

Strasbourg, 2 December 2010  
[Inf22e\_2010]

**T-PVS/Inf (2010) 22**

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**

30<sup>th</sup> meeting  
Strasbourg, 6-9 December 2010

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**INFORMATION NOTE FROM THE SECRETARIAT  
ON THE ISSUE OF ILLEGAL KILLING OF BIRDS**

*Document prepared by  
the Directorate of Culture and of Cultural and Natural Heritage*

**ILLEGAL KILLING OF BIRDS**  
**– Information note from the Secretariat -****BACKGROUND INFORMATION**

The issue of the illegal killing of birds in Cyprus and more widely, the illegal capture of birds in Mediterranean Parties, was discussed at the Standing Committee meeting in 2007 and 2008, at the initiative of some Contracting Parties. The Standing Committee considered that trapping should be examined on a pan-Mediterranean basis, and decided to revisit its Recommendation No. 5 (1986) “on the prosecution of persons illegally catching, killing or trading in protected birds”.

In 2008, the Secretariat informed the Standing Committee that there had not been a good response from Parties to report on this issue, and therefore no conclusions could be drawn, except that the illegal killing of birds is still carried out in some parts of the Mediterranean where implementation of national legislation is weak. The Committee took note of information presented and expressed its concern of the apparent lack of progress in Cyprus and many other Mediterranean states.

At the 29<sup>th</sup> Standing Committee meeting, in 2009 an independent consultant, Mr. Joe Sultana (Malta), gave a presentation on this issue reporting that the illegal killing of birds still takes place in numerous European countries, including Malta, Italy, Cyprus, UK, the Czech Republic, France, Romania, Greece, The Netherlands, and Spain, and in some countries this illegal activity has increased enormously.

The delegates of Slovenia, Serbia, Sweden, France, Croatia, Norway, Germany, Albania, Slovakia, the Czech Republic and Ukraine all shared this concern and supported action by the Bern Convention on this issue, which should not be limited to the Mediterranean. Some delegates referred not only to illegal killing activities but to the transit of the killed and captured birds through other countries between the country of origin of the authors of the illegal activity and the country where they carried it out, which requires stronger border controls. Other related issues raised were the difficulty to identify the illegally killed species in many cases; the capture of endangered species; the need for countries to co-operate and to work with NGOs; as well as the need for strong laws and good enforcement to decrease such demands for bird killing. Condemnation to non-sustainable taking of wild species and even more so when such taking is illegal under the applicable legislation was expressed by the representative of the International Association for Falconry & Conservation of Birds of Prey, speaking on behalf of the Federation of Associations for Hunting and Conservation of the European Union (FACE). FACE called for proper enforcement with appropriate penalties at all levels, including traders of such birds, and restaurants, while stressing the need for good information and awareness raising campaigns, targeting all stakeholders (the general public, politicians, police authorities, hunters, etc.).

The Committee requested the Bureau to organise a discussion on this issue. The Bureau asked the Secretariat to prepare a European Conference on illegal killing of birds, to be held in June 2011

**EUROPEAN CONFERENCE ON ILLEGAL KILLING OF BIRDS**

➤ The conference will aim to:

- Clearly identifying the extent of the problem in Contracting Parties, including by analysing its human dimension (attitudes, behaviours, beliefs, as well as willingness to accept different management options);
- Collecting information on the implementation of the relevant Bern Convention’s recommendations, as well as of other legislation in place at European level;
- Taking stock of national experiences as well as to put forward examples of best practices in order to make make proposals to improve compliance with obligations.

The Conference will be hosted by Cyprus authorities (the Game Fund Service – Ministry of Interior) and it will take place probably in the first part of July.

Participants will be government officials of the Bern Convention Contracting Parties, conservation authorities, stakeholders including NGOs, local and international experts.

The Council of Europe would particularly welcome the active involvement of the European Union, AEWa agreement, BirdLife, WWT and FACE to share views, feeding the debates and disseminate the outcomes of the conference.

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**Recommendation No. 5 (1986) of the Standing Committee on the prosecution of persons illegally catching, killing or trading in protected birds**

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The Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats, acting under the terms of Article 14 of the convention,

Having regard to the aims of the convention to conserve wild flora and fauna and their natural habitats;

Having regard to Recommendation N° R (85) 17 of the Committee of Ministers of the Council of Europe on the training of hunters;

Recalling that Article 2 provides that each Contracting Party shall take the requisite measures to maintain the population of wild flora and fauna;

Considering that illegal hunting and catching of wild birds are still common phenomena in certain countries in Europe;

Considering the importance of the preservation of wild birds in the maintenance of the natural balance of ecosystems and their beneficial effects, especially on agriculture;

Conscious of the need to preserve wild birds for present and future generations for their scientific, aesthetic, cultural and educational value.

Recommends that the Contracting Parties to the convention:

1. ensure without delay, by the appropriate legal and administrative measures, the prosecution of persons illegally catching or killing birds or establishments commercialising live or dead protected birds;
2. ensure without delay, by the appropriate legal and administrative measures, the promotion of education of hunters and the general public and the dissemination of information on the need to conserve wild birds and their habitats.

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**Recommendation No. 90 (2001) of the Standing Committee on the catching, killing or trading of protected birds in Cyprus**

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The Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats, acting under the terms of Article 14 of the Convention;

Having regard to the aims of the Convention to conserve wild fauna and its natural habitats;

Recalling that Article 1, paragraph 2 of the Convention requires Parties to give particular emphasis to the conservation of endangered and vulnerable species, including endangered and vulnerable migratory species;

Recalling that Article 6 compels Parties to take the necessary and administrative measures to ensure the special protection of the wild fauna species specified in Appendix II, prohibiting in particular all forms of deliberate capture and keeping, and deliberate killing, as well as the possession and internal trade in these animals, alive or dead;

Recalling its Recommendation No. 5 (1986) on the prosecution of persons illegally catching, killing or trading in protected birds, which encouraged Parties to ensure the prosecution of persons illegally catching or killing birds or establishments commercialising live or protected birds;

Noting with satisfaction that since that recommendation was adopted by the Committee, many Parties took decisive measures to eradicate the illegal killing and trading of birds, resulting in a much more effective enforcement of the provisions of the Convention;

Noting with regret that, although Cyprus and the United Kingdom Sovereign Base Areas took some initiatives in that respect, enforcement of the legislation on killing and trading of protected birds is still poor, and sale and offering for sale of protected birds is still common,

Recommends Cyprus and the United Kingdom to:

1. fully implement without delay the obligations of Article 6 concerning protected birds;
2. put into practise, as a matter of urgency, the actions suggested in Recommendation No. 5 (1986) of the Standing Committee, paying particular attention to the following items:
  - increase of the penalties for these offences, so that they may become dissuasive;
  - increase of wardening in areas where birds are illegally caught;
  - regular and frequent control of restaurants selling protected birds, ensuring prosecution of owners;
  - prevention of importation of mistnets and prohibition of their possession without license, imposing heavy fines for their illegal possession and use;
  - strict control of illegal capture, killing, possession, trade, sale and offering for sale of protected birds;
3. launch a wide information campaign to the general public on the illegal catching, killing and trade of protected birds, as well as on the need to conserve birds and their habitats.

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