14/04/2018	Moorhen (<i>Gallinula chloropus</i>)	Marfa
15/04/2017	Turtle-dove (<i>Streptopelia turtur</i>)	Safi	15/04/2018	Common Kestrel (<i>Falco tinnunculus</i>)	Żebbuġ
16/04/2017	Purple Heron (<i>Ardea purpurea</i>)	Unspecified	16/04/2018	Turtle-dove (<i>Streptopelia turtur</i>)	Birzebbuga
17/04/2017	-	-	17/04/2018	Common Kestrel (<i>Falco tinnunculus</i>)	Marsascalea
18/04/2017	-	-	18/04/2018	Marsh Harrier (<i>Circus aeruginosus</i>)	Mrieħel
19/04/2017	Common Kestrel (<i>Falco tinnunculus</i>)	Żejtun	19/04/2018	-	-
20/04/2017	-	-	20/04/2018	Common Kestrel (<i>Falco tinnunculus</i>)	Siggiewi
21/04/2017	-	-	21/04/2018	Turtle-dove (<i>Streptopelia turtur</i>)	Delimara
				Turtle-dove (<i>Streptopelia turtur</i>)	Fawwara
				Turtle-dove (<i>Streptopelia turtur</i>)	Xagħra, Gozo
				Turtle-dove (<i>Streptopelia turtur</i>)	Dwejra, Malta
				Common Kestrel (<i>Falco tinnunculus</i>)	Birzebbuga
				Turtle-dove (<i>Streptopelia turtur</i>)	Delimara
Total		15 (+2 outside season)	Total		17 (+1 outside season)

Source: BirdLife Malta (2017; 2018) & Wild Birds Regulation Unit (2017; 2018)

In addition to enforcement deployment by the authorities, around 52 hunting marshals were deployed by the Federation for Hunting and Conservation (FKNK) to assist the authorities in surveillance, whilst *Kaċċaturi San Ubertu* (KSU) deployed around 20 observers monitoring the extent of migration and also assisting the authorities in the detection and reporting of any observed illegalities. Furthermore, various volunteers from the Committee Against Bird Slaughter (CABS) and BirdLife (Malta) maintained a close watch for any irregularities throughout the season.

As shown in Table 4 above, during the 25 March – 31 March period (2017 season), the ratio of illegally shot birds was 3:1_(2017:2018), whereas during the 1 April – 14 April period (the period when the season was open during both years), the ratio of illegally shot birds was 12:7_(2017:2018). The table also shows that during the 15 April – 21 April period (2018 season), the ratio of illegally shot birds was 1:5_(2017:2018) with Turtle-doves constituting the majority of casualties, coinciding with an influx of this species on 19 April (Ecoserv, 2018).

In respect of the offences detected during the 2018 spring hunting season, criminal action is being taken against 14 persons. 10 persons (9 in Malta and 1 in Gozo) are being charged for offences against the Conservation of Wild Birds Regulations (S.L.549.42), another three charged for firearms related offences (all in Malta) and one for conspiracy of breaking the law (Malta). Together these persons committed a total of 17 offences.

5.7 Judicial action against bird-related crime.

During the reporting period, the Wild Birds Regulation Unit's officials attended and testified in various court hearings, which successfully secured over 104 convictions. During the same period, the Unit also issued administrative fines for over 72 offenders.

- Below is an example of the outcome of some of the cases related to illegal targeting of protected birds decided by the Maltese Law Courts during the reporting period: On the 10th of January 2017 a person was convicted for illegal possession and illegal trapping of protected waders during closed season, mainly *Common Sandpiper (Actitis hypoleucos)* and *Wood Sandpiper (Tringa glareola)*, the latter listed under Schedule I of the Conservation of Wild Birds Regulations SL 549.42. The accused was sentenced to pay a €2,000 fine, had his firearm confiscated and was ordered the suspension of licences for two years. Given that the accused was a repeat offender and the case refers to targeting of Schedule I species which are provided high level protection by the Conservation of Wild Birds Regulation (SL549.42), prosecution appealed the case. During the case of appeal heard on the 17th November 2017, the court found the accused guilty of all charges, ordered a fine increase to €5,000, confirmed the confiscation of firearm and ordered the permanent revocation of all licences issued under SL 549.42 and Schedule XV of Code of Police Laws for life.
- On the 1st February 2017 one person was convicted for illegal possession of protected birds, illegal transfer / disposal of registered stuffed protected birds, illegal importation of protected birds from a non-EU country as well as other offences related to firearms regulations. The perpetrator was sentenced to pay €3,600, confiscation of the exhibited *corpus delicti* and had all his licences issued under SL 549.42 and Schedule XV of Code of Police Laws revoked for life.
- On the 15th November 2017 one person was found guilty of trapping without a licence and sentenced to a €2,000 fine and permanent revocation of all licences issued under SL 549.42 and Schedule XV of Code of Police Laws.
- On the 7th February 2018 the Law Courts decided the case of illegal shooting of a Booted Eagle (*Hieraetus pennatus*) that took place on the 2nd of November 2016. Following the incident, the person was apprehended, charged and granted bail against a €2,000 deposit and personal guarantee of €10,000. During the hearing in February 2018, the accused was sentenced to pay a €5,000 fine, ordered one year effective imprisonment and had all his licences issued under SL 549.42 and Schedule XV of Code of Police Laws revoked for life. The case was pending appeal at the time of writing.
- On the 7th March 2018 a person was found guilty of illegal shooting, illegal possession and illegal importation of protected bird species from Romania. Case dates back to January 2016 when the Customs Enforcement Unit within the Malta International Airport detected a luggage containing a large amount of bird carcasses. The accused was found guilty of the charges brought against him and handed a €2,500 fine, ordered the confiscation of the *corpus delicti*, and had all his licences issued under SL 549.42 and Schedule XV of Code of Police Laws revoked for life. The case was pending appeal at the time of writing.
- On the 2nd of May 2018, a person was found guilty of illegal killing of a European Bee-eater (*Merops apiaster*) and European Turtle-dove (*Streptopelia turtur*). The accused was given a €2,000 fine and had all his licences issued under SL 549.42 and Schedule XV of Code of Police Laws suspended for three years.
- On the 15th of July 2018, the Court heard the case of appeal of an individual who was found guilty of illegal killing and possession of a Marsh Sandpiper (*Tringa stagnatilis*) and a Spotted Crake (*Porzana porzana*), the latter listed under Schedule I of SL 549.42. During the first hearing of the 16th of September 2015, the Court had found the accused guilty and imposed a fine of €9,000, ordered the

confiscation of the *corpus delicti*, and had all his licences issued under SL 549.42 and Schedule XV of Code of Police Laws revoked for life. Following the appeal hearing, the Court reduced the fine to €5,000 and confirmed the confiscation of the *corpus delicti* and permanent revocation of all his licences.

- On the 17th October 2018, the Court heard the case of appeal of an individual who was found guilty of illegal trapping during prohibited hours back in 2014. The Court confirmed the original sentence and ordered the accused to pay a fine of €2,400, ordered the confiscation of the *corpus delicti* and suspension of all licences issued under SL 549.42 and Schedule XV of Code of Police Laws for three years.

MOROCCO / MAROC

Template

for the completion of the progress report on implementation of the Bern Convention Tunis Action Plan 2020 [RECOMMENDATION NO. 164 (2013)] and the Programme of Work of the UN-Environment/CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

The Secretariats of the Bern Convention and the CMS gratefully acknowledge the Bern Convention Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (Bern SFPs Network) and Members and Observers of the CMS MIKT that have completed in 2018 the *Scoreboard to assess the progress in combating illegal killing, taking and trade of wild birds (IKB)* (referred to in this document as the Scoreboard). The information collected through the Scoreboard has been considered when preparing the present template as to maximise the usefulness of available information and avoid duplication of effort to the extent possible.

Accordingly, those questions already covered by the Scoreboard have been indicated in the template below and can be skipped by Bern SPF, Members and Observers of MIKT that already completed and submitted the Scoreboard. Should you have updated or additional information, please include it in the present template.

Country	Morocco
Name and position of responsible person	MESBAH HAYAT
Institution/Organization	Haut Commissariat aux Eaux et Forêts et à la Lutte Contre la Désertification
E-mail	Mesbah_ef@yahoo.fr
Bern Convention SFP	(Yes/No)
CMS MIKT Member/Observer	(Yes/No) Yes
Date of completing the form	02/04/2019

Definition and Reference Documents

"Illegal killing, trapping and trade of birds" is defined for the purpose of this questionnaire as: Activities which are illegal under national, regional or international law committed intentionally resulting in the death, injury or removal of specimens of wild birds from the wild either dead or alive, including their parts and derivatives.

- [Recommendation No. 164 \(2013\)](#) and the "Tunis Action Plan 2013-2020 for the eradication of illegal killing, trapping and trade of wild birds"
- [Recommendation No. 171 \(2014\)](#) of the Standing Committee, adopted on 5 December 2014, on the setting-up of national policing/investigation priorities to tackle illegal killing, trapping and trade of wild birds
- [Recommendation N° 177 \(2015\)](#) on the gravity factors and sentencing principles for the evaluation of offences against birds, and in particular the illegal killing, trapping and trade of wild birds
- [Programme of Work 2016 – 2020](#) for the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

- [UNEP/CMS Resolution 11.16 \(Rev. COP 12\): The Prevention of Illegal Killing, Taking and Trade of Migratory Birds](#)

INDEX

1.	ENFORCEMENT AND LEGAL ASPECTS
	BB. Identification of National Priorities
	CC. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution
	DD. Identification and standardisation of gravity factors and sentencing guidelines
2.	BIOLOGICAL AND INSTITUTIONAL ASPECTS
3.	AWARENESS ASPECTS
4.	COORDINATION, SYNERGIES AND MAINSTREAMING

1. ENFORCEMENT AND LEGAL ASPECTS

A. Identification of National Priorities

1. Please provide the list of policing/investigation priorities identified to tackle wild-bird crimes in your country [following Recommendation No. 171 (2014) where applicable], as well as the bodies in charge of their enforcement and monitoring: In case the list of priorities is not in place, please list the reasons/challenges that prevented your authorities from action in this respect.

Veuillez fournir la liste des priorités en matière de maintien de l'ordre / d'enquête identifiées pour lutter contre les crimes liés aux oiseaux sauvages dans votre pays [conformément à la Recommandation n° 171 (2014), le cas échéant], ainsi que les organes chargés de leur application et de leur suivi: Dans le cas où la liste des priorités n'est pas en place, veuillez énumérer les raisons / difficultés qui ont empêché vos autorités de prendre des mesures à cet égard.

- Elaboration d'un Plan d'action national de la mise en œuvre de la loi 29.05 relative à la conservation de la flore et de la faune sauvage et au contrôle de leur commerce,
- Mise en place des unités de surveillance et de contrôle de la faune sauvage,
- Elaboration d'une circulaire interministérielle entre le Haut-Commissariat aux Eaux et Forêts, le ministère de l'Intérieur et le ministère public visant à instituer des commissions au niveau de chaque région pour la mise en œuvre de la loi 29.05.

1.1 Complementary information where appropriate, please see table below (OPTIONAL)

2. By which administrative or legal means have the national priorities been established in your country?

Par quels moyens administratifs ou juridiques les priorités nationales ont-elles été établies dans votre pays ?

Les actions de lutte contre les crimes liés aux oiseaux sauvages sont cadrées par la loi 29.05 relative à la conservation de la flore et de la faune sauvages et au contrôle de leur commerce

Suite à l'entrée en vigueur de cette loi en 2016, un plan d'action national a été mis en place qui n'est pas spécifique aux oiseaux sauvages mais à toutes les espèces.

3. Which bodies and stakeholders were involved in the priority-setting process?

Quels organes et parties prenantes ont été impliqués dans le processus de définition des priorités ?

Les agents des eaux et forêts, Les autorités chargées du contrôle et les ONGs nationales et locales

4. What are the bodies in charge of their enforcement?

Quels sont les organes chargés de leur application ?

Les agents des eaux et forêts, Les autorités chargées du contrôle

5. What are the control mechanisms put in place to ensure that the identified priorities are applied as such?

Quels sont les mécanismes de contrôle mis en place pour garantir que les priorités identifiées sont appliquées en tant que telles ?

La mise en place de commissions au niveau de chaque région présidée par les gouverneur et walis et où l'action de chaque partenaire est bien définie

6. What is your evaluation of the benefits and challenges linked to the implementation of national priorities?

Comment évaluez-vous les avantages et les défis liés à la mise en œuvre des priorités nationales ?

Les actions ont été récemment mises en place on n'a pas encore procédé aux évaluations mais les premiers résultats sont encourageants

7. Where applicable: To which extent your authorities refer to the national priorities for the reporting obligations of Article 12 of the EU Birds Directive?

Le cas échéant: dans quelle mesure vos autorités se réfèrent-elles aux priorités nationales en ce qui concerne les obligations de notification énoncées à l'article 12 de la directive «Oiseaux»?

Non applicable au Maroc

8. Is IKB contemplated by the National Action Plans (NAPs) or have NAPs being developed to address IKB? **You can skip this question if you have completed the Scoreboard.**

IKB est-il envisagé par les plans d'action nationaux (PAN) ou des PAN sont-ils en cours d'élaboration pour y remédier? **Vous pouvez ignorer cette question si vous avez rempli le tableau de bord.**

Un plan d'action pour les oiseaux serait envisageable

B. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution

1.a. What are the national mechanisms put in place for recording reports of wildlife cases/prosecution?

Quels sont les mécanismes nationaux mis en place pour enregistrer les rapports de cas / poursuites concernant des espèces sauvages ?

A travers une bonne collaboration entre les agents chargés du contrôle et les autorités judiciaires

1.b and to what extent these are also used to provide statistical evidence of the areas of offending (e.g. through adding categories of wildlife crime to those crimes already recorded nationally?)

In case such mechanisms are not in place, please list the reasons/challenges that prevented your authorities from action in this respect

et dans quelle mesure ils sont également utilisés pour fournir des preuves statistiques sur les domaines de la délinquance (par exemple en ajoutant des catégories de crimes contre les espèces sauvages aux crimes déjà enregistrés au niveau national ?)

Si de tels mécanismes ne sont pas en place, veuillez indiquer les raisons / difficultés qui ont empêché vos autorités d'agir à cet égard.

En cours de mise en place suite à la signature de la circulaire interministérielle

2. Has your country appointed national focal points to assist investigators and prosecutors in accessing/locating expert knowledge providers, or at least established a compilation of a national contact list of expert providers (including scientists, specialist law firms, expert witnesses, and independent specialists)?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

Votre pays a-t-il désigné des points focaux nationaux pour aider les enquêteurs et les procureurs à rechercher / trouver des fournisseurs de connaissances spécialisés, ou du moins a-t-il établi une liste nationale de contacts de fournisseurs experts (y compris des scientifiques, des cabinets d'avocats spécialisés, des témoins experts et des spécialistes indépendants)?

Sinon, veuillez énumérer les raisons / difficultés qui ont empêché vos autorités d'agir à cet égard.

Les Unités de surveillance et de contrôle de la faune sauvage et les directeurs provinciaux de chaque région sont chargés de cette mission

3. Are there any dedicated infrastructures enabling for the national exchange of information and coordination of actions at identified black-spots of illegal activities?

If not, please list the reasons/challenges that prevented your authorities from action in this respect,

Existe-t-il des infrastructures dédiées permettant l'échange national d'informations et la coordination des actions sur les points noirs identifiés des activités illégales?

Sinon, veuillez énumérer les raisons / difficultés qui ont empêché vos autorités d'agir à cet égard,

En cours de mise en place

4. Are there any national platforms, for instance in the form of web portals, to provide information and resources for the professionals involved in fighting against illegal killing of birds?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

Existe-t-il des plateformes nationales, par exemple sous la forme de portails Web, pour fournir des informations et des ressources aux professionnels impliqués dans la lutte contre l'abattage illégal d'oiseaux?

Sinon, veuillez énumérer les raisons / difficultés qui ont empêché vos autorités d'agir à cet égard.

Il existe un site web mis en place par une ONG nationale le Groupe de Recherche pour la Protection des oiseaux au Maroc (GREPOM/BirdLife)

C. Identification and standardisation of gravity factors and sentencing guidelines

1. Have authorities promoted or included gravity factors and sentencing guidelines to be integrated in the legal framework? **You can skip this question if you have completed the Scoreboard.**

Les autorités ont-elles promu ou inclus des facteurs de gravité et des directives de détermination de la peine à intégrer dans le cadre juridique ? **Vous pouvez ignorer cette question si vous avez rempli le tableau de bord.**

Les facteurs de gravité sont déterminés au niveau de la loi 29.05 qui fixe les peines selon la catégorie dans laquelle l'espèce est inscrite

2. Where applicable: By which mean have your authorities brought the sentencing guidelines and gravity factors adopted by the Bern Convention Standing Committee through Recommendation N° 177 (2015) to the attention of the judiciary? And what feedback – if any- was received authorities?

If the sentencing guidelines and gravity factors have not yet been forwarded to the judiciary, please list the reasons/challenges that prevented your authorities from action in this respect

Le cas échéant: par quels moyens vos autorités ont-elles attiré l'attention du pouvoir judiciaire sur les lignes directrices relatives à la peine et les facteurs de gravité adoptés par le Comité permanent de la Convention de Berne par la Recommandation N ° 177 (2015)? Et quels commentaires, le cas échéant, ont été reçus par les autorités?

Si les directives de détermination de la peine et les facteurs de gravité n'ont pas encore été transmis au pouvoir judiciaire, veuillez indiquer les raisons / difficultés qui ont empêché vos autorités d'agir à cet égard.

Il est prévu un atelier de formation le premier du genre avec les juges et les magistrats au mois d'avril 2019.

