



**FKNK**

## **FKNK critique of the National Environment Policy**

The following is the contribution of the Federation for Hunting & Conservation – Malta (FKNK) to the consultation process with regard to the draft National Environment Policy (NEP) published in September 2011. The FKNK’s critique examines how the NEP may impact on the traditional socio-cultural practices of hunting and live-bird capturing and on Maltese and Gozitan hunters and trappers.

### **The Stakeholders**

The NEP aims to involve all Stakeholders, and to ensure they all work together in a coordinated way (p 8). It also professes to be for the benefit of the Maltese population (p 9). Moreover, it promises to address potential conflicts across sectors (p 12).

By “all the stakeholders” we understand that the hunters and trappers are included because they indeed, together with the farming community, are the protagonists of the natural environment. If the NEP will really benefit the Maltese population, it should also benefit the hunters and trappers who form part of that same population. The NEP declares also it will address “potential conflicts” among stakeholders with divergent views.

However, if these high aims are to be achieved, the government may no longer ignore and ride roughshod over the interests of the hunting/trapping community, as has been the case so far under the present administration.

Under the terms of the NEP, the hunters' and trappers' representatives must be involved in the management of Natura 2000 sites, SPAs, SACs and other areas to ensure that their traditional practices are continued in a sustainable manner.

### **Threats**

Among the threats facing Malta's environmental policy, the NEP lists, interestingly enough, the "EU approach" which it considers "*sometimes not suited to Malta's unique circumstances as a small island state*" (p 21).

This is precisely what the EU has never appreciated and which the FKNK had warned about since before Malta's accession. The EU approach is generally not suited to Malta's unique circumstances, and this is true especially in the case of Maltese spring hunting, and live-bird trapping, particularly finch capturing. Regarding spring hunting it had to be the European Court of Justice to underline "Malta's unique circumstances".

### **Private Property**

The NEP sees a grave threat to the environment in the way *personal and public rights to land, air, water and mineral resources* have been interpreted over the last 50 years.

Here it appears that the intention is to change the status quo to stop "environmental degradation".

Since the NEP is silent on whether or how the rights of landowners will be affected, we think that the NEP should clarify this issue, and specify any changes planned.

### **Special Protection Areas**

"We will also promote the designation of marine protected areas, including marine Special Protection Areas (aimed at bird protection)...." (p. 50).

The addition of these new SPAs is aimed at bird protection. But what is meant exactly by bird protection in this case? There are birds which are protected everywhere and at all times, whether they occur in an SPA or not. Therefore, we ask: what is the intention here? Does it mean that those birds currently legally hunted in such areas will be declared protected? In both SPAs and SACs areas hunting is NOT prohibited, unless that area is already a bird sanctuary. Could the aim here be to turn all SPAs into bird sanctuaries?

### **Site Management**

On p. 59 the NEP states that the countryside has been mismanaged, is in a bad state, and needs to change for the better.

Does this statement refer to the Mizieb woodland and the other hunting Reserves (L-Aħrax and Selmun) managed by the FKNK? Is the NEP opening the way for the hunters and trappers to be deprived of these lands? Is the NEP pandering to the extremists who claim all the countryside?

### **New Approach**

One of six principles of the NEP's "new approach" is that management of the local environment will take into account also social and cultural considerations (p. 60).

How does the NEP qualify "social" and "cultural"? Does it include the socio-cultural traditions of hunting and live-bird capturing? Does the NEP acknowledge this culture which is interwoven in the lives of many Maltese countryside users? Or does it intend to exclude these practices?

The new approach acknowledges that "many actors use places and these have important roles to play in the management of local areas". Can the NEP deny that hunters and trappers are among such "actors"? Should not, then, hunters' and trappers' representatives also form part of the management of such areas?

## Maintaining Quality of Life

The NEP states (p. 67) that the Maltese countryside is essential to “maintaining quality of life for Maltese residents”, among others.

Are not hunters and trappers part and parcel of the Maltese resident population? Do they not have as much right as any other resident to maintain their quality of life?

## Farmland Birds

The NEP proposes to enhance the role of agriculture as a steward of the environment and lists on page 68 “Status of farmland birds” as an indicator for this measure. However, on page 80, where the express intention is *to regulate exploitation of species in line with national and international obligations*, “Status of Farmland Birds” is again listed as an indicator.

In this respect, the FKNK wishes to state as follows:

- 1) The only farmland bird affected by Maltese agricultural practices is the house sparrow.
- 2) Since the house sparrow is a protected bird and “exploitation” of this species is consequently non-existent, Malta’s “national obligations” are being fully observed in this regard.
- 3) Since Malta does not have any ‘international obligations’ regarding the house sparrow, the term “farmland birds” here obviously does not refer to the sparrow.
- 4) The Carnet de Chasse database cannot be an indicator as regards the sparrow, because being a protected bird locally, it is not included in the Carnet de Chasse database.
- 5) Furthermore, the term “farmland birds” has never been used before in a Maltese context, and has never featured in any major Maltese publication about birds.
- 6) The majority of the birds that may legally be hunted in Malta could be loosely grouped as ‘farmland birds’ and are all migratory.

**For the reasons above, the FKNK regards the insertion, in this context, of the term “farmland birds” as an attempt to further undermine the hunting and trapping traditions. The FKNK, therefore, insists on the removal of all references to so-called ‘farmland’ birds.**

## Over-exploitation and Sustainability of Species

The NEP maintains that Malta's biodiversity is threatened also by over-exploitation of species, and it seeks to safeguard species and genetic diversity by reducing direct pressures on biodiversity, and promoting sustainable use.

However, the NEP does not specify how this will be achieved. How will the NEP determine whether a species is over-exploited? Who determines "sustainable use"? On what criteria will such a decision be made?

## Conclusions

1. Apart from generalizations ('all stakeholders', 'the Maltese population', 'actors'), the NEP leaves the hunting and trapping community completely out of the picture. Other grey areas open to interpretation (e.g. land management and the future of FKNK-managed lands; changes to private property rights; creation or restoration of public footpaths) may impact hunters/trappers. Therefore, the FKNK expects the NEP to include clarification of these issues for the sake of justice and transparency.
2. The FKNK finds absolutely unacceptable that the NEP appears to enable the Maltese government to make unilateral decisions regarding the hunting and/or trapping of "farmland birds" migrating over the Maltese islands. Therefore, it expects the corresponding reference to be removed.
3. The FKNK finds it equally unacceptable that the NEP makes it possible for the government to make unilateral decisions limiting or banning hunting and/or trapping on the basis of a perceived over-exploitation of huntable species.
4. The FKNK insists that, to live up to its declared aims, the NEP should state clearly and without equivocation that **binding** decisions on **major** issues will not be put into effect in the absence of consultation and full agreement with "all the stakeholders".

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