

# **“Contributing to the elimination of illegal killing, trapping and trade of birds”**

**Final report: May 2013**



European Union Network for  
the Implementation and Enforcement  
of Environmental Law

### **Introduction to IMPEL**

The European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL) is an international non-profit association of the environmental authorities of the EU Member States, acceding and candidate countries of the European Union and EEA countries. The association is registered in Belgium and its legal seat is in Bruxelles, Belgium.

IMPEL was set up in 1992 as an informal Network of European regulators and authorities concerned with the implementation and enforcement of environmental law. The Network's objective is to create the necessary impetus in the European Community to make progress on ensuring a more effective application of environmental legislation. The core of the IMPEL activities concerns awareness raising, capacity building and exchange of information and experiences on implementation, enforcement and international enforcement collaboration as well as promoting and supporting the practicability and enforceability of European environmental legislation.

During the previous years IMPEL has developed into a considerable, widely known organisation, being mentioned in a number of EU legislative and policy documents, e.g. the 6th Environment Action Programme and the Recommendation on Minimum Criteria for Environmental Inspections.

The expertise and experience of the participants within IMPEL make the network uniquely qualified to work on both technical and regulatory aspects of EU environmental legislation.

Information on the IMPEL Network is also available through its website at:  
[www.impel.eu](http://www.impel.eu)

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<p>The European Commission is co-leading the IMPEL project on Contributing to the elimination of the Illegal killing, trapping and trade of birds with the Dutch province of Utrecht (John Visbeen). The present IMPEL project is based on the same concept as the other projects already implemented by IMPEL in other fields. The role of the European Commission in that context is to provide guidance and advices to help the IMPEL project to deliver and improve compliance to EU legislation. However the content of the documents or other materials produced by IMPEL do not engage the European Commission and do not represent its official views.</p>	

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## 0. Introduction

Halting and reversing the loss of biodiversity by 2020 is a priority within the European Union. The implementation of EU Nature legislation (the Birds and Habitat Directives) is essential to achieve the EU 2020 biodiversity target. However, implementation and enforcement need to be improved. A relatively high number of complaints and infringement procedures related to these nature Directives reach the EC every year. There is a lot of work to be done if we want to reach the goals for 2020: For instance, only 17% of both species and habitats of Community importance assessments were deemed favourable<sup>1</sup>. We need to strengthen the inspection and enforcement on this item and to do so it is necessary to join forces with other Nature networks in Europe.

IMPEL is willing to combine the effort of all these networks and use its experience in inspection and enforcement.

The overall objective of the project is to contribute to eliminate illegal killing, trapping and trade of birds protected by the Birds Directive in the EU through raise awareness, exchange best practices and improve co-operation between enforcement experts. Based on some preliminary surveys, four focus areas are identified: **1) illegal poisoning of birds, in particular raptors, 2) illegal trapping of passerines**, 3) illegal killing of game and non-game species, and 4) illegal trade of dead birds for human consumption.

In 2013 two important activities were organised. First a round table meeting in May in Brussels and second a workshop that was organised parallel to the IMPEL conference in October in Malta. From these meetings Minutes were drafted. This report is a collection form both minutes and the project plan and gives a complete overview from activities in 2013.

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<sup>1</sup> This result concerns the Habitat Directive. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0358:FIN:EN:PDF>

## 1. Round Table Meeting Brussels May 2013

The first round table meeting took place on Thursday and Friday May 16th and 17th, in the House of Dutch Provinces in Brussels, Belgium.

**The objective of the first day of the meeting, Thursday May 16<sup>th</sup>, was to clearly identify how IMPEL's involvement can be the most useful to combat illegal killing, trapping, and