2. BIOLOGICAL AND INSTITUTIONAL ASPECTS

1. What are the mechanisms in place for analysing existing data on illegal activities affecting birds? Is there any standardised protocol for data collection, namely to identify black-spots for illegal killing of birds?

If no mechanism or protocol is in place, please list the reasons/challenges that prevented your authorities from action in this respect.

Quels sont les mécanismes en place pour analyser les données existantes sur les activités illégales affectant les oiseaux ? Existe-t-il un protocole normalisé pour la collecte de données, à savoir l'identification de points noirs pour la mise à mort illégale d'oiseaux ?

Si aucun mécanisme ou protocole n'est en place, veuillez énumérer les raisons / difficultés qui ont empêché vos autorités de prendre des mesures à cet égard.

Il n'y a pas de mécanisme mis en place pour l'identification des points noirs pour la mise à mort illégale d'oiseaux

2. Has your country established statistics on mortality within bird populations due to legal harvest? If yes, through which mechanism? If not, please explain why.

Votre pays a-t-il établi des statistiques sur la mortalité au sein des populations d'oiseaux due au prélèvement légal ? Si oui, par quel mécanisme ? Si non, s'il vous plaît expliquer pourquoi.

Non

3. What are the estimates of mortality due to illegal killing trapping and trade and illegal activities in your country (according to the definition given by the Bern Convention Recommendations or/and the CMS resolution 11.16 (Rev. COP12))? You can skip this question if you have completed the Scoreboard.

Quelles sont les estimations de la mortalité due au piégeage, au commerce et aux activités illégales d'abattage dans votre pays (conformément à la définition donnée dans les Recommandations de la Convention de Berne et / et la résolution 11.16 de la CMS (Rev. COP12)) ? Vous pouvez ignorer cette question si vous avez rempli le tableau de bord.

Il n'y a pas de chiffres officiels concernant cette question à part l'étude élaborée

4. Has research been conducted, or data collected, regarding scale, modus operandi, socio-economic drivers, national and international legal and illegal trade in wild birds in the European and Mediterranean region?

Des recherches ont-elles été menées ou des données ont-elles été collectées concernant l'ampleur, le mode de fonctionnement, les facteurs socio-économiques, le commerce légal et illégal national et international d'oiseaux sauvages dans la région européenne et méditerranéenne ?

non

3. AWARENESS ASPECTS

1. Is there any official study on the key drivers and benefits of wild-bird crimes in your country?
You can skip this question if you have completed the Scoreboard.

Existe-t-il une étude officielle sur les principaux facteurs et avantages des crimes contre les oiseaux sauvages dans votre pays ? **Vous pouvez ignorer cette question si vous avez rempli le tableau de bord.**

Non

2. Is there any operational platform put in place to raise awareness of the wider public on the consequences and biological impact of illegal killing of birds?

Existe-t-il une plate-forme opérationnelle mise en place pour sensibiliser le grand public aux conséquences et à l'impact biologique de l'abattage illégal d'oiseaux ?

Non

3. Is there any communication strategy adopted by the government, or guidance distributed to policy makers on how to react publicly against illegal killing of birds?

Existe-t-il une stratégie de communication adoptée par le gouvernement ou des orientations distribuées aux décideurs sur la manière de réagir publiquement contre le massacre illégal d'oiseaux?

Non

4. Has your country implemented any kind of campaign, including school campaigns, to raise awareness on this matter? **You can skip this question if you have completed the Scoreboard.**

Votre pays a-t-il mis en œuvre un type de campagne, y compris des campagnes dans les écoles, pour sensibiliser le public à cette question ? **Vous pouvez ignorer cette question si vous avez rempli le tableau de bord.**

Non

4. COORDINATION, SYNERGIES AND MAINSTREAMING

1. Are there any protocols, procedures or mechanisms to ensure knowledge-sharing between the Special Focal Point for Illegal Killing of Birds under the Bern Convention, the MIKT member or observer, the National representative at the EU Ornithological Committee and the CITES enforcement officers?

If coordination is not foreseen, please list the reasons/challenges that prevented your authorities from action in this respect

Existe-t-il des protocoles, des procédures ou des mécanismes pour assurer le partage des connaissances entre le point focal spécial pour la mise à mort illégale d'oiseaux dans le cadre de la Convention de Berne, le membre ou observateur de MIKT, le représentant national auprès du Comité Ornithologique de l'UE et les agents de contrôle de la CITES?

Si la coordination n'est pas prévue, veuillez énumérer les raisons / difficultés qui ont empêché vos autorités d'agir à cet égard.

La coordination existe depuis toujours car c'est le même Département qui regroupe tous les points focaux

2. How would you evaluate the cooperation of your main enforcement agency(ies) with the relevant INTERPOL National Central Bureau?

Comment évalueriez-vous la coopération de vos principaux services de contrôle avec le Bureau central national INTERPOL compétent ?

Il n'y a pas de coopération avec le Bureau national INTERPOL

3. Has your country put in place the necessary mechanisms for encouraging and facilitating networking, cooperation and exchanges of information between the investigators and the advisers/prosecutors? Has the cooperation between judiciary and law enforcement official been strengthened at pan-Mediterranean level?

If not, please list the reasons/challenges that prevented your authorities from action in this respect

Votre pays a-t-il mis en place les mécanismes nécessaires pour encourager et faciliter la mise en réseau, la coopération et l'échange d'informations entre les enquêteurs et les conseillers / procureurs ? La coopération entre le pouvoir judiciaire et les responsables de l'application des lois a-t-elle été renforcée au niveau pan-méditerranéen?

Dans la négative, veuillez énumérer les raisons / difficultés qui ont empêché vos autorités d'agir à cet égard.

An niveau national, une circulaire a été élaborée entre le Ministère de l'Intérieur, les procureurs et le Haut Commissariat aux Eaux et Forêts

4. Has your country exchanged experiences (bilateral meetings, mutual traineeship programme, training visits to another country, etc.) with one or more parties to the Bern Convention and/or MIKT members and observers?

Votre pays a-t-il échangé des expériences (réunions bilatérales, programme de stages mutuels, visites de formation dans un autre pays, etc.) avec une ou plusieurs parties à la Convention de Berne et / ou membres et observateurs du MIKT ?

Non

5. Which existing international networks, platforms and information exchange mechanisms has been used to maximize cooperation in law enforcement?

Quels réseaux, plateformes et mécanismes d'échange d'informations existants ont été utilisés pour maximiser la coopération dans le domaine de la répression ?

Les échanges d'informations se font actuellement à travers les écrits officiels entre les concernés

6. Overall by which means and with which results is your country addressing the need to enhance inter-sector cooperation involving all relevant Ministries, particularly the Ministries of Environment, Agriculture, Interior or Home Affairs, Justice and Education?

Dans l'ensemble, par quels moyens et avec quels résultats votre pays répond-il au besoin de renforcer la coopération intersectorielle impliquant tous les ministères concernés, en particulier les ministères de l'environnement, de l'agriculture, des affaires intérieures ou intérieures, de la justice et de l'éducation ?

La circulaire interministérielle vient d'être signée début 2019, l'évaluation des résultats de sa mise en œuvre nécessitera plus de temps.

POLAND / POLOGNE

Template

for the completion of the progress report on implementation of the Bern Convention Tunis Action Plan 2020 [RECOMMENDATION NO. 164 (2013)] and the Programme of Work of the UN-Environment/CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

The Secretariats of the Bern Convention and the CMS gratefully acknowledge the Bern Convention Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (Bern SFPs Network) and Members and Observers of the CMS MIKT that have completed in 2018 the *Scoreboard to assess the progress in combating illegal killing, taking and trade of wild birds (IKB)* (referred to in this document as the Scoreboard). The information collected through the Scoreboard has been considered when preparing the present template as to maximise the usefulness of available information and avoid duplication of effort to the extent possible.

Accordingly, those questions already covered by the Scoreboard have been indicated in the template below and can be skipped by Bern SPF, Members and Observers of MIKT that already completed and submitted the Scoreboard. Should you have updated or additional information, please include it in the present template.

Country	Poland
Name and position of responsible person	Katarzyna Sobczyk - expert
Institution/Organization	General Directorate for Environmental Protection
E-mail	katarzyna.sobczyk@gdos.gov.pl
Bern Convention SFP	Yes
CMS MIKT Member/Observer	No
Date of completing the form	10.04.2019

Definition and Reference Documents

"Illegal killing, trapping and trade of birds" is defined for the purpose of this questionnaire as: Activities which are illegal under national, regional or international law committed intentionally resulting in the death, injury or removal of specimens of wild birds from the wild either dead or alive, including their parts and derivatives.

- [Recommendation No. 164 \(2013\)](#) and the "Tunis Action Plan 2013-2020 for the eradication of illegal killing, trapping and trade of wild birds"
- [Recommendation No. 171 \(2014\)](#) of the Standing Committee, adopted on 5 December 2014, on the setting-up of national policing/investigation priorities to tackle illegal killing, trapping and trade of wild birds
- [Recommendation N° 177 \(2015\)](#) on the gravity factors and sentencing principles for the evaluation of offences against birds, and in particular the illegal killing, trapping and trade of wild birds
- [Programme of Work 2016 – 2020](#) for the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

- [UNEP/CMS Resolution 11.16 \(Rev. COP 12\): The Prevention of Illegal Killing, Taking and Trade of Migratory Birds](#)

INDEX

1.	ENFORCEMENT AND LEGAL ASPECTS
	EE. Identification of National Priorities
	FF. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution
	GG. Identification and standardisation of gravity factors and sentencing guidelines
2.	BIOLOGICAL AND INSTITUTIONAL ASPECTS
3.	AWARENESS ASPECTS
4.	COORDINATION, SYNERGIES AND MAINSTREAMING

1. ENFORCEMENT AND LEGAL ASPECTS

A. Identification of National Priorities

1. Please provide the list of policing/investigation priorities identified to tackle wild-bird crimes in your country [following Recommendation No. 171 (2014) where applicable], as well as the bodies in charge of their enforcement and monitoring:

In case the list of priorities is not in place, please list the reasons/challenges that prevented your authorities from action in this respect.

Since wild-bird crime is not a significant threat in Poland, priorities to tackle this issue have not been identified. However, actions to prepare such document may be undertaken in the future, if necessary.

1.1 Complementary information where appropriate, please see table below (OPTIONAL)

2. By which administrative or legal means have the national priorities been established in your country?

The national priorities haven't been established by administrative or legal means.

3. Which bodies and stakeholders were involved in the priority-setting process?

Doesn't apply (see answer 2.)

4. What are the bodies in charge of their enforcement?

Doesn't apply (see answer 2.)

5. What are the control mechanisms put in place to ensure that the identified priorities are applied as such?

Doesn't apply (see answer 2.)

6. What is your evaluation of the benefits and challenges linked to the implementation of national priorities?

Doesn't apply (see answer 2.)

7. Where applicable: To which extent your authorities refer to the national priorities for the reporting obligations of Article 12 of the EU Birds Directive?

Doesn't apply (see answer 2.)

8. Is IKB contemplated by the National Action Plans (NAPs) or have NAPs being developed to address IKB? **You can skip this question if you have completed the Scoreboard.**

The IKB is not contemplated by current National Action Plans. However, future documents might be developed to address IKB.

B. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution

1.a What are the national mechanisms put in place for recording reports of wildlife cases/prosecution?

1.b and to what extent these are also used to provide statistical evidence of the areas of offending (e.g. through adding categories of wildlife crime to those crimes already recorded nationally?)

In case such mechanisms are not in place, please list the reasons/challenges that prevented your authorities from action in this respect

The Act of 16 April 2004 on Nature Conservation requires reporting of dead animal specimens of species that are under species protection, but it doesn't address the issue of the cause of death of the specimen (legal or not).

There might be regulations in operation that require the police to collect data on wildlife crime. No details are known.

2. Has your country appointed national focal points to assist investigators and prosecutors in accessing/locating expert knowledge providers, or at least established a compilation of a national contact list of expert providers (including scientists, specialist law firms, expert witnesses, and independent specialists)?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

Due to other more urgent responsibilities and limited staff, there is no possibility to tackle the issue. However, it is possible that proper actions will be undertaken in the future.

3. Are there any dedicated infrastructures enabling for the national exchange of information and coordination of actions at identified black-spots of illegal activities?

If not, please list the reasons/challenges that prevented your authorities from action in this respect,

There is no need for a dedicated infrastructure at the moment.

4. Are there any national platforms, for instance in the form of web portals, to provide information and resources for the professionals involved in fighting against illegal killing of birds?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

The website of the General Directorate for Environmental Protection is a platform that is kept up to date. Should a need occur, it could be used as a platform of communication and sharing information on IKB.

C. Identification and standardisation of gravity factors and sentencing guidelines

1. Have authorities promoted or included gravity factors and sentencing guidelines to be integrated in the legal framework? **You can skip this question if you have completed the Scoreboard.**

Due to other more urgent responsibilities, there was no possibility to tackle the issue. However, it is possible that proper actions will be undertaken in the future.

2. Where applicable: By which mean have your authorities brought the sentencing guidelines and gravity factors adopted by the Bern Convention Standing Committee through Recommendation N° 177 (2015) to the attention of the judiciary? And what feedback – if any- was received authorities?

If the sentencing guidelines and gravity factors have not yet been forwarded to the judiciary, please list the reasons/challenges that prevented your authorities from action in this respect

Due to other more urgent responsibilities, there was no possibility to tackle the issue. However, it is possible that proper actions will be undertaken in the future.

2. BIOLOGICAL AND INSTITUTIONAL ASPECTS

1. What are the mechanisms in place for analysing existing data on illegal activities affecting birds? Is there any standardised protocol for data collection, namely to identify black-spots for illegal killing of birds?

If no mechanism or protocol is in place, please list the reasons/challenges that prevented your authorities from action in this respect.

Due to other more urgent responsibilities, there was no possibility to tackle the issue. However, it is possible that proper actions will be undertaken in the future.

2. Has your country established statistics on mortality within bird populations due to legal harvest? If yes, through which mechanism? If not, please explain why.

Data is available and annually collected on the base of reports of the use of permits (legal harvest) issued by the General Director for Environmental Protection and regional directors for environmental protection.

3. What are the estimates of mortality due to illegal killing trapping and trade and illegal activities in your country (according to the definition given by the Bern Convention Recommendations or/and the CMS resolution 11.16 (Rev. COP12))? **You can skip this question if you have completed the Scoreboard.**

No estimates of mortality due to illegal killing and trapping are available.

4. Has research been conducted, or data collected, regarding scale, modus operandi, socio-economic drivers, national and international legal and illegal trade in wild birds in the European and Mediterranean region?

According to our knowledge, no research has been conducted and no data collected.

3. AWARENESS ASPECTS

1. Is there any official study on the key drivers and benefits of wild-bird crimes in your country?
You can skip this question if you have completed the Scoreboard.

There is no official study.

2. Is there any operational platform put in place to raise awareness of the wider public on the consequences and biological impact of illegal killing of birds?

The aforementioned website of the General Directorate for Environmental Protection serves such purpose.

3. Is there any communication strategy adopted by the government, or guidance distributed to policy makers on how to react publicly against illegal killing of birds?

An official strategy on this issue hasn't been adopted so far.

4. Has your country implemented any kind of campaign, including school campaigns, to raise awareness on this matter? **You can skip this question if you have completed the Scoreboard.**

In 2017-2019 the General Directorate for Environmental Protection has been implementing the project titled "You have the right to effective protection of nature." The aim of the project is to increase the level of awareness and knowledge of authorities involved in legal aspects of nature conservation, improve the coordination of their activities and facilitate law enforcement in the field of nature protection. As part of the project implementation, it is planned a series of trainings dedicated to nature conservation services and judicial authorities, a public e-learning course and materials promoting knowledge about legal nature protection. The main target groups of

the project are: law enforcement bodies, prosecutors' offices, offices involved in nature protection, judicial authorities and other entities (including ecological organizations).

4. COORDINATION, SYNERGIES AND MAINSTREAMING

1. Are there any protocols, procedures or mechanisms to ensure knowledge-sharing between the Special Focal Point for Illegal Killing of Birds under the Bern Convention, the MIKT member or observer, the National representative at the EU Ornithology Committee and the CITES enforcement officers?

If coordination is not foreseen, please list the reasons/challenges that prevented your authorities from action in this respect

Should a need occur, the General Directorate for Environmental Protection employee could coordinate the efforts. At the moment no actions are being undertaken though, therefore there was no need to establish procedures or other mechanisms regulating the issue.

2. How would you evaluate the cooperation of your main enforcement agency(ies) with the relevant INTERPOL National Central Bureau?

General Directorate for Environmental Protection hasn't cooperated with the INTERPOL yet. It might be possible that the police does, but it isn't possible to provide any details.

3. Has your country put in place the necessary mechanisms for encouraging and facilitating networking, cooperation and exchanges of information between the investigators and the advisers/prosecutors? Has the cooperation between judiciary and law enforcement official been strengthened at pan-Mediterranean level?

If not, please list the reasons/challenges that prevented your authorities from action in this respect

Should a need occur, the General Directorate for Environmental Protection employee could coordinate the efforts. At the moment no actions are being undertaken though, therefore there was no need to establish mechanisms regulating the issue.

4. Has your country exchanged experiences (bilateral meetings, mutual traineeship programme, training visits to another country, etc.) with one or more parties to the Bern Convention and/or MIKT members and observers?

Poland hasn't exchanged experiences about the issue with other parties.

5. Which existing international networks, platforms and information exchange mechanisms has been used to maximise cooperation in law enforcement?

No international networks, platforms has been used.

6. Overall by which means and with which results is your country addressing the need to enhance inter-sector cooperation involving all relevant Ministries, particularly the Ministries of Environment, Agriculture, Interior or Home Affairs, Justice and Education?

No actions are being carried out.

SERBIA / SERBIE

Template

for the completion of the progress report on implementation of the Bern Convention Tunis Action Plan 2020 [RECOMMENDATION NO. 164 (2013)] and the Programme of Work of the UN-Environment/CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

The Secretariats of the Bern Convention and the CMS gratefully acknowledge the Bern Convention Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (Bern SFPs Network) and Members and Observers of the CMS MIKT that have completed in 2018 the *Scoreboard to assess the progress in combating illegal killing, taking and trade of wild birds (IKB)* (referred to in this document as the Scoreboard). The information collected through the Scoreboard has been considered when preparing the present template as to maximise the usefulness of available information and avoid duplication of effort to the extent possible.

Accordingly, those questions already covered by the Scoreboard have been indicated in the template below and can be skipped by Bern SPF, Members and Observers of MIKT that already completed and submitted the Scoreboard. Should you have updated or additional information, please include it in the present template.

Country	Republic of Serbia
Name and position of responsible person	Snezana Prokic, FP for Bern Convention
Institution/Organization	Ministry of Environmental Protection of Serbia in collaboration with Institute for Nature Protection of Serbia
E-mail	Snezana.prokic@ekologija.gov.rs
Bern Convention SFP	(Yes/No)
CMS MIKT Member/Observer	(Yes/No)
Date of completing the form	2 nd April 2019.

Definition and Reference Documents

"Illegal killing, trapping and trade of birds" is defined for the purpose of this questionnaire as: Activities which are illegal under national, regional or international law committed intentionally resulting in the death, injury or removal of specimens of wild birds from the wild either dead or alive, including their parts and derivatives.

- [Recommendation No. 164 \(2013\)](#) and the "Tunis Action Plan 2013-2020 for the eradication of illegal killing, trapping and trade of wild birds"
- [Recommendation No. 171 \(2014\)](#) of the Standing Committee, adopted on 5 December 2014, on the setting-up of national policing/investigation priorities to tackle illegal killing, trapping and trade of wild birds
- [Recommendation N° 177 \(2015\)](#) on the gravity factors and sentencing principles for the evaluation of offences against birds, and in particular the illegal killing, trapping and trade of wild birds

- [Programme of Work 2016 – 2020](#) for the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).
- [UNEP/CMS Resolution 11.16 \(Rev. COP 12\): The Prevention of Illegal Killing, Taking and Trade of Migratory Birds](#)

INDEX

1.	ENFORCEMENT AND LEGAL ASPECTS
	HH. Identification of National Priorities
	II. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution
	JJ. Identification and standardisation of gravity factors and sentencing guidelines
2.	BIOLOGICAL AND INSTITUTIONAL ASPECTS
3.	AWARENESS ASPECTS
4.	COORDINATION, SYNERGIES AND MAINSTREAMING

1. ENFORCEMENT AND LEGAL ASPECTS
A. Identification of National Priorities

1. Please provide the list of policing/investigation priorities identified to tackle wild-bird crimes in your country [following Recommendation No. 171 (2014) where applicable], as well as the bodies in charge of their enforcement and monitoring:

In case the list of priorities is not in place, please list the reasons/challenges that prevented your authorities from action in this respect.

1.1 Complementary information where appropriate, please see table below (OPTIONAL)

Rank	Priority	Type of offence / Crime targeted	Species affected	Level of threat on the species	Ongoing actions	Actions to be put in place	Body(ies) in charge of enforcement	Body(ies) in charge of monitoring
	Investigation wild bird crimes	Illegally poisoning of wild birds	Specimens: Haliaeetus albicilla, Buteo buteo, Circus aeruginosus, Griffon Vulture, White-tailed Eagle, Peregrine Falcon	high	Toxicological analyses	filing criminal charges and the trial	-Public prosecution, -Police, -relevant inspection authorities, -Expert nature protection organizations- Veterinary institutes and Veterinary service, -Phyto-sanitary agencies -Ordinary and Misdemeanor Courts.	Institute for Nature Conservation of Serbia and Institute for Nature Conservation of Vojvodina Province

2. By which administrative or legal means have the national priorities been established in your country?

All relevant mechanisms in connection with illegal activities including education and information to the public about the importance of birds by raising awareness of their role in the ecosystems and the threats for the natural balance in the environment by illegal poisoning and killing.

3. Which bodies and stakeholders were involved in the priority-setting process?

Ministry of Environmental Protection, Public Prosecution, Ministry of Interior, Ministry of Agriculture, Forest and Water Management and relevant inspectors, Institute for Nature Conservation of Serbia, Institute for Nature Conservation of Vojvodina Province, Managers of the PA's, International organization and NGO's

4. What are the bodies in charge of their enforcement?

Spread information by the relevant stakeholders and NGO's on their web site about illegally activities and inspection actions Joint action in the field

5. What are the control mechanisms put in place to ensure that the identified priorities are applied as such?

Relevant Action Plans and Sectoral Law's including sub-law acts mechanisms and Protocol on collaboration

6. What is your evaluation of the benefits and challenges linked to the implementation of national priorities?

Cooperation between all competent authorities must be improved and to eliminate cases of illegal killing of wild animals.

Should be Improved collaboration with other enforcement bodies (hunting inspection, phytosanitary inspection, police and republic prosecutors)

7. Where applicable: To which extent your authorities refer to the national priorities for the reporting obligations of Article 12 of the EU Birds Directive?

Transposition and implementation of the EU Bird Directive is ongoing process in Serbia

8. Is IKB contemplated by the National Action Plans (NAPs) or have NAPs being developed to address IKB? **You can skip this question if you have completed the Scoreboard.**

B. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution

1.a What are the national mechanisms put in place for recording reports of wildlife cases/prosecution?

Conclusion of the Government for acceptance Recommendation No 164 and Tunisia Action Plan from Tunisia is in the procedure

Draft Protocol on the Procedures and Cooperation between Authorities and Organizations in Eradicating the Illegal Killing, Trapping and Trade of Wild Birds was prepared by the Ministry of Environmental Protection in collaboration with all relevant stakeholders *as a Instrument for* the actions and cooperation among relevant competent authorities and organizations to take full and active role in combatting these illegal activities in a comprehensive manner including investigation, prevention and prosecution

1.b and to what extent these are also used to provide statistical evidence of the areas of offending (e.g. through adding categories of wildlife crime to those crimes already recorded nationally?)

In case such mechanisms are not in place, please list the reasons/challenges that prevented your authorities from action in this respect

2. Has your country appointed national focal points to assist investigators and prosecutors in accessing/locating expert knowledge providers, or at least established a compilation of a national contact list of expert providers (including scientists, specialist law firms, expert witnesses, and independent specialists)?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

In accordance with the Law on Nature Protection (Official Gazette of RS, No. 36/09, 88/10, 91/10 and 14/16) and the Law on Inspection Control ((Official Gazette of RS, No. 36/2015) investigation and control officially regulated in this field including cooperation among all sectoral inspections and experts.

Protocol on the Procedures and Cooperation between Authorities and Organizations in Eradicating the Illegal Killing, Trapping and Trade of Wild Birds identifies compiling a list of exp for providing quick, timely and effective investigation and/or protection of wild birds immediately after the occurrence of illegal threat, killing and trapping of wild birds,

FP for Bern Convention and FP for Focal point for illegal killing birds organize meetings at the National level

3. Are there any dedicated infrastructures enabling for the national exchange of information and coordination of actions at identified black-spots of illegal activities?

If not, please list the reasons/challenges that prevented your authorities from action in this respect,

Institute for Nature conservation of Serbia and Institute for Nature conservation of Vojvodina Province in cooperation with civil society providing an adequate exchange of information on black-spots of illegal activities.

In accordance with the Protocol will be improved coordination of the procedures in this respect.

4. Are there any national platforms, for instance in the form of web portals, to provide information and resources for the professionals involved in fighting against illegal killing of birds?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

National web portal has not jet established

Institute for nature protection of Serbia have web page dedicated to the responsible usage of pesticides in which illegal poisoning have significant place ([Čujte i ne trujte](#)) The Bird protection study society of Serbia operates their own web portal ([Stop krivolovu](#)) to provide information on cases of birds (raptors mainly) poisoning.

C. Identification and standardisation of gravity factors and sentencing guidelines

1. Have authorities promoted or included gravity factors and sentencing guidelines to be integrated in the legal framework? **You can skip this question if you have completed the Scoreboard.**

All illegal cases in this respect have been forwarded to the public prosecution

2. Where applicable: By which mean have your authorities brought the sentencing guidelines and gravity factors adopted by the Bern Convention Standing Committee through Recommendation N° 177 (2015) to the attention of the judiciary? And what feedback – if any- was received authorities?

If the sentencing guidelines and gravity factors have not yet been forwarded to the judiciary, please list the reasons/challenges that prevented your authorities from action in this respect

2. BIOLOGICAL AND INSTITUTIONAL ASPECTS

1. What are the mechanisms in place for analysing existing data on illegal activities affecting birds? Is there any standardised protocol for data collection, namely to identify black-spots for illegal killing of birds?

If no mechanism or protocol is in place, please list the reasons/challenges that prevented your authorities from action in this respect.

Ministry of Environmental Protection in cooperation with the Institute for Nature conservation of Serbia and Institute for Nature conservation of Vojvodina Province and civil society organize meetings for consideration all illegal cases.

Collection date organised within the complaint procedures

Official data base exists in Institute for Nature conservation of Serbia and Institute for Nature Protection of Vojvodina Province including cooperation with Bird Protection study society of Serbia,

2. Has your country established statistics on mortality within bird populations due to legal harvest? If yes, through which mechanism? If not, please explain why.

In accordance with the article 75 of the Amendments to the Law on Nature Protection the Ministry of Agriculture and Environmental protection keeps records of the issued permits on exceptions and derogations.

Also, relevant statistics are available in Ministry of agriculture, forestry and water management.

3. What are the estimates of mortality due to illegal killing trapping and trade and illegal activities in your country (according to the definition given by the Bern Convention Recommendations or/and

the CMS resolution 11.16 (Rev. COP12))? **You can skip this question if you have completed the Scoreboard.**

Estimates of mortality do not exist

Mortality exists *in Agricultural Areas* by illegal using the plant protection product FURADAN 35 ST contrary to provisions of the Article 47 of the Law on Plant Protection

4. Has research been conducted, or data collected, regarding scale, modus operandi, socio-economic drivers, national and international legal and illegal trade in wild birds in the European and Mediterranean region?

Certain analyses are being carried out within the complaints process

3. AWARENESS ASPECTS

1. Is there any official study on the key drivers and benefits of wild-bird crimes in your country? **You can skip this question if you have completed the Scoreboard.**

Estimates of the key drivers and benefits of wild-bird crimes on the basis of experience.

2. Is there any operational platform put in place to raise awareness of the wider public on the consequences and biological impact of illegal killing of birds?

Draft Protocol on the Procedures and Cooperation between Authorities and Organizations in Eradicating the Illegal Killing, Trapping and Trade of Wild Birds in this respect has been prepared.

3. Is there any communication strategy adopted by the government, or guidance distributed to policy makers on how to react publicly against illegal killing of birds?

Unofficial internal Protocol on the treatment and cooperation of stakeholders and organizations in suppression of illegal killings, capture and trade of wild birds.

4. Has your country implemented any kind of campaign, including school campaigns, to raise awareness on this matter? **You can skip this question if you have completed the Scoreboard.**

Campaign against poisoning White-tailed Eagles in the Amazon of Europe organized by WWF office in Belgrade

WWF team in Serbia initiated several activities in order to improve the living conditions of the white-tailed eagle and protect these species. Several meetings with individual ornithologist and the Institute for Nature Conservation of Vojvodina Province held related to the common activities for the conservation of the white-tailed eagles in Serbia have been agreed.

The Bird protection study society of Serbia operates their own web portal that provide information on cases of birds (raptors mainly) poisoning.

4. COORDINATION, SYNERGIES AND MAINSTREAMING

1. Are there any protocols, procedures or mechanisms to ensure knowledge-sharing between the Special Focal Point for Illegal Killing of Birds under the Bern Convention, the MIKT member or observer, the National representative at the EU Ornithology Committee and the CITES enforcement officers?

If coordination is not foreseen, please list the reasons/challenges that prevented your authorities from action in this respect

Draft Protocol on the Procedures and Cooperation between Authorities and Organizations in Eradicating the Illegal Killing, Trapping and Trade of Wild Birds in this respect has been prepared

2. How would you evaluate the cooperation of your main enforcement agency(ies) with the relevant INTERPOL National Central Bureau?

In accordance with the Crime Law Ministry of Interior- Directorate of the border police in charge to cooperate with the INTERPOL

The Ministry of Environment is a member of IMPEL Network.

3. Has your country put in place the necessary mechanisms for encouraging and facilitating networking, cooperation and exchanges of information between the investigators and the advisers/prosecutors? Has the cooperation between judiciary and law enforcement official been strengthened at pan-Mediterranean level?

If not, please list the reasons/challenges that prevented your authorities from action in this respect

Draft Protocol on the Procedures and Cooperation between Authorities and Organizations in Eradicating the Illegal Killing, Trapping and Trade of Wild Birds in this respect has been prepared.

There is cooperation at the level of NGOs from Serbia at the Pan-Mediterranean level?

4. Has your country exchanged experiences (bilateral meetings, mutual traineeship programme, training visits to another country, etc.) with one or more parties to the Bern Convention and/or MIKT members and observers?

Implementation of the LIFE Project "Protection eagle reducing mortality caused by human activities in the Pannonian region" ongoing in cooperation with EU members, Austria, Hungary, Check Republic, Slovak Republic and Serbia regarding development protocol on the best practices in research poisoning of wild birds and other forms of destruction of birds

5. Which existing international networks, platforms and information exchange mechanisms has been used to maximise cooperation in law enforcement?

Investigation and prevention of the poisoning of wild birds and other forms of destruction of birds require cooperation involving all relevant Ministries, particularly the Ministries of Environment, Agriculture, Interior, Public Prosecutors and Justice

6. Overall by which means and with which results is your country addressing the need to enhance inter-sector cooperation involving all relevant Ministries, particularly the Ministries of Environment, Agriculture, Interior or Home Affairs, Justice and Education?

Investigation and prevention of the poisoning of wild birds and other forms of destruction of birds require cooperation involving all relevant Ministries, particularly the Ministries of Environment, Agriculture, Interior, Public Prosecutors and Justice

Draft Protocol on the Procedures and Cooperation between Authorities and Organizations in Eradicating the Illegal Killing, Trapping and Trade of Wild Birds in this respect has been prepared.

SLOVAK REPUBLIC / RÉPUBLIQUE SLOVAQUE

Template

for the completion of the progress report on implementation of the Bern Convention Tunis Action Plan 2020 [RECOMMENDATION NO. 164 (2013)] and the Programme of Work of the UN-Environment/CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

The Secretariats of the Bern Convention and the CMS gratefully acknowledge the Bern Convention Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (Bern SFPs Network) and Members and Observers of the CMS MIKT that have completed in 2018 the *Scoreboard to assess the progress in combating illegal killing, taking and trade of wild birds (IKB)* (referred to in this document as the Scoreboard). The information collected through the Scoreboard has been considered when preparing the present template as to maximise the usefulness of available information and avoid duplication of effort to the extent possible.

Accordingly, those questions already covered by the Scoreboard have been indicated in the template below and can be skipped by Bern SPF, Members and Observers of MIKT that already completed and submitted the Scoreboard. Should you have updated or additional information, please include it in the present template.

Country	Slovakia
Name and position of responsible person	1st. LT Dušan Macák
Institution/Organization	Department for Detection of Hazardous Substances and Environmental Crime of Criminal Police Bureau of the Presidium of Police Force <i>Comment: report was consulted with the Ministry of Environment of the Slovak Republic and the Slovak Environmental Inspectorate.</i>
E-mail	dusan.macak@minv.sk
Bern Convention SFP	No
CMS MIKT Member/Observer	No
Date of completing the form	6 th May, 2019

Definition and Reference Documents

"Illegal killing, trapping and trade of birds" is defined for the purpose of this questionnaire as: Activities which are illegal under national, regional or international law committed intentionally

resulting in the death, injury or removal of specimens of wild birds from the wild either dead or alive, including their parts and derivatives.

- [Recommendation No. 164 \(2013\)](#) and the “Tunis Action Plan 2013-2020 for the eradication of illegal killing, trapping and trade of wild birds”
- [Recommendation No. 171 \(2014\)](#) of the Standing Committee, adopted on 5 December 2014, on the setting-up of national policing/investigation priorities to tackle illegal killing, trapping and trade of wild birds
- [Recommendation N° 177 \(2015\)](#) on the gravity factors and sentencing principles for the evaluation of offences against birds, and in particular the illegal killing, trapping and trade of wild birds
- [Programme of Work 2016 – 2020](#) for the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).
- [UNEP/CMS Resolution 11.16 \(Rev. COP 12\): The Prevention of Illegal Killing, Taking and Trade of Migratory Birds](#)

INDEX

1.	ENFORCEMENT AND LEGAL ASPECTS
	A. Identification of National Priorities
	B. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution
	C. Identification and standardisation of gravity factors and sentencing guidelines
2.	BIOLOGICAL AND INSTITUTIONAL ASPECTS
3.	AWARENESS ASPECTS
4.	COORDINATION, SYNERGIES AND MAINSTREAMING

1. ENFORCEMENT AND LEGAL ASPECTS

A. Identification of National Priorities

1. Please provide the list of policing/investigation priorities identified to tackle wild-bird crimes in your country [following Recommendation No. 171 (2014) where applicable], as well as the bodies in charge of their enforcement and monitoring:

In case the list of priorities is not in place, please list the reasons/challenges that prevented your authorities from action in this respect.

Priorities identified to tackle wild-bird crimes:

1. Fight against wild birds poisoning
2. Fight against illegal trade in protected bird species (domestic or not)
3. Fight against illegal shooting of birds and destruction of nests and habitats
4. Fight against nest robberies

The above priorities reflect the actual situation at the national level (number of cases from the respective area – 1-4).

Main responsible law enforcement bodies:

1. Police Force, Environmental Care Departments of District Offices, State Nature Conservancy of the Slovak Republic
2. Police Force, Ministry of Environment of the Slovak Republic, Environmental Departments of District Offices, Slovak Environmental Inspectorate
3. Police Force, Ministry of Environment of the Slovak Republic, State Nature Conservancy of the Slovak Republic, Slovak Environmental Inspectorate
4. Police Force, State Nature Conservancy of the Slovak Republic

2. By which administrative or legal means have the national priorities been established in your country?

The fight against environmental crime in general is subject to several legal norms, depending on the severity of illicit activities.

The most severe illicit activities are considered as criminal offenses and are established and described in the national Penal Code of the Slovak Republic (Act No. 300/2005). Regarding the issue of tackling bird crime in general, below mentioned criminal offenses have to be considered:

- Section 300 of the Penal Code - Threat and Damage to the Environment (intentional)
- Section 301 of the Penal Code - Threat and Damage to the Environment (out of negligence)
- Section 305 of the Penal Code - Violation of Plant and Animal Protection
- Section 310 of the Penal Code - Poaching
- Section 378 of the Penal Code - Animal Cruelty.

All of the above mentioned illicit activities are considered as criminal offenses, thus, it is the Police Force, who is in charge of law enforcement (criminal investigations).

Less severe illicit activities towards birds or bird nests and habitats are considered as administrative offenses and are established and described mainly in the Nature and Landscape Protection Act (Act No. 543/2002 Coll.) and its Implementing Decree No. 24/2003 Coll. These legal norms set the basic rules regarding the protection of nature, e.g. protected areas, protected species of plants and animals and establish the set of prohibitions to protect them. Responsible state administration bodies regarding this legal norm are:

- Ministry of Environment of the Slovak Republic
- Slovak Environmental Inspectorate
- Environmental Departments of District Offices
- State Nature Conservancy of the Slovak Republic
- Municipal Administrations.

The competencies of above mentioned law enforcement bodies are clearly set by the Nature and Landscape Protection Act. In specific cases cited in the Act, even the State Veterinary and Food Administration of Slovak Republic have to be considered as one of the responsible bodies.

3. Which bodies and stakeholders were involved in the priority-setting process?

As this report was prepared by the officer of the Department for Detection of Hazardous Substances and Environmental Crime of the Criminal Police Bureau of Presidium of Police Force of Slovak Republic, thus the priorities listed in the first part of this Report were set from the point of view of Police Force.

4. What are the bodies in charge of their enforcement?

See question 2.

5. What are the control mechanisms put in place to ensure that the identified priorities are applied as such?

Considering the activities of Department for Detection of Hazardous Substances and Environmental Crime, it is important to notice, that as a specialized Police Force Unit, we have the competence to control the detection and investigation of criminal cases, led by the regional or district directorates of Police Force. In this context, we can state, that the Department conducts regular control activities towards these investigations (app. 4 times a year in randomly identified directorates or in directorates where several problems with the investigation of environmental criminal cases were identified). These official control mechanisms are rather procedural and regarding the more active control mechanisms in the

police activities, we regularly control the ongoing investigations of all environmental criminal cases and process guidelines and recommendations for the investigating police officers.

Regarding the specific bird crime cases, the Department has taken several steps in order to develop an effective way of fight against these criminal offenses, as an legal answer to specific situations.

1. Fight against wild birds poisoning

Nowadays, it seems, that the poisoning of wildlife is the most considerable issue within all of the bird crime cases in the Slovak Republic. As a reaction to an alarming increase of the criminal cases of wildlife poisoning during the spring 2018, the Department has prepared the Order of the President of Police Force governing the procedure of police officers during the detection and investigation of the wildlife poisoning criminal cases. This order is valid from 4th of April 2018 and it contains specific tasks for different police services, criminal analysis of the issue and the recommendations for conducting the detection and investigations of such cases.

From April 2017 till now on, the Ministry of Interior through the Department has joined the NGO - Raptor Protection of Slovakia as an associated partner in the international project - Conservation of the eastern imperial eagle by decreasing human-caused mortality in the Pannonian Region ("LIFE Pannon Eagle" <http://www.imperialeagle.eu/en>). This project allowed the Department to start a large scale activities focusing on the fight against wild-life crimes in the environment of state administration bodies. The project allowed us to create and conduct specialized educational activities - networking education and training on the issue of wildlife crimes, with a special regard to the wildlife poisoning. The education was aimed at prosecutors, police officers, veterinary doctors of State Veterinary and Food Administration of Slovak Republic, officials of Environmental Departments of District Offices and employees of the State Nature Conservancy of the Slovak Republic. Completely 20 2-days lasting education events for app. 600 of the above mentioned employees were conducted all over the territory of the Slovak Republic. The second main benefit of the project (regarding the police activities in the field) was the purchase of 2 dogs by the Raptor Protection of Slovakia and their donation to the Police Force. The Police Force has subsequently developed and compiled a specialized training of these service dogs, which is focused on the sniffing work - the smell search of carbofuran (which is a banned chemical substance mainly used for the production of poisoned baits in Slovakia) and cadavers. Currently, one of these dogs has already passed the training and is fully used for prevention measures - terrain patrols in high risk areas and procedural steps in investigations - search of carbofuran during the house searches. The second service dog should pass the training during this spring (2019) and be ready for full service use in summer 2019.

2. Fight against illegal trade in protected bird species (domestic or not)

3. Fight against illegal shooting of birds and destruction of nests and habitats

4. Fight against nest robberies.

The Slovak Environmental Inspectorate carries out the enforcement relating to administrative offences concerning illegal trade in protected species/bird species, illegal shooting of birds, destruction of nests and nest robberies. The enforcement activities include investigations, proceedings, imposing financial penalties, seizures etc.

6. What is your evaluation of the benefits and challenges linked to the implementation of national priorities?

This report was prepared by the officer of the Department for Detection of Hazardous Substances and Environmental Crime of the Criminal Police Bureau of Presidium of Police Force of Slovak Republic, thus the answers are completed mainly from the point of view of Police Force. The Department reacts flexibly on the regulations of the Directive in synergy with other responsible state bodies, especially through the meetings organized by the Inter-ministerial Expert coordination Body, involving all stakeholders. All the other activities of the Department, regarding the implementation of specific actions focused on addressing above mentioned priorities, are performed continuously as a legal obligation of the Department.

7. Where applicable: To which extent your authorities refer to the national priorities for the reporting obligations of Article 12 of the EU Birds Directive?

The Department reports if possible with regard to ongoing investigation, every time when asked by the Ministry of Environment of the Slovak Republic. Reporting according to Article 12 of the Birds Directive is compiled by the State Nature Conservancy of the Slovak Republic.

8. Is IKB contemplated by the National Action Plans (NAPs) or have NAPs being developed to address IKB? **You can skip this question if you have completed the Scoreboard.**

Elimination of the bird crime is subject to the draft national Action Plan against Environmental Crime 2020 – 2025 currently prepared by the Police. Its finalization and submission to the consultation is expected in 2019.

B. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution

1.a What are the national mechanisms put in place for recording reports of wildlife cases/prosecution?

From the point of view of Police Force, the Ministry of Interior leads the monthly statistics of criminal offenses, where all the crimes mentioned in Q 2 on page 6 can be found among all of the other crimes.

With respect to the internal regulations of the Ministry of Interior and the Presidium of Police Force, the regional and district directorates of police are even obliged to report all the

environmental crime cases all over Slovakia to the Department by sending all decisions of investigators to the Departments common email address.

In some specific cases (like the wildlife poisoning cases), the police officers of regional and district directorates are obliged to report the cases immediately, via telephone to the Department. This obligation is set by the internal regulation – the above mentioned Order of the President of Police Force governing the procedure of police officers during the detection and investigation of the wild-life poisoning criminal cases.

With regard to above mentioned, the Department prepares the national reports in the name of Police Force when asked by the Ministry of Environment of the Slovak Republic

1.b and to what extent these are also used to provide statistical evidence of the areas of offending (e.g. through adding categories of wildlife crime to those crimes already recorded nationally?)

In case such mechanisms are not in place, please list the reasons/challenges that prevented your authorities from action in this respect

As already mentioned, the police statistics contains the reports on every criminal offense committed in the territory of Slovak Republic. The problem of the statistics is, that it only contains the information on the Section of Penal Code that was committed and not the concrete merits, so from this general statistics it is impossible to identify the concrete area of offending, especially in case of general legal provisions (e.g. threat and damage to the environment). This is the main reason, why the Departments established the obligation of sending all decisions of investigators to the Departments common email address. As a matter of fact, these decisions contain the whole description of the deed, thus it is possible for the Department to identify the act and assign it to respective national priority.

It is important to note, that the statistics of crimes is an internal document of the Ministry of Interior and is not publicly available.

2. Has your country appointed national focal points to assist investigators and prosecutors in accessing/locating expert knowledge providers, or at least established a compilation of a national contact list of expert providers (including scientists, specialist law firms, expert witnesses, and independent specialists)?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

This issues has not been tackled yet but improved coordination at the national and regional levels is one of tasks of actually prepared national Action Plan mention in the question No 8.

3. Are there any dedicated infrastructures enabling for the national exchange of information and coordination of actions at identified black-spots of illegal activities?

If not, please list the reasons/challenges that prevented your authorities from action in this respect,

The main infrastructure for different types of environmental crimes is established by Inter-ministerial Expert Coordination Body, involving all stakeholders.

4. Are there any national platforms, for instance in the form of web portals, to provide information and resources for the professionals involved in fighting against illegal killing of birds?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

Such an official platform of professionals does not exist in Slovakia. Networking is guaranteed via the above mentioned Inter-ministerial Expert coordination Body established by the Police. The Ministry of Environment of the Slovak Republic has organized several meetings with relevant state bodies and other relevant organizations (hunting association, environmental NGOs) to address issue of the bird crime and to agree on solutions. Activities to raise awareness were undertaken accordingly. NGO Raptor Protection of Slovakia has a web platform, where the bird crime cases database is established, but it is important to state, that this is not an official outcome of the Police Statistics. As already mentioned above, the criminal statistics are an internal document of the Ministry of Interior.

The Department also has the knowledge, that the NGO Raptor Protection of Slovakia has created a web platform and mobile application, where suspicions of wildlife poisoning can be reported by citizens (even anonymously). As previously, this platform has no official link to the law enforcement and is one of the project activities of the Raptor Protection of Slovakia

C. Identification and standardisation of gravity factors and sentencing guidelines

1. Have authorities promoted or included gravity factors and sentencing guidelines to be integrated in the legal framework? **You can skip this question if you have completed the Scoreboard.**

2. Where applicable: By which mean have your authorities brought the sentencing guidelines and gravity factors adopted by the Bern Convention Standing Committee through Recommendation N° 177 (2015) to the attention of the judiciary? And what feedback – if any- was received authorities?

If the sentencing guidelines and gravity factors have not yet been forwarded to the judiciary, please list the reasons/challenges that prevented your authorities from action in this respect

2. BIOLOGICAL AND INSTITUTIONAL ASPECTS

1. What are the mechanisms in place for analysing existing data on illegal activities affecting birds? Is there any standardised protocol for data collection, namely to identify black-spots for illegal killing of birds?

If no mechanism or protocol is in place, please list the reasons/challenges that prevented your authorities from action in this respect.

Please see the previous sections.

2. Has your country established statistics on mortality within bird populations due to legal harvest? If yes, through which mechanism? If not, please explain why.

Annual statistics on legal harvest of huntable species (including birds) is available on <https://gis.nlc.sk.org/IBULH/PolovStat/PolovStat> .

Data are available in Slovak (sorted according to the bird species within 3 files - "malá zver podliehajúca poľovníckemu plánovaniu; ostatná malá zver; ostatné druhy zveri..").

3. What are the estimates of mortality due to illegal killing trapping and trade and illegal activities in your country (according to the definition given by the Bern Convention Recommendations or/and the CMS resolution 11.16 (Rev. COP12))? **You can skip this question if you have completed the Scoreboard.**

NA for Police Force.

4. Has research been conducted, or data collected, regarding scale, modus operandi, socio-economic drivers, national and international legal and illegal trade in wild birds in the European and Mediterranean region?

The Department collects data as mentioned in previous section. The Department also tracks the trends of bird crime cases, especially via international expert forums and seminars.

The Slovak Republic (through the Department) is one of the co-drivers of EMPACT Envicrime. As one of the Operational Actions during the last time period, the standardized profiling of the wildlife crime offenders (not only wild birds) was conducted by the Department and presented on the EMPACT Forum. This profiling was distributed to all the stakeholders within EMPACT Envicrime and could be used during criminal investigations and detection of wildlife criminal cases.

3. AWARENESS ASPECTS

1. Is there any official study on the key drivers and benefits of wild-bird crimes in your country?
You can skip this question if you have completed the Scoreboard.

NA for Police Force.

2. Is there any operational platform put in place to raise awareness of the wider public on the consequences and biological impact of illegal killing of birds?

From the point of view of Police Force, it has to be noted, that with regard to ongoing investigations, not all of the possessed information on bird crime cases can be published. If it is appropriate to the process of detection and to the investigation of bird crime cases, especially in cases, where the help of the public could be used, or the public has to be widely warned about some specific cases, the Police Force has its own Facebook page, where above mentioned information can be immediately published.

Other public awareness rising activities are mostly under the auspices of other state bodies or involved NGOs.

3. Is there any communication strategy adopted by the government, or guidance distributed to policy makers on how to react publicly against illegal killing of birds?

No communication strategy on this specific issue has been adopted yet, but coordination exists. As already mentioned above, the information sharing from ongoing investigations has to be considered individually case by case. There were a several meetings organized by the Ministry of Environment of the Slovak Republic. At the meeting in December 2018 all the present stakeholders agreed on necessary steps. In April 2019 the Ministry of Land Use and Rural

Development of the Slovak Republic distributed the letter to all district forestry offices informing about establishing of new enviropolice units at all the regional level (since April 2019) and asking them to actively contribute to activities to eliminate illegal killing of birds.

4. Has your country implemented any kind of campaign, including school campaigns, to raise awareness on this matter? **You can skip this question if you have completed the Scoreboard.**

The Department with regard to its personal capacities, conducts the awareness rising activities as often, as possible. For example, the Department has created and conducted the subject - Environmental Crime on the Faculty of Natural Sciences of the Comenius University during the winter semester 2018. This activity should continue also in 2019. The Department also provides expert seminars and lectures on this matter, whenever ask to (for NGOs, public etc.), but especially for the employees of other state administration bodies.

4. COORDINATION, SYNERGIES AND MAINSTREAMING

1. Are there any protocols, procedures or mechanisms to ensure knowledge-sharing between the Special Focal Point for Illegal Killing of Birds under the Bern Convention, the MIKT member or observer, the National representative at the EU Ornith Committee and the CITES enforcement officers?

If coordination is not foreseen, please list the reasons/challenges that prevented your authorities from action in this respect

There is no official mechanism, but informal coordination among contact points exists.

2. How would you evaluate the cooperation of your main enforcement agency(ies) with the relevant INTERPOL National Central Bureau?

3. Has your country put in place the necessary mechanisms for encouraging and facilitating networking, cooperation and exchanges of information between the investigators and the advisers/prosecutors? Has the cooperation between judiciary and law enforcement official been strengthened at pan-Mediterranean level?

If not, please list the reasons/challenges that prevented your authorities from action in this respect

4. Has your country exchanged experiences (bilateral meetings, mutual traineeship programme, training visits to another country, etc.) with one or more parties to the Bern Convention and/or MIKT members and observers?

Not yet.

5. Which existing international networks, platforms and information exchange mechanisms has been used to maximise cooperation in law enforcement?

6. Overall by which means and with which results is your country addressing the need to enhance inter-sector cooperation involving all relevant Ministries, particularly the Ministries of Environment, Agriculture, Interior or Home Affairs, Justice and Education?

The main mechanism is the already mentioned interdisciplinary body.

SPAIN / ESPAGNE

Template

for the completion of the progress report on implementation of the Bern Convention Tunis Action Plan 2020 [RECOMMENDATION NO. 164 (2013)] and the Programme of Work of the UN-Environment/CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

The Secretariats of the Bern Convention and the CMS gratefully acknowledge the Bern Convention Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (Bern SFPs Network) and Members and Observers of the CMS MIKT that have completed in 2018 the *Scoreboard to assess the progress in combating illegal killing, taking and trade of wild birds (IKB)* (referred to in this document as the Scoreboard). The information collected through the Scoreboard has been considered when preparing the present template as to maximise the usefulness of available information and avoid duplication of effort to the extent possible.

Accordingly, those questions already covered by the Scoreboard have been indicated in the template below and can be skipped by Bern SPF, Members and Observers of MIKT that already completed and submitted the Scoreboard. Should you have updated or additional information, please include it in the present template.

Country	Spain
Name and position of responsible person	Rubén Moreno-Opo. Conservation Actions Unit
Institution/Organization	Ministry for the Ecological Transition. General Directorate on Biodiversity and Environmental Quality
E-mail	rmorenoopo@miteco.es
Bern Convention SFP	(No)
CMS MIKT Member/Observer	(Yes)
Date of completing the form	15/04/2019

Definition and Reference Documents

"Illegal killing, trapping and trade of birds" is defined for the purpose of this questionnaire as: Activities which are illegal under national, regional or international law committed intentionally resulting in the death, injury or removal of specimens of wild birds from the wild either dead or alive, including their parts and derivatives.

- [Recommendation No. 164 \(2013\)](#) and the "Tunis Action Plan 2013-2020 for the eradication of illegal killing, trapping and trade of wild birds"
- [Recommendation No. 171 \(2014\)](#) of the Standing Committee, adopted on 5 December 2014, on the setting-up of national policing/investigation priorities to tackle illegal killing, trapping and trade of wild birds

- [Recommendation N° 177 \(2015\)](#) on the gravity factors and sentencing principles for the evaluation of offences against birds, and in particular the illegal killing, trapping and trade of wild birds
- [Programme of Work 2016 – 2020](#) for the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).
- [UNEP/CMS Resolution 11.16 \(Rev. COP 12\): The Prevention of Illegal Killing, Taking and Trade of Migratory Birds](#)

INDEX

1.	ENFORCEMENT AND LEGAL ASPECTS
	KK. Identification of National Priorities
	LL. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution
	MM. Identification and standardisation of gravity factors and sentencing guidelines
2.	BIOLOGICAL AND INSTITUTIONAL ASPECTS
3.	AWARENESS ASPECTS
4.	COORDINATION, SYNERGIES AND MAINSTREAMING

1. ENFORCEMENT AND LEGAL ASPECTS

A. Identification of National Priorities

1. Please provide the list of policing/investigation priorities identified to tackle wild-bird crimes in your country [following Recommendation No. 171 (2014) where applicable], as well as the bodies in charge of their enforcement and monitoring:

In case the list of priorities is not in place, please list the reasons/challenges that prevented your authorities from action in this respect.

The priorities identified to tackle wild-bird crimes in Spain are not officially appointed by any institution or administration but could be ranked as follows:

- Fight against illegal poisoning
- Control and eradication of illegal trade of wild birds to Spain
- Illegal shooting
- Illegal trapping of songbirds

1.1 Complementary information where appropriate, please see table below (OPTIONAL)

Rank	Priority	Type of offence / Crime targeted	Species affected	Level of threat on the species	Ongoing actions	Actions to be put in place	Body(ies) in charge of enforcement	Body(ies) in charge of monitoring
1	High	Illegal poisoning	Predators in general, scavengers in particular	High	1. Regional plans against poisoning 2. Examination and traceability of cases in the field 3. Necropsies analyses 4. Judicial and punitive measures 5. Mitigation with canine patrols 6. Regional plans against poisoning	- Reporting regional data to a national database - Improvement of case findings in the field - Improvement of legal procedures - Training of prosecutors and judges	1, 2, 3, 5, 6. Autonomous communities, their veterinary services and regional environmental rangers. 2, SEPRONA 4, judicial and court bodies	Autonomous communities at regional level and the Ministry for the Ecological Transition at the national level
2	High	Illegal trade of exotic birds to Spain	Bird species considered as pets, usually native from Central and South America, or Central Africa	High depending on the global conservation status of the affected species	7. Investigation of criminal networks importing wild species 8. Persecution of the crime through controls in borders and internet 9. Implementation of a National Plan against illegal trafficking	- Reinforcement of awareness to reduce the demand of wildlife - Training of enforcement and judiciary bodies - Greater investment in controls of importations, also at origin countries	6 and 7 enforcement bodies, especially SEPRONA. 8, national authorities such as Ministries for the Ecological Transition	National enforcement bodies and Ministry for the Ecological Transition, with the collaboration of Autonomous communities
3	Medium	Illegal shooting	Medium-sized birds (including raptors)	Unknown	10. Persecution of illegal actions during hunting periods. 11. Judicial and punitive measures.	- Definitive judicial and punitive measures to offenders	Autonomous communities and regional environmental rangers.	Autonomous communities at regional level and the Ministry for the Ecological Transition at the national level

4	Medium-Low	Illegal trapping	Songbirds (specially insectivorous)	Unknown-low	12. Persecution of illegal actions at “parany” points. 13. Monitoring and control of potential illegal captures 14. Judicial and punitive measures	Judicial and punitive measures to offenders	Autonomous communities and regional environmental rangers, with some collaboration from SEPRONA at national level	Autonomous communities at regional level and the Ministry for the Ecological Transition at the national level
---	------------	------------------	-------------------------------------	-------------	--	---	---	---

2. By which administrative or legal means have the national priorities been established in your country?

Through legislation (Ley 42/2007 at national level and different regional regulations) and technical documents, approved by coordinated bodies. There are national Strategies in relation to:

- *Fight against illegal poisoning*
- *Finches trapping (which is legal following derogation procedures included in the article 9 of Birds Directive)*

Regarding the parany, there are several judgements prohibiting this activity and there is only necessary to enforce the legislation through prosecution by the law enforcement agencies, issue that has been improved in the last five years.

3. Which bodies and stakeholders were involved in the priority-setting process?

National and regional administrations, competent in wildlife monitoring and protection, as well as several ONGs participating in national working groups on the above-mentioned threats.

4. What are the bodies in charge of their enforcement?

- *Autonomous communities (competent in monitoring and management of wildlife in terrestrial Spain) from an administrative point of view*
- *Environmental rangers at regional level as enforcement bodies*
- *SEPRONA (Guardia Civil) as police corps at national level*

5. What are the control mechanisms put in place to ensure that the identified priorities are applied as such?

There are several procedures linked to control mechanisms to check the situation of the different priorities:

- *The national act Ley 42/2007 obliges the update of databases controlling the captures of accidental deaths of protected species in Spain.*
- *Regional plans against poisoning in Spain establish the collection of data from affected wildlife and the assessment of the activities performed to reduce the impact of this threat.*
- *There are national databases related to the legal importation of wild birds associated to CITES. Similarly, enforcement bodies also evaluate the effectiveness of their controls in the trade of wild birds with data bases and operations performed.*
- *There are coordinated bodies in the national and regional administrations that evaluate the outcomes from activities and plans approved against threats related to IKB.*

6. What is your evaluation of the benefits and challenges linked to the implementation of national priorities?

The key question in Spain is that related to the reduction of the impact of poisoning in Spain, as there are only few coordinated and global data and its trend. Moreover, an increasing demand of wild birds imported as pets has been advertised during the last 10 years affecting not only Spanish birds but other threatened species worldwide. In general, all the mentioned issues are being improved and being benefited by their consideration as priorities, for instance in the prosecution of illegal trapping at parany. The main challenge is to compile accurate data of the impact of poisoning and illegal shooting.

7. Where applicable: To which extent your authorities refer to the national priorities for the reporting obligations of Article 12 of the EU Birds Directive?

No references on the national priorities regarding illegal killing of birds have been mentioned in the report of Article 12 of the EU Birds Directive. It is not applicable.

8. Is IKB contemplated by the National Action Plans (NAPs) or have NAPs being developed to address IKB? **You can skip this question if you have completed the Scoreboard.**

B. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution

1.a. What are the national mechanisms put in place for recording reports of wildlife cases/prosecution?

There are national working groups on different issues, like the illegal poisoning. There are data bases regarding the issues of poisoning, illegal trapping and illegal shooting which should be improved and contain more accurate update, with the periodic input of data from the regional authorities –competent of collecting data- to the Ministry for the Ecological Transition. It is also necessary to strengthen the collaboration with enforcement and judiciary bodies to collect and release updated reports of convictions and judicial procedures.

1.b and to what extent these are also used to provide statistical evidence of the areas of offending (e.g. through adding categories of wildlife crime to those crimes already recorded nationally?)

In case such mechanisms are not in place, please list the reasons/challenges that prevented your authorities from action in this respect

The lack of official procedures for compiling data of the mentioned issues, the lack of common and coordinated databases at the different autonomous communities and the absence of a proper communication of data from regional administrations to the national bodies (Ministry for the Ecological Transition). There is also need for a better coordination and communication from the judiciary level to know the level of cases and convictions in Spain.

2. Has your country appointed national focal points to assist investigators and prosecutors in accessing/locating expert knowledge providers, or at least established a compilation of a national contact list of expert providers (including scientists, specialist law firms, expert witnesses, and independent specialists)?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

We have a national focal point for the Strategy against illegal poisoning (Mr. Ricardo Gómez) which also coordinates the rest of issues for the global Spanish administrations, experts, scientists, etc. Nevertheless, we have detected the need of increasing the cooperation between competent authorities in managing wildlife at the regional level and the national bodies.

3. Are there any dedicated infrastructures enabling for the national exchange of information and coordination of actions at identified black-spots of illegal activities?

If not, please list the reasons/challenges that prevented your authorities from action in this respect,

Yes, there is an official working group on the Illegal poisoning but not for the general matter of illegal killing of birds. There is also a coordinated working group related to the improvements of the National Plan against illegal trafficking of wildlife.

4. Are there any national platforms, for instance in the form of web portals, to provide information and resources for the professionals involved in fighting against illegal killing of birds?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

No, there are not official ones. The way of providing data from regional competent authorities to national bodies is through direct communication within the framework of official working groups.

C. Identification and standardisation of gravity factors and sentencing guidelines

1. Have authorities promoted or included gravity factors and sentencing guidelines to be integrated in the legal framework? **You can skip this question if you have completed the Scoreboard.**

2. Where applicable: By which mean have your authorities brought the sentencing guidelines and gravity factors adopted by the Bern Convention Standing Committee through Recommendation N° 177 (2015) to the attention of the judiciary? And what feedback – if any- was received authorities?

If the sentencing guidelines and gravity factors have not yet been forwarded to the judiciary, please list the reasons/challenges that prevented your authorities from action in this respect

These guidelines and gravity factors adopted by the Standing Committee have been forwarded to the attention to the judiciary but no feedback has been received up to now.

2. BIOLOGICAL AND INSTITUTIONAL ASPECTS

1. What are the mechanisms in place for analysing existing data on illegal activities affecting birds? Is there any standardised protocol for data collection, namely to identify black-spots for illegal killing of birds?

If no mechanism or protocol is in place, please list the reasons/challenges that prevented your authorities from action in this respect.

There are no standardised protocols for data collection, and the compiled information is received through direct communications from the competent authorities

2. Has your country established statistics on mortality within bird populations due to legal harvest? If yes, through which mechanism? If not, please explain why.

Yes, we have statistics of legal trapping of finches following the derogations established in article 9 of Birds Directive, by communication from regional authorities. We have not updated data on issues like legal hunting since this unit is not competent on this matter. But these are provided in the webpage of the Ministry of Agriculture of Spain.

3. What are the estimates of mortality due to illegal killing trapping and trade and illegal activities in your country (according to the definition given by the Bern Convention Recommendations or/and the CMS resolution 11.16 (Rev. COP12))? **You can skip this question if you have completed the Scoreboard.**

4. Has research been conducted, or data collected, regarding scale, modus operandi, socio-economic drivers, national and international legal and illegal trade in wild birds in the European and Mediterranean region?

Some research has been released about the scale of the impact of IKB from some NGOs but not taking as sample the official databases of Spanish administrations in our case.

3. AWARENESS ASPECTS

1. Is there any official study on the key drivers and benefits of wild-bird crimes in your country? **You can skip this question if you have completed the Scoreboard.**

2. Is there any operational platform put in place to raise awareness of the wider public on the consequences and biological impact of illegal killing of birds?

There are some initiatives developed by ONGs (i.e. SEO/BirdLife and WWF) partially commissioned by administrations (EU, Ministry for the Ecological Transition) aiming at raising awareness on these aspects. Similarly, there is an initiative in Spain - program ANTIDOTO- for monitoring and disseminating this threat at the national level. Moreover, some regional authorities perform communication and educational activities to reduce the impact of IKB within the development of regional plans against the illegal use of poison baits.

3. Is there any communication strategy adopted by the government, or guidance distributed to policy makers on how to react publicly against illegal killing of birds?

Yes, there is an official approved Strategy against illegal poisoning by the Ministry for the Ecological Transition (<http://www.miteco.gob.es/es/biodiversidad/publicaciones/pbl-fauna-flora-estrategias-lucha-venenos.aspx>). Otherwise, there is also communication aspects related

to the control of illegal trade of birds in Spain included in the National Plan against illegal trafficking of wildlife (<https://www.boe.es/boe/dias/2018/04/10/pdfs/BOE-A-2018-4891.pdf>)

4. Has your country implemented any kind of campaign, including school campaigns, to raise awareness on this matter? **You can skip this question if you have completed the Scoreboard.**

4. COORDINATION, SYNERGIES AND MAINSTREAMING

1. Are there any protocols, procedures or mechanisms to ensure knowledge-sharing between the Special Focal Point for Illegal Killing of Birds under the Bern Convention, the MIKT member or observer, the National representative at the EU Ornithological Committee and the CITES enforcement officers?

If coordination is not foreseen, please list the reasons/challenges that prevented your authorities from action in this respect

Yes, they are all within the same unit at the Ministry for the Ecological Transition and the managers of these conventions/initiatives are operationally coordinated.

2. How would you evaluate the cooperation of your main enforcement agency(ies) with the relevant INTERPOL National Central Bureau?

We do not have accurate data on this issue but we suppose this cooperation between SEPRONA of Guardia Civil and INTERPOL is widely fruitful

3. Has your country put in place the necessary mechanisms for encouraging and facilitating networking, cooperation and exchanges of information between the investigators and the advisers/prosecutors? Has the cooperation between judiciary and law enforcement official been strengthened at pan-Mediterranean level?

If not, please list the reasons/challenges that prevented your authorities from action in this respect

Yes, there exists an established link between investigators (i.e. regional environmental rangers and SEPRONA) with prosecutors, both at the national and the international level.

4. Has your country exchanged experiences (bilateral meetings, mutual traineeship programme, training visits to another country, etc.) with one or more parties to the Bern Convention and/or MIKT members and observers?

Yes, several projects have implemented and are implementing shared activities with prosecutors, police bodies and wildlife biologists to deal with illegal killing, for instance within different LIFE projects against the use of illegal baits. Some cooperation from Spain at these levels is currently ongoing with Balkan countries and neighbouring countries like France and Portugal.

5. Which existing international networks, platforms and information exchange mechanisms has been used to maximize cooperation in law enforcement?

Mainly, IMPEL and ENPE are the two international platforms to cooperate at the international level in law enforcement.

6. Overall by which means and with which results is your country addressing the need to enhance inter-sector cooperation involving all relevant Ministries, particularly the Ministries of Environment, Agriculture, Interior or Home Affairs, Justice and Education?

There are periodic coordination meetings among the different Ministries dealing with these environmental issues, within the European Network of Environmental Authorities for the Cohesion Policy.

SYRIA / SYRIE

Template

for the completion of the progress report on implementation of the Bern Convention Tunis Action Plan 2020 [RECOMMENDATION NO. 164 (2013)] and the Programme of Work of the UN-Environment/CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

The Secretariats of the Bern Convention and the CMS gratefully acknowledge the Bern Convention Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (Bern SFPs Network) and Members and Observers of the CMS MIKT that have completed in 2018 the *Scoreboard to assess the progress in combating illegal killing, taking and trade of wild birds (IKB)* (referred to in this document as the Scoreboard). The information collected through the Scoreboard has been considered when preparing the present template as to maximise the usefulness of available information and avoid duplication of effort to the extent possible.

Accordingly, those questions already covered by the Scoreboard have been indicated in the template below and can be skipped by Bern SPF, Members and Observers of MIKT that already completed and submitted the Scoreboard. Should you have updated or additional information, please include it in the present template.

Country	SYRIAN ARAB REPUBLIC
Name and position of responsible person	Eng. Belal Al HAYEK , Director of Biodiversity, Land and Natural Reserves
Institution/Organization	Ministry of Local Administration and Environment
E-mail	blalhayek75@gmail.com/bilal.alhayek@hotmail.com
Bern Convention SFP	N/A
CMS MIKT Member/Observer	(Yes)
Date of completing the form	14 th April 2019

Definition and Reference Documents

"Illegal killing, trapping and trade of birds" is defined for the purpose of this questionnaire as: Activities which are illegal under national, regional or international law committed intentionally resulting in the death, injury or removal of specimens of wild birds from the wild either dead or alive, including their parts and derivatives.

- [Recommendation No. 164 \(2013\)](#) and the "Tunis Action Plan 2013-2020 for the eradication of illegal killing, trapping and trade of wild birds"
- [Recommendation No. 171 \(2014\)](#) of the Standing Committee, adopted on 5 December 2014, on the setting-up of national policing/investigation priorities to tackle illegal killing, trapping and trade of wild birds
- [Recommendation N° 177 \(2015\)](#) on the gravity factors and sentencing principles for the evaluation of offences against birds, and in particular the illegal killing, trapping and trade of wild birds

- [Programme of Work 2016 – 2020](#) for the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).
- [UNEP/CMS Resolution 11.16 \(Rev. COP 12\): The Prevention of Illegal Killing, Taking and Trade of Migratory Birds](#)

INDEX

1.	ENFORCEMENT AND LEGAL ASPECTS
	NN. Identification of National Priorities
	OO. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution
	PP. Identification and standardization of gravity factors and sentencing guidelines
2.	BIOLOGICAL AND INSTITUTIONAL ASPECTS
3.	AWARENESS ASPECTS
4.	COORDINATION, SYNERGIES AND MAINSTREAMING

1. ENFORCEMENT AND LEGAL ASPECTS

A. Identification of National Priorities

1. Please provide the list of policing/investigation priorities identified to tackle wild-bird crimes in your country [following Recommendation No. 171 (2014) where applicable], as well as the bodies in charge of their enforcement and monitoring:

In case the list of priorities is not in place, please list the reasons/challenges that prevented your authorities from action in this respect.

The Ministry of Local Administration and Environment in its capacity of NFP for (CITES –CMS- CBD-AEWA –RAPTORS ...etc) is responsible for dealing with all wild bird issues, especially for international trade of fauna species.

1.1 Complementary information where appropriate, please see table below (OPTIONAL)

Rank	Priority	Type of offence / Crime targeted	Species affected	Level of threat on the species	Ongoing actions	Actions to be put in place	Body(ies) in charge of enforcement	Body(ies) in charge of monitoring
1	Hunting	Shooting and trapping birds in the wild	1-Raptors, 2-Song birds, 3-Water birds, 4-Waders,	1- High 2-Medium 3- Medium 4-Low		Enforcement of the hunting ban	MAAR, MLAE	N/A
2	Trafficking	Illegal trade	Raptors	Medium		Clearer monitoring	Customs, MLAE MoIA	MLAE

2. By which administrative or legal means have the national priorities been established in your country?

Ministry of Agriculture and Agrarian Reform (MAAR),
Ministry of Local Administration and Environment (MLAE).

3. Which bodies and stakeholders were involved in the priority-setting process?

Higher Council for Hunting (HCH),
Syrian Society for the Conservation of Wildlife (SSCW)

4. What are the bodies in charge of their enforcement?

Ministry of Agriculture and Agrarian Reform (MAAR),
Ministry of Local Administration and Environment (MLAE),
Ministry of Interior Affairs (MoIA).

5. What are the control mechanisms put in place to ensure that the identified priorities are applied as such?

There are conditional steps for licensing process which governs all the needed procedures for passing the needed training to acquire the appropriate license for Hunting and also a license for holding and acquiring a hunting weapon.

6. What is your evaluation of the benefits and challenges linked to the implementation of national priorities?

Benefits:

These will benefit in improving the knowledge about bird identification and increase the level of awareness about the threats that birds are facing. This will also provide a more precise control for monitoring activities. Training hunters about the hunting practices will also ensure they will be updated about the status of the bird species and link these with the updated information about species conservation.

Difficulties:

The current procedures for issuing a license for holding a weapon is still not 100% bind by passing the needed hunting training for the issuance. Moreover, the information currently that

covers the licensing for past weapon permit is a weak point that need more emphasise, as there are an application at the MoIA to acquire a weapon license, but this is not a linked with hunting and holders can use the weapon for hunting without being subject to a proper hunting training.

7. Where applicable: To which extent your authorities refer to the national priorities for the reporting obligations of Article 12 of the EU Birds Directive?

N/A

8. Is IKB contemplated by the National Action Plans (NAPs) or have NAPs being developed to address IKB? **You can skip this question if you have completed the Scoreboard.**

Scoreboard was completed in 10| 2018

B. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution

1.a. What are the national mechanisms put in place for recording reports of wildlife cases/prosecution?

No mechanism for such reporting is currently available. This change has been envisaged at the proposed update for the National Hunting Law under discussion.

1.b and to what extent these are also used to provide statistical evidence of the areas of offending (e.g. through adding categories of wildlife crime to those crimes already recorded nationally?)

In case such mechanisms are not in place, please list the reasons/challenges that prevented your authorities from action in this respect

No such follow up is being implemented. This has been envisaged at the proposed update for the National Hunting Law under discussion.

2. Has your country appointed national focal points to assist investigators and prosecutors in accessing/locating expert knowledge providers, or at least established a compilation of a national contact list of expert providers (including scientists, specialist law firms, expert witnesses, and independent specialists)?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

No such focal points are available on the national level. This has been also suggested at the proposed update for the National Hunting Law under discussion

3. Are there any dedicated infrastructures enabling for the national exchange of information and coordination of actions at identified black-spots of illegal activities?

If not, please list the reasons/challenges that prevented your authorities from action in this respect,

The current infra structure for following the exchange of information is very limited regarding dedicated staff, technical issues, and allocation of physical units. However, once the NFP have been appointed and enforced, then the unit will take full responsibility of this issue and arrange all the needed coordination where required.

4. Are there any national platforms, for instance in the form of web portals, to provide information and resources for the professionals involved in fighting against illegal killing of birds?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

No such portals are being created. However, this has been a point for discussion to create this portal at a national unit to deal with it with a NGO initiatives in this direction.

C. Identification and standardisation of gravity factors and sentencing guidelines

1. Have authorities promoted or included gravity factors and sentencing guidelines to be integrated in the legal framework? **You can skip this question if you have completed the Scoreboard.**

No gravity factor for bird and wildlife crimes has been noticed, However, this has been proposed with clear sentencing at the National Hunting Law under discussion.

2. Where applicable: By which mean have your authorities brought the sentencing guidelines and gravity factors adopted by the Bern Convention Standing Committee through Recommendation N° 177 (2015) to the attention of the judiciary? And what feedback – if any- was received authorities?

If the sentencing guidelines and gravity factors have not yet been forwarded to the judiciary, please list the reasons/challenges that prevented your authorities from action in this respect

N/A

2. BIOLOGICAL AND INSTITUTIONAL ASPECTS

1. What are the mechanisms in place for analysing existing data on illegal activities affecting birds? Is there any standardised protocol for data collection, namely to identify black-spots for illegal killing of birds?

If no mechanism or protocol is in place, please list the reasons/challenges that prevented your authorities from action in this respect.

No mechanism for such reporting is being included at the moment. However, this has been envisaged at the proposed update for the National Hunting Law under discussion.

2. Has your country established statistics on mortality within bird populations due to legal harvest? If yes, through which mechanism? If not, please explain why.

No,
Hunting in the Country is banned by a ministerial decision. All harvest actions are illegal in Syria.

3. What are the estimates of mortality due to illegal killing trapping and trade and illegal activities in your country (according to the definition given by the Bern Convention Recommendations or/and the CMS resolution 11.16 (Rev. COP12))? **You can skip this question if you have completed the Scoreboard.**

Scoreboard is being completed.

4. Has research been conducted, or data collected, regarding scale, modus operandi, socio-economic drivers, national and international legal and illegal trade in wild birds in the European and Mediterranean region?

A small research was conducted in the past by NGO with support from the Ministry for the level of hunting at a certain area of specific geographical scope. This has not covered the whole geographical scope to the country.

3. AWARENESS ASPECTS

1. Is there any official study on the key drivers and benefits of wild-bird crimes in your country?
You can skip this question if you have completed the Scoreboard.

Scoreboard is being completed.

2. Is there any operational platform put in place to raise awareness of the wider public on the consequences and biological impact of illegal killing of birds?

In the proposed update of the law, the awareness component is being assigned to a NGO (SSCW) to lead on this important issue. SSCW has prepared a management plan for hunting and included some aspect for communication in this

3. Is there any communication strategy adopted by the government, or guidance distributed to policy makers on how to react publicly against illegal killing of birds?

No,
There is no such strategy adopted by the governmental bodies.

4. Has your country implemented any kind of campaign, including school campaigns, to raise awareness on this matter? **You can skip this question if you have completed the Scoreboard.**

In the proposed update of the law, all campaigns has been assigned to a NGO (SSCW) to lead on this important issue.

4. COORDINATION, SYNERGIES AND MAINSTREAMING

1. Are there any protocols, procedures or mechanisms to ensure knowledge-sharing between the Special Focal Point for Illegal Killing of Birds under the Bern Convention, the MIKT member or observer, the National representative at the EU Ornith Committee and the CITES enforcement officers?

If coordination is not foreseen, please list the reasons/challenges that prevented your authorities from action in this respect

Syria is not a part of the Bern Convention. All these are assigned to dedicated staff in one team dealing with all these conventions, CMS, CITES, MIKATetc.

2. How would you evaluate the cooperation of your main enforcement agency(ies) with the relevant INTERPOL National Central Bureau?

The MLAE is regularly communicating with INTERPOL National Central Bureau via relevant agency (MoIA), this is by filling the INTERPOL format, which was prepared for this matter.

3. Has your country put in place the necessary mechanisms for encouraging and facilitating networking, cooperation and exchanges of information between the investigators and the advisers/prosecutors? Has the cooperation between judiciary and law enforcement official been strengthened at pan-Mediterranean level?

If not, please list the reasons/challenges that prevented your authorities from action in this respect

This is an area of development that needs to be highlighted by the relevant departments to ensure the right level of synergy between all related parties/ departments.

4. Has your country exchanged experiences (bilateral meetings, mutual traineeship programme, training visits to another country, etc.) with one or more parties to the Bern Convention and/or MIKT members and observers?

N/A (currently not applicable)

5. Which existing international networks, platforms and information exchange mechanisms has been used to maximize cooperation in law enforcement?

Clearing House Mechanism (CHM), which was prepared by Convention of Biological Diversity (CBD).

6. Overall by which means and with which results is your country addressing the need to enhance inter-sector cooperation involving all relevant Ministries, particularly the Ministries of Environment, Agriculture, Interior or Home Affairs, Justice and Education?

In the country the body covers this is the Higher Council for Hunting (HCH) whereby all these institutions are represented equally in this council and it has also representatives from the hunters and other relevant NGOs

TUNISIA / TUNISIE

Template

for the completion of the progress report on implementation of the Bern Convention Tunis Action Plan 2020 [RECOMMENDATION NO. 164 (2013)] and the Programme of Work of the UN-Environment/CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

The Secretariats of the Bern Convention and the CMS gratefully acknowledge the Bern Convention Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (Bern SFPs Network) and Members and Observers of the CMS MIKT that have completed in 2018 the *Scoreboard to assess the progress in combating illegal killing, taking and trade of wild birds (IKB)* (referred to in this document as the Scoreboard). The information collected through the Scoreboard has been considered when preparing the present template as to maximise the usefulness of available information and avoid duplication of effort to the extent possible.

Accordingly, those questions already covered by the Scoreboard have been indicated in the template below and can be skipped by Bern SPF, Members and Observers of MIKT that already completed and submitted the Scoreboard. Should you have updated or additional information, please include it in the present template.

Country	TUNISIE
Name and position of responsible person	Tahri Jamel
Institution/Organization	Direction Générale des Forêts; Tunisie
E-mail	tahri_jamel@yahoo.fr
Bern Convention SFP	(Yes/No)
CMS MIKT Member/Observer	(Yes) Member
Date of completing the form	11 avril 2019

Definition and Reference Documents

"Illegal killing, trapping and trade of birds" is defined for the purpose of this questionnaire as: Activities which are illegal under national, regional or international law committed intentionally resulting in the death, injury or removal of specimens of wild birds from the wild either dead or alive, including their parts and derivatives.

- [Recommendation No. 164 \(2013\)](#) and the "Tunis Action Plan 2013-2020 for the eradication of illegal killing, trapping and trade of wild birds"
- [Recommendation No. 171 \(2014\)](#) of the Standing Committee, adopted on 5 December 2014, on the setting-up of national policing/investigation priorities to tackle illegal killing, trapping and trade of wild birds
- [Recommendation N° 177 \(2015\)](#) on the gravity factors and sentencing principles for the evaluation of offences against birds, and in particular the illegal killing, trapping and trade of wild birds
- [Programme of Work 2016 – 2020](#) for the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

- [UNEP/CMS Resolution 11.16 \(Rev. COP 12\): The Prevention of Illegal Killing, Taking and Trade of Migratory Birds](#)

INDEX

1.	ENFORCEMENT AND LEGAL ASPECTS
	QQ. Identification of National Priorities
	RR. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution
	SS. Identification and standardisation of gravity factors and sentencing guidelines
2.	BIOLOGICAL AND INSTITUTIONAL ASPECTS
3.	AWARENESS ASPECTS
4.	COORDINATION, SYNERGIES AND MAINSTREAMING

1. ENFORCEMENT AND LEGAL ASPECTS

A. Identification of National Priorities

1. Please provide the list of policing/investigation priorities identified to tackle wild-bird crimes in your country [following Recommendation No. 171 (2014) where applicable], as well as the bodies in charge of their enforcement and monitoring:

In case the list of priorities is not in place, please list the reasons/challenges that prevented your authorities from action in this respect.

Aucune liste des priorités n'a été élaboré pour l'instant; mais la Tunisie a renforcé ses efforts pour répondre aux objectifs de plan d'action de Tunis 2013-2020 et mieux protéger la biodiversité spécialement les oiseaux migrateurs par :

- 1- la révision des lois relatives à la chasse
- 2- la création d'une plateforme de suivi et de contrôle des oiseaux (INITIATION DE L'AAO/BIRDLIFE TUNISIE ; "www.stop-braconnage.com")
- 3- la réalisation et la programmation d'une série de formation et de sensibilisation
- 4- les interventions sur terrain pour la conservation des oiseaux migrateurs.

La Direction Générale des Forêts est l'autorité responsable du contrôle sur le terrain jours et nuits par la loi n° 88-20 du 13 avril 1988, portant refonte du code forestier.

Durant les 5 dernières années 1200 infractions de braconnage et de commerce illégal ont été enregistrées.

En 2017; Et par initiative de l'Association des Amis des Oiseaux et en coopération avec la Direction Générale des Forêts, une plateforme de suivi; de contrôle et de réclamation des infractions enregistrées sur les oiseaux, était lancé ("www.stop-braconnage.com")

En 2018; la Commission Consultative de la Chasse et de la Conservation du Gibier a fixé le nombre de pièces de gibier qu'un chasseur peut abattre au cours d'une journée de chasse; par un Arrêté Ministériel relatif à l'organisation saisonnière de la chasse.

1.1 Complementary information where appropriate, please see table below (OPTIONAL)

Rank	Priority	Type of offence / Crime targeted	Species affected	Level of threat on the species	Ongoing actions	Actions to be put in place	Body(ies) in charge of enforcement	Body(ies) in charge of monitoring
1	la révision des lois relatives à la chasse	fixé le nombre de pieces de gibier qu'un chasseur peut abattre au cours d'une journée de chasse	Toutes espèces des oiseaux sauvages autorisées à la chasse.	–	Des quotas de prélèvement sont fixés	–	Les agents de la Direction Générale des Forêts	Les agents de la Direction Générale des Forêts et les Associations.
2								
3								

2. By which administrative or legal means have the national priorities been established in your country?

Par un Arrêté Ministériel relatif à l'organisation saisonnière de la chasse le nombre de pièces des oiseaux gibiers qu'un chasseur peut abattre au cours d'une journée de chasse est fixé.

2. Which bodies and stakeholders were involved in the priority-setting process?

3.

Les Parties prenantes qui ont été impliqués dans le processus de définition des priorités sont :

- La Direction Générale des Forêts
- Le Ministère de la Justice
- Les Membres de la Commission Consultative de la Chasse et de la Conservation du Gibier

4. What are the bodies in charge of their enforcement?

Généralement les infractions en matière de la chasse feront l'objet de constatations et d'enquêtes par les ingénieurs et techniciens des Forêts et tous les officiers de police judiciaire, les gardes nationaux, les officiers et préposés des douanes et les agents de police.

5. What are the control mechanisms put in place to ensure that the identified priorities are applied as such?

Pas des mécanismes spécifiques, mais on compte sur les actions de contrôle faites sur terrain et par les réclamations inscrites sur la plateforme mentionnée ci-dessus (en A1) et sur la sensibilisation.

6. What is your evaluation of the benefits and challenges linked to the implementation of national priorities?

Les avantages de cette action est tout d'abord de garantir la durabilité de l'existence des oiseaux sauvages et d'assurer une bonne gestion des oiseaux gibiers.

7. Where applicable: To which extent your authorities refer to the national priorities for the reporting obligations of Article 12 of the EU Birds Directive?

Sans Objet

8. Is IKB contemplated by the National Action Plans (NAPs) or have NAPs being developed to address IKB?
You can skip this question if you have completed the Scoreboard.

B. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution

1.a. What are the national mechanisms put in place for recording reports of wildlife cases/prosecution?

La Direction Générale des Forêts et l'Association des Amis des Oiseaux ont lancé une Plateforme de suivi et de contrôle des infractions sur les oiseaux et des délits de chasse.

Cette Plateforme permet d'éditer des bilans statistiques selon la demande et de localiser les zones noires de point de vue infractions.

1.b and to what extent these are also used to provide statistical evidence of the areas of offending (e.g. through adding categories of wildlife crime to those crimes already recorded nationally?)

In case such mechanisms are not in place, please list the reasons/challenges that prevented your authorities from action in this respect

Voir réponse B 1.a

2. Has your country appointed national focal points to assist investigators and prosecutors in accessing/locating expert knowledge providers, or at least established a compilation of a national contact list of expert providers (including scientists, specialist law firms, expert witnesses, and independent specialists)?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

Pas également, mais la Direction Générale des Forêts à une liste des Brigadiers Régionaux avec une Brigade Nationale pour lutter contre les infractions liées à la chasse et aux faunes sauvages.

Aussi, un Point Focal CITES est désigné et qui est en contact régulier avec les Brigadiers.

3. Are there any dedicated infrastructures enabling for the national exchange of information and coordination of actions at identified black-spots of illegal activities?

If not, please list the reasons/challenges that prevented your authorities from action in this respect,

Voir réponse B 1.a

4. Are there any national platforms, for instance in the form of web portals, to provide information and resources for the professionals involved in fighting against illegal killing of birds?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

Oui, La Direction Générale des Forêts et l'Association Tunisienne des Amis des Oiseaux ont lancé une Plat forme de suivi et de contrôle pour lutter contre l'abattage illégal des oiseaux et des délits de chasse.

"www.stop-braconnage.com"

C. Identification and standardisation of gravity factors and sentencing guidelines

1. Have authorities promoted or included gravity factors and sentencing guidelines to be integrated in the legal framework? **You can skip this question if you have completed the Scoreboard.**

2. Where applicable: By which mean have your authorities brought the sentencing guidelines and gravity factors adopted by the Bern Convention Standing Committee through Recommendation N° 177 (2015) to the attention of the judiciary? And what feedback – if any- was received authorities?

If the sentencing guidelines and gravity factors have not yet been forwarded to the judiciary, please list the reasons/challenges that prevented your authorities from action in this respect

Les peines sont fixées par la loi n° 88-20 du 13 avril 1988, portant refonte du code forestier.

Les pénalités ainsi définies par les articles de dit code comme suit :

- de 16 jours à 6 mois d'emprisonnement et d'une amende de 500 dinars à 5000 dinars; pour les infractions liées à la chasse illégale et au commerce illégale des espèces gibiers.
- Ces peines sont portées au double et l'autorisation de chasse est retirée pour cinq ans dans le cas où les crimes graves visés par le présent code sont commis.
- de 16 jours à 6 mois d'emprisonnement et d'une amende de 1000 dinars à 5000 dinars; pour les infractions liées à l'abattage illégal et au commerce illégal des Espèces protégées.

4. BIOLOGICAL AND INSTITUTIONAL ASPECTS

1. What are the mechanisms in place for analysing existing data on illegal activities affecting birds? Is there any standardised protocol for data collection, namely to identify black-spots for illegal killing of birds?

If no mechanism or protocol is in place, please list the reasons/challenges that prevented your authorities from action in this respect.

La Direction Générale des Forêts et l'Association des Amis des Oiseaux ont lancé une Plateforme de suivi et de contrôle des infractions sur les oiseaux et des délits de chasse.

Cette Plateforme permet d'éditer des bilans statistiques selon la demande et de localiser les zones noires de point de vue infractions.

2. Has your country established statistics on mortality within bird populations due to legal harvest? If yes, through which mechanism? If not, please explain why.

Chaque année on a au niveau de rapport annuel de la chasse une estimation des espèces gibiers chassées notamment les oiseaux migrateurs.

Les données des rapports nous permettent d'avoir un aperçu sur l'évolution des prélèvements effectués par saison de chasse.

3. What are the estimates of mortality due to illegal killing trapping and trade and illegal activities in your country (according to the definition given by the Bern Convention Recommendations or/and the CMS resolution 11.16 (Rev. COP12))? **You can skip this question if you have completed the Scoreboard.**

Avant le lancement de la plateforme on n'a pas des données exactes; néanmoins que durant la période de révolution le braconnage s'est beaucoup accentuée avec une diminution de contrôle.

4. Has research been conducted, or data collected, regarding scale, modus operandi, socio-economic drivers, national and international legal and illegal trade in wild birds in the European and Mediterranean region?

Jusqu'à nos jours pas de recherches menées ou des données collectées concernant ce sujet.

5. AWARENESS ASPECTS

1. Is there any official study on the key drivers and benefits of wild-bird crimes in your country?
You can skip this question if you have completed the Scoreboard.

Malheureusement, aucune étude officielle n'a été faite sur les principaux facteurs et avantages des crimes contre les oiseaux sauvages.

2. Is there any operational platform put in place to raise awareness of the wider public on the consequences and biological impact of illegal killing of birds?

Oui, la Direction Générale des Forêts et l'Association des Amis des Oiseaux ont lancé une Plateforme de suivi et de contrôle des infractions sur les oiseaux et des délits de chasse.

Cette Plateforme présente les espèces protégées non chassable; aussi elle présente les espèces gibiers avec les périodes de chasse et le nombre des pièces autorisées.

De plus, on trouve au niveau de la Plateforme l'Arrêté annuel relatif à l'organisation de la chasse.

La sensibilisation du grand public aux conséquences et à l'impact biologique de l'abattage illégal d'oiseaux est assurée par les ONGs comme l'Association des Amis des Oiseaux et l'Association de Sauvegarde des Zones Humides du Sud Tunisien.

4. Is there any communication strategy adopted by the government, or guidance distributed to policy makers on how to react publicly against illegal killing of birds?

5.

Non il n'existe pas une stratégie dans ce sens;

Mais, le grand effort des brigadiers concernant les actions de lutte contre le braconnage et le trafic d'espèces est portée à la connaissance des Associations et des médias.

4. Has your country implemented any kind of campaign, including school campaigns, to raise awareness on this matter? **You can skip this question if you have completed the Scoreboard.**

Non; Pas encore.

6. COORDINATION, SYNERGIES AND MAINSTREAMING

1. Are there any protocols, procedures or mechanisms to ensure knowledge-sharing between the Special Focal Point for Illegal Killing of Birds under the Bern Convention, the MIKT member or observer, the National representative at the EU Ornith Committee and the CITES enforcement officers?

If coordination is not foreseen, please list the reasons/challenges that prevented your authorities from action in this respect

Oui; le partage des connaissances est garanti, vu que le point focal de la Tunisie sur l'abattage illégal des oiseaux (Membre de Task-force) travail à l'organe de gestion CITES de la Tunisie et aussi membre de groupe de travail de la Plateforme de suivi et de contrôle des infractions sur les oiseaux et des délits de chasse.

2. How would you evaluate the cooperation of your main enforcement agency(ies) with the relevant INTERPOL National Central Bureau?

Sans Objet.

3. Has your country put in place the necessary mechanisms for encouraging and facilitating networking, cooperation and exchanges of information between the investigators and the advisers/prosecutors? Has the cooperation between judiciary and law enforcement official been strengthened at pan-Mediterranean level?

If not, please list the reasons/challenges that prevented your authorities from action in this respect

Non, pas des mécanismes exacts.

Parce que la Tunisie manque des Juges spécialisés en environnement.

Mais en travail en coopération étroite avec les procureurs ce qui nous permet de garantir l'exécution des peines aux infractions.

4. Has your country exchanged experiences (bilateral meetings, mutual traineeship programme, training visits to another country, etc.) with one or more parties to the Bern Convention and/or MIKT members and observers?

Non,

La Tunisie n'a pas fait des échanges des expériences avec d'autres parties.

Mais on essaie de participer aux différentes réunions organisées dans le cadre de la conservation de la biodiversité.

5. Which existing international networks, platforms and information exchange mechanisms has been used to maximize cooperation in law enforcement?

Sans Objet

6. Overall by which means and with which results is your country addressing the need to enhance inter-sector cooperation involving all relevant Ministries, particularly the Ministries of Environment, Agriculture, Interior or Home Affairs, Justice and Education?

Généralement tous les ministères concernés travaillent en collaboration pour la protection de la biodiversité; et spécialement la Direction Générale des Forêts pour la conservation de la flore et de la faune sauvage.

Les actions de sensibilisations du public sont faites par les agents des Forêts et les Associations spécialisées en la protection de la biodiversité.

TURKEY / TURQUIE

Template

for the completion of the progress report on implementation of the Bern Convention Tunis Action Plan 2020 [RECOMMENDATION NO. 164 (2013)] and the Programme of Work of the UN-Environment/CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

The Secretariats of the Bern Convention and the CMS gratefully acknowledge the Bern Convention Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (Bern SFPs Network) and Members and Observers of the CMS MIKT that have completed in 2018 the *Scoreboard to assess the progress in combating illegal killing, taking and trade of wild birds (IKB)* (referred to in this document as the Scoreboard). The information collected through the Scoreboard has been considered when preparing the present template as to maximise the usefulness of available information and avoid duplication of effort to the extent possible.

Accordingly, those questions already covered by the Scoreboard have been indicated in the template below and can be skipped by Bern SPF, Members and Observers of MIKT that already completed and submitted the Scoreboard. Should you have updated or additional information, please include it in the present template.

Country	Republic of Turkey
Name and position of responsible person	Dr. Fehmi ARIKAN / Expert
Institution/Organization	Ministry of Agriculture and Forestry GD of Nature Conservation and National Parks
E-mail	fehmi.arikan@tarimorman.gov.tr
Bern Convention SFP	(Yes)
CMS MIKT Member/Observer	(Observer)
Date of completing the form	08.04.2019

Definition and Reference Documents

"Illegal killing, trapping and trade of birds" is defined for the purpose of this questionnaire as: Activities which are illegal under national, regional or international law committed intentionally resulting in the death, injury or removal of specimens of wild birds from the wild either dead or alive, including their parts and derivatives.

- [Recommendation No. 164 \(2013\)](#) and the "Tunis Action Plan 2013-2020 for the eradication of illegal killing, trapping and trade of wild birds"
- [Recommendation No. 171 \(2014\)](#) of the Standing Committee, adopted on 5 December 2014, on the setting-up of national policing/investigation priorities to tackle illegal killing, trapping and trade of wild birds

- [Recommendation N° 177 \(2015\)](#) on the gravity factors and sentencing principles for the evaluation of offences against birds, and in particular the illegal killing, trapping and trade of wild birds
- [Programme of Work 2016 – 2020](#) for the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).
- [UNEP/CMS Resolution 11.16 \(Rev. COP 12\): The Prevention of Illegal Killing, Taking and Trade of Migratory Birds](#)

INDEX

1.	ENFORCEMENT AND LEGAL ASPECTS
	TT. Identification of National Priorities
	UU. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution
	VV. Identification and standardisation of gravity factors and sentencing guidelines
2.	BIOLOGICAL AND INSTITUTIONAL ASPECTS
3.	AWARENESS ASPECTS
4.	COORDINATION, SYNERGIES AND MAINSTREAMING

1. ENFORCEMENT AND LEGAL ASPECTS

A. Identification of National Priorities

1. Please provide the list of policing/investigation priorities identified to tackle wild-bird crimes in your country [following Recommendation No. 171 (2014) where applicable], as well as the bodies in charge of their enforcement and monitoring:

In case the list of priorities is not in place, please list the reasons/challenges that prevented your authorities from action in this respect.

1.1 Complementary information where appropriate, please see table below (OPTIONAL)

Rank	Priority	Type of offence / Crime targeted	Species affected	Level of threat on the species	Ongoing actions	Actions to be put in place	Body(ies) in charge of enforcement	Body(ies) in charge of monitoring
1	Decrease/Stop Poaching of particular species	Poaching <i>(shooting in closed period, shooting in areas with shooting prohibition, non-respect of bag limits)</i>	Waterfowl (especially ducks), chukar, woodcock, turtle dove, quail. <i>(These are all game birds in Turkey)</i>	High	Inspection and control, Establishment of Hunting Ground System	Inspection and control, Establishment of Hunting Ground System, Actions taken in order to combat against rural poverty	Ministry of Agriculture and Forestry, Ministry of Internal Affairs-Gendarmerie and Police forces	Ministry of Agriculture and Forestry, Ministry of Internal Affairs-Gendarmerie and Police forces
2	Decrease/Stop Trapping and Illegal Trade of Raptors	Trapping and Illegal Trade of them to (especially) Gulf Countries	Buzzard, Sparrow hawk	High	Inspection and control	Inspection and control, Legal Changes	Ministry of Agriculture and Forestry, Ministry of Internal Affairs-Gendarmerie and Police forces	Ministry of Agriculture and Forestry, Ministry of Internal Affairs-Gendarmerie and Police Forces

2. By which administrative or legal means have the national priorities been established in your country?

Land Hunting Law coded 4915.

3. Which bodies and stakeholders were involved in the priority-setting process?

Implementation of the Land Hunting Law coded 4915 is enforced by the annual decisions of Central Hunting Commission which is constituted by 21 members selected from the Ministry of Agriculture and Forestry, NGOs, universities, private hunting ground owners, and from organizations of hunters (hunting clubs and associations). Therefore aforementioned GO/NGOs were involved.

4. What are the bodies in charge of their enforcement?

Ministry of Agriculture and Forestry, Ministry of Internal Affairs-Gendarmerie and Police forces

5. What are the control mechanisms put in place to ensure that the identified priorities are applied as such?

For the successful implementation of conservation measures efficient inspection and control mechanisms have to be developed. Within the frame of this policy, wildlife rangers working in 15 regional and 81 provincial offices of the Ministry of Agriculture and Forestry have been trained in inspection procedures and an annual handbook is prepared, published, and distributed to all provincial and regional offices in order to provide standardization. In addition, to develop an efficient control mechanism, necessary equipment such as guns, radios, binoculars, cameras, sleepingbags, tents, and field vehicles have been provided to all the rangers in the provincial and regional offices.

6. What is your evaluation of the benefits and challenges linked to the implementation of national priorities?

It is undoubtedly useful in decreasing the rates of illegal bird killings. On the other hand, more efforts should be made considering large territories of Turkey.

7. Where applicable: To which extent your authorities refer to the national priorities for the reporting obligations of Article 12 of the EU Birds Directive?

8. Is IKB contemplated by the National Action Plans (NAPs) or have NAPs being developed to address IKB? **You can skip this question if you have completed the Scoreboard.**

The scoreboard has been completed previously.

B. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution

1.a What are the national mechanisms put in place for recording reports of wildlife cases/prosecution?

We have established a new web based information system called Hunting Ground Management Information System (AVBIS) which is developed for the sustainable management and conservation of game and biological diversity.

Hunting in Turkey is regulated according to the annual game quotas calculated for each species based on the hunting grounds. AVBIS is developed in order to make hunters use their own quotas by internet. AVBIS allows us to control the quotas used by the hunters electronically.

More importantly, each penalty or fine issued for illegal killing or trapping of bird (or any other animal) is recorded by our officials to AVBIS. It is possible for us to screen fines and penalties throughout Turkey. It is also possible to see the type of crime (which article of the law has been broken), the date and the place of crime, the name of the offender, the amount of fine imposed, etc. This application is being used from the beginning of 2016.

The data provided in scoreboard has been filtered from AVBIS.

1.b and to what extent these are also used to provide statistical evidence of the areas of offending (e.g. through adding categories of wildlife crime to those crimes already recorded nationally?)

In case such mechanisms are not in place, please list the reasons/challenges that prevented your authorities from action in this respect

AVBIS can be used by Country organization of GDNCNP which has 15 regional directorates, and 81 provincial directorates. So the areas of offending can be filtered from AVBIS and statistical data can be obtained.

2. Has your country appointed national focal points to assist investigators and prosecutors in accessing/locating expert knowledge providers, or at least established a compilation of a national

contact list of expert providers (including scientists, specialist law firms, expert witnesses, and independent specialists)?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

The lack of enough experts, academicians, scientists, etc. specialised in this subject in Turkey at the time still continues.

3. Are there any dedicated infrastructures enabling for the national exchange of information and coordination of actions at identified black-spots of illegal activities?

If not, please list the reasons/challenges that prevented your authorities from action in this respect,

Yes, the annual meeting of Central Hunting Commission. Additionally, we hold meetings in different regions of Turkey nearly every month. These meetings are attended by the regional and provincial directors of the GDNCNP and exchange of information and coordination of actions are ensured.

4. Are there any national platforms, for instance in the form of web portals, to provide information and resources for the professionals involved in fighting against illegal killing of birds?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

Yes, AVBIS (please see the answer of 1.a and 1.b). Additionally, a comprehensive leaflet is published and distributed to all stakeholders in large numbers after the annual Central Hunting Commission Meeting is finalised and the decisions on that hunting period are made. All kind of knowledge regarding huntable birds, quotas, periods, etc. is included to leaflet.

C. Identification and standardisation of gravity factors and sentencing guidelines

1. Have authorities promoted or included gravity factors and sentencing guidelines to be integrated in the legal framework? **You can skip this question if you have completed the Scoreboard.**

The scoreboard has been completed previously.

2. Where applicable: By which mean have your authorities brought the sentencing guidelines and gravity factors adopted by the Bern Convention Standing Committee through

Recommendation N° 177 (2015) to the attention of the judiciary? And what feedback – if any- was received authorities?

If the sentencing guidelines and gravity factors have not yet been forwarded to the judiciary, please list the reasons/challenges that prevented your authorities from action in this respect

It is not quite possible to say that there is progress in this scope.

2. BIOLOGICAL AND INSTITUTIONAL ASPECTS

1. What are the mechanisms in place for analysing existing data on illegal activities affecting birds? Is there any standardised protocol for data collection, namely to identify black-spots for illegal killing of birds?

If no mechanism or protocol is in place, please list the reasons/challenges that prevented your authorities from action in this respect.

In case of an illegal activity, wildlife rangers working for GDNCNP or gendarmerie apply the same procedure and impose fine and/or penalty. From the beginning of 2016 these cases are recorded to AVBIS (please see part 1). So an official of the GDNCNP can see the black spots which crimes are more often.

2. Has your country established statistics on mortality within bird populations due to legal harvest? If yes, through which mechanism? If not, please explain why.

Hunting in Turkey is regulated according to the annual game quotas calculated for each species based on the hunting grounds. AVBIS is developed in order to make hunters use their own quotas by internet. AVBIS allows us to control the quotas used by the hunters electronically. So this gives us a general idea.

3. What are the estimates of mortality due to illegal killing trapping and trade and illegal activities in your country (according to the definition given by the Bern Convention Recommendations or/and the CMS resolution 11.16 (Rev. COP12))? **You can skip this question if you have completed the Scoreboard.**

The scoreboard has been completed previously.

4. Has research been conducted, or data collected, regarding scale, modus operandi, socio-economic drivers, national and international legal and illegal trade in wild birds in the European and Mediterranean region?

Data is collected and as a party of CITES, detailed annual reports including national and international legal and illegal trade in wild birds are sent to the Secretariat, and can be found on their web page.

3. AWARENESS ASPECTS

1. Is there any official study on the key drivers and benefits of wild-bird crimes in your country?
You can skip this question if you have completed the Scoreboard.

The scoreboard has been completed previously.

2. Is there any operational platform put in place to raise awareness of the wider public on the consequences and biological impact of illegal killing of birds?

The one who wants to have hunter's licence is obliged to have an education. Within the framework of Hunters Education Program, this issue is highly emphasized. Additionally, NGOs engaged with nature conservation organizes many events and education programmes.

3. Is there any communication strategy adopted by the government, or guidance distributed to policy makers on how to react publicly against illegal killing of birds?

No, there is not.

4. Has your country implemented any kind of campaign, including school campaigns, to raise awareness on this matter? **You can skip this question if you have completed the Scoreboard.**

The scoreboard has been completed previously.

4. COORDINATION, SYNERGIES AND MAINSTREAMING

1. Are there any protocols, procedures or mechanisms to ensure knowledge-sharing between the Special Focal Point for Illegal Killing of Birds under the Bern Convention, the MIKT member or observer, the National representative at the EU Ornithology Committee and the CITES enforcement officers?

If coordination is not foreseen, please list the reasons/challenges that prevented your authorities from action in this respect

Most of the representatives of aforementioned units in Turkey work in the same/close business environments and it is common to get to meet in meetings, etc. Therefore it is possible to make exchange unofficially, on the other hand, there is not a specifically designated protocols, procedures etc. for knowledge-sharing

2. How would you evaluate the cooperation of your main enforcement agency(ies) with the relevant INTERPOL National Central Bureau?

It is not as strong as it is supposed to be. A joint operation with INTERPOL was carried out in 2015, and it is planned to have another one next year.

3. Has your country put in place the necessary mechanisms for encouraging and facilitating networking, cooperation and exchanges of information between the investigators and the advisers/prosecutors? Has the cooperation between judiciary and law enforcement official been strengthened at pan-Mediterranean level?

If not, please list the reasons/challenges that prevented your authorities from action in this respect

There is no specific mechanism for this issue. Investigators and prosecutors get in touch with the provincial directorates if they need to.

4. Has your country exchanged experiences (bilateral meetings, mutual traineeship programme, training visits to another country, etc.) with one or more parties to the Bern Convention and/or MIKT members and observers?

No, we have not.

5. Which existing international networks, platforms and information exchange mechanisms has been used to maximise cooperation in law enforcement?

The representatives of the institutions involved as well as other stakeholders are invited to meetings held (both in central and regional level). There is not a specifically designated network, platform, etc. for addressing IKB directly.

6. Overall by which means and with which results is your country addressing the need to enhance inter-sector cooperation involving all relevant Ministries, particularly the Ministries of Environment, Agriculture, Interior or Home Affairs, Justice and Education?

Since poaching is still a priority for us, cooperation with Ministry of Internal Affairs is very important for us. And it can be improved. Ministry of Education is important because of raising awareness studies. We cooperate with these ministries but it can be more efficient and result oriented.

Additionally, hunting clubs and associations can be more active in combating with poaching.

UNITED KINGDOM / ROYAUME-UNI

Template

for the completion of the progress report on implementation of the Bern Convention Tunis Action Plan 2020 [RECOMMENDATION NO. 164 (2013)] and the Programme of Work of the UN-Environment/CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

The Secretariats of the Bern Convention and the CMS gratefully acknowledge the Bern Convention Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (Bern SFPs Network) and Members and Observers of the CMS MIKT that have completed in 2018 the *Scoreboard to assess the progress in combating illegal killing, taking and trade of wild birds (IKB)* (referred to in this document as the Scoreboard). The information collected through the Scoreboard has been considered when preparing the present template as to maximise the usefulness of available information and avoid duplication of effort to the extent possible.

Accordingly, those questions already covered by the Scoreboard have been indicated in the template below and can be skipped by Bern SPF, Members and Observers of MIKT that already completed and submitted the Scoreboard. Should you have updated or additional information, please include it in the present template.

Country	United Kingdom
Name and position of responsible person	Tom Fuller, Policy Lead Wildlife Crime
Institution/Organization	Defra
E-mail	Tom.fuller@defra.gov.uk
Bern Convention SFP	Yes
CMS MIKT Member/Observer	Yes
Date of completing the form	29/03/2019

Definition and Reference Documents

"Illegal killing, trapping and trade of birds" is defined for the purpose of this questionnaire as: Activities which are illegal under national, regional or international law committed intentionally resulting in the death, injury or removal of specimens of wild birds from the wild either dead or alive, including their parts and derivatives.

- [Recommendation No. 164 \(2013\)](#) and the "Tunis Action Plan 2013-2020 for the eradication of illegal killing, trapping and trade of wild birds"
- [Recommendation No. 171 \(2014\)](#) of the Standing Committee, adopted on 5 December 2014, on the setting-up of national policing/investigation priorities to tackle illegal killing, trapping and trade of wild birds
- [Recommendation N° 177 \(2015\)](#) on the gravity factors and sentencing principles for the evaluation of offences against birds, and in particular the illegal killing, trapping and trade of wild birds
- [Programme of Work 2016 – 2020](#) for the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT).

- [UNEP/CMS Resolution 11.16 \(Rev. COP 12\): The Prevention of Illegal Killing, Taking and Trade of Migratory Birds](#)

INDEX

1.	ENFORCEMENT AND LEGAL ASPECTS
	WW. Identification of National Priorities
	XX.Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution
	YY.Identification and standardisation of gravity factors and sentencing guidelines
2.	BIOLOGICAL AND INSTITUTIONAL ASPECTS
3.	AWARENESS ASPECTS
4.	COORDINATION, SYNERGIES AND MAINSTREAMING

1. ENFORCEMENT AND LEGAL ASPECTS

A. Identification of National Priorities

1. Please provide the list of policing/investigation priorities identified to tackle wild-bird crimes in your country [following Recommendation No. 171 (2014) where applicable], as well as the bodies in charge of their enforcement and monitoring: In case the list of priorities is not in place, please list the reasons/challenges that prevented your authorities from action in this respect.

There are six UK wildlife crime priorities; badger persecution, bat persecution, the illegal trade in CITES species, freshwater pearl mussels, poaching and raptor persecution.

Each wildlife crime priority has a delivery group to consider what action should be taken and develop a plan on prevention, intelligence and enforcement. The priority delivery groups bring together police, NGOs and government. The Raptor Persecution Priority Delivery Group focuses on 6 species of concern; the hen harrier, golden eagle, goshawk, peregrine, red kite and white-tailed eagle. Despite instances of poisoning and killing of birds of prey, populations of many species, such as the peregrine falcon, red kite and buzzard have increased.

Priority delivery group plans focusing on specific species, such as hen harriers, aim to help species recover a self-sustaining and well dispersed breeding population in England across a range of habitats.

The enforcement of all offences, including wildlife offences, is an operational matter for the police. It is for senior police officers to set their local investigative priorities; local forces are accountable to elected police and crime commissioners who ensure that operational prioritization reflects the concerns of local people. The Government takes steps to ensure that the enforcement of wildlife protection legislation is achieving the best possible outcomes for wildlife through the National Wildlife Crime Unit and involvement with the National Police Chiefs Council.

1.1 Complementary information where appropriate, please see table below (OPTIONAL)

N/A

2. By which administrative or legal means have the national priorities been established in your country?

Wildlife crime priorities are set by the UK Wildlife Crime Tasking and Co-ordination Group (UKTCG) which is chaired by the Chief Constable Wildlife Crime lead. This group is supported by the Wildlife Crime Conservation Advisory Group (WCCAG), chaired by the Joint National Conservation Committee (JNCC). Government sits on these groups, along with other statutory agencies and relevant non-government organizations.

The WCCAG assesses the conservation status of species and habitats and the importance of enforcement intervention. Priority areas are those which are assessed as posing the greatest current threat to either the conservation status of a species or which show the highest volume of crime and therefore they are assessed as requiring an immediate UK-wide tactical response.

UK wildlife crime priorities are reviewed every 2 years by UKTCG.

3. Which bodies and stakeholders were involved in the priority-setting process?

Government, police, statutory agencies and relevant non-government organizations.

4. What are the bodies in charge of their enforcement?

Enforcement of all offences, including wildlife offences, is an operational matter for local and national law enforcement and Border Force for enforcement at the UK border.

Within regional police forces, there are over 500 specialist Police Wildlife Crime Officers (PWCO) who investigate a wide range of complex wildlife offences and provide advice and support to police. Police investigations are supported by the National Wildlife Crime Unit.

5. What are the control mechanisms put in place to ensure that the identified priorities are applied as such?

The UKTCG, chaired by the Chief Constable Wildlife Crime lead, decides the UK wildlife crime priority areas and monitors progress.

Each priority areas have implementation plans with plan owners and leads identified for the prevention and enforcement of crimes. Progress is monitored by the Chairs of these groups and reported to the UKTCG.

6. What is your evaluation of the benefits and challenges linked to the implementation of national priorities?

The priority areas are beneficial; they focus law enforcement activity on those crimes posing the greatest current threat to either the conservation status of a species or which show the highest volume of crime and therefore they are those that are assessed as requiring an immediate UK-wide tactical response.

7. Where applicable: To which extent your authorities refer to the national priorities for the reporting obligations of Article 12 of the EU Birds Directive?

The WCCAG (see Q2) assesses the conservation status of species and habitats and the importance of enforcement intervention when making recommendations on wildlife crime prioritization. This is informed by a range of sources, including those that underpin Article 12 reporting. The UK's Article 12 reporting can be accessed here:

http://ec.europa.eu/environment/nature/knowledge/rep_birds/index_en.htm

8. Is IKB contemplated by the National Action Plans (NAPs) or have NAPs being developed to address IKB? **You can skip this question if you have completed the Scoreboard.**

Answered as part of the Scoreboard submission.

B. Mechanisms to improve the availability and accessibility of relevant knowledge for investigation, prevention and prosecution

1.a. What are the national mechanisms put in place for recording reports of wildlife cases/prosecution?

All convictions for illegally killing or taking birds (offences under Section 1 of the Wildlife and Countryside Act, 1981) are recorded by the UK Ministry of Justice and in Scotland by the Scottish government.

Law enforcement agencies will record reports of wildlife crime in their information management systems.

1.b and to what extent these are also used to provide statistical evidence of the areas of offending (e.g. through adding categories of wildlife crime to those crimes already recorded nationally?)

In case such mechanisms are not in place, please list the reasons/challenges that prevented your authorities from action in this respect

The UKTCG (see Q2) considers a Strategic Assessment prepared by law enforcement during the bi-annual review of wildlife crime priorities. This assessment includes evidence on areas of offending.

2. Has your country appointed national focal points to assist investigators and prosecutors in accessing/locating expert knowledge providers, or at least established a compilation of a national contact list of expert providers (including scientists, specialist law firms, expert witnesses, and independent specialists)?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

Within regional police forces, there are over 500 specialist Police Wildlife Crime Officers (PWCO) who investigate a wide range of complex wildlife offences and provide advice and support to police. Police investigations are supported by the National Wildlife Crime Unit. The Unit contains Investigative Support Officers who support active cases across the UK. This means that all investigation leads can call upon specially trained officers for support and advice.

The National Wildlife Crime Unit hosts an annual UK Wildlife Crime Enforcers Conference for law enforcers, statutory agencies and NGOs to share best practice in combatting wildlife crime.

Police officers also have access to [POLKA](#) (Police Online Knowledge Area) where information can be exchanged.

In Scotland, every Division in Police Scotland has a Wildlife Crime Liaison Officer and there are also a network of Wildlife Crime Officers across the force.

3. Are there any dedicated infrastructures enabling for the national exchange of information and coordination of actions at identified black-spots of illegal activities?

If not, please list the reasons/challenges that prevented your authorities from action in this respect,

UK police intelligence structures and systems are well developed. Their use is an independent operational matter.

4. Are there any national platforms, for instance in the form of web portals, to provide information and resources for the professionals involved in fighting against illegal killing of birds?

If not, please list the reasons/challenges that prevented your authorities from action in this respect.

As above.

C. Identification and standardisation of gravity factors and sentencing guidelines

1. Have authorities promoted or included gravity factors and sentencing guidelines to be integrated in the legal framework? **You can skip this question if you have completed the Scoreboard.**
- 2.

Answered as part of the Scoreboard submission.

2. Where applicable: By which mean have your authorities brought the sentencing guidelines and gravity factors adopted by the Bern Convention Standing Committee through Recommendation N° 177 (2015) to the attention of the judiciary? And what feedback – if any- was received authorities?

If the sentencing guidelines and gravity factors have not yet been forwarded to the judiciary, please list the reasons/challenges that prevented your authorities from action in this respect

The UK's legislation (primarily the Wildlife & Countryside Act, 1981) pre-dates the publication of the 2015 Bern Convention Tunis Action Plan. The Act contains provisions that broadly align with many of the gravity factors, including (but not limited to):

- Reflection of the conservation status of species, as outlined in the EU Nature Directive.
- The UK's legal obligations to protect under international legislation.
- Consideration of the methods used to commit an offence.
- Scale of offending (Where an offence was committed in respect of more than one bird, nest or egg, the maximum fine is determined as if the person convicted had been convicted of a separate offence in respect of each bird, nest or egg).

2. BIOLOGICAL AND INSTITUTIONAL ASPECTS

1. What are the mechanisms in place for analysing existing data on illegal activities affecting birds? Is there any standardised protocol for data collection, namely to identify black-spots for illegal killing of birds?

If no mechanism or protocol is in place, please list the reasons/challenges that prevented your authorities from action in this respect.

The Raptor Persecution Priority Delivery Group considers data and expert opinion on raptor persecution. This informs the group's activity. The Chair reports to the UKTCG.

Raptor persecution maps for England and Wales have been published (and made available to the public via the government's gov.uk website) to enable the police to clearly see where the highest incidents are taking place and focus enforcement efforts in the areas that need it most.

The maps present the number of shootings, trappings, poisonings and nest destructions that took place across England & Wales between 2011 and 2015 and will be updated annually, providing an invaluable intelligence tool to help fight crimes against birds of prey.

In Scotland, bird of prey poisoning hotspot maps have been published from 2005, and bird of prey all crimes maps from 2009. These are published annually and are available to the public on the Scottish Government website.

Statutory bodies and NGOs collaborated in the publication of satellite tracking research into hen harrier disappearances. This was recently published in *Nature Communications*.

2. Has your country established statistics on mortality within bird populations due to legal harvest? If yes, through which mechanism? If not, please explain why.

Legal, licensed control of bird populations is a separate matter from the illegal killing of birds. The two should not be conflated.

3. What are the estimates of mortality due to illegal killing trapping and trade and illegal activities in your country (according to the definition given by the Bern Convention Recommendations or/and the CMS resolution 11.16 (Rev. COP12))? **You can skip this question if you have completed the Scoreboard.**

Answered as part of the Scoreboard submission.

4. Has research been conducted, or data collected, regarding scale, modus operandi, socio-economic drivers, national and international legal and illegal trade in wild birds in the European and Mediterranean region?

There are over 300 separate wildlife crime offences on the statute book in the UK. These cover a wide range of different, specific criminal activities, from the trade in protected species to the killing or injuring of wild birds. Offenders will be motivated by different factors depending on the crime they are committing; this could be profit (for those trading in illegal wildlife, poaching or organising fights between animals) economic pressure (for gamekeepers illegally killing birds of prey), expediency (for those using non-approved methods to protect their property from damage from wild birds) or other, diffuse, reasons (for those who, for example, illegally take birds' eggs for their collections). Police, policy makers and NGOs have a good understanding of the drivers for each of these offences.

The UK has invited the UN Office on Drugs and Crime (UNODC) to apply the ICCWC toolkits, one of which focusses on the drivers that underpin wildlife offences and the preventative techniques that could be deployed to effectively counter them.

3. AWARENESS ASPECTS

1. Is there any official study on the key drivers and benefits of wild-bird crimes in your country?
You can skip this question if you have completed the Scoreboard.

Answered as part of the Scoreboard submission.

2. Is there any operational platform put in place to raise awareness of the wider public on the consequences and biological impact of illegal killing of birds?

The purpose of the UK's Priority Delivery Groups for Raptor Persecution and CITES crimes is to progress the priority in relation to prevention, intelligence and enforcement, including:

- Awareness raising (across law enforcement agencies, partners, stakeholder communities and the public)
- Raising the profile via media exposure

3. Is there any communication strategy adopted by the government, or guidance distributed to policy makers on how to react publicly against illegal killing of birds?

Raptor Persecution Priority Delivery Group is developing a shared communication approach between police, government and NGOs to encourage a consistent response to incidents of suspected or confirmed raptor persecution.

4. Has your country implemented any kind of campaign, including school campaigns, to raise awareness on this matter? **You can skip this question if you have completed the Scoreboard.**

Answered as part of the Scoreboard submission.

4. COORDINATION, SYNERGIES AND MAINSTREAMING

1. Are there any protocols, procedures or mechanisms to ensure knowledge-sharing between the Special Focal Point for Illegal Killing of Birds under the Bern Convention, the MIKT member or

observer, the National representative at the EU Ornithological Committee and the CITES enforcement officers?

If coordination is not foreseen, please list the reasons/challenges that prevented your authorities from action in this respect

There is regular policy level contact between the Special Focal Point for Illegal Killing of Birds under Bern, the National rep at the EU Ornithological Committee, Cites enforcement officers and UK policy colleagues. UK frequently works with other parties on wildlife crime initiatives.

2. How would you evaluate the cooperation of your main enforcement agency(ies) with the relevant INTERPOL National Central Bureau?

I am not aware of any issues between UK enforcement agencies and INTERPOL relating to wildlife crime matters.

3. Has your country put in place the necessary mechanisms for encouraging and facilitating networking, cooperation and exchanges of information between the investigators and the advisers/prosecutors? Has the cooperation between judiciary and law enforcement official been strengthened at pan-Mediterranean level?

If not, please list the reasons/challenges that prevented your authorities from action in this respect

The UK regularly supports, and provides experts for, projects to strengthen cooperation and build capacity within national judiciaries and law enforcement agencies to combat wildlife crimes.

The UK is committed to global leadership in tackling the illegal wildlife trade, including the trade in birds and products derived from these species. We hosted the ground-breaking London Conference in 2014 that secured ambitious agreements from more than forty governments to take urgent, coordinated action. It was hailed as a turning point in global efforts to tackle these damaging activities. In October 2018 the illegal wildlife trade Conference returned to London.

The UK is investing more than £36 million between 2014 and 2021 to take action to counter the illegal wildlife trade, including work to reduce demand, strengthen enforcement, ensure effective legal frameworks and develop sustainable livelihoods.

4. Has your country exchanged experiences (bilateral meetings, mutual traineeship programme, training visits to another country, etc.) with one or more parties to the Bern Convention and/or MIKT members and observers?

As above

5. Which existing international networks, platforms and information exchange mechanisms has been used to maximize cooperation in law enforcement?

As above

6. Overall by which means and with which results is your country addressing the need to enhance inter-sector cooperation involving all relevant Ministries, particularly the Ministries of Environment, Agriculture, Interior or Home Affairs, Justice and Education?

As above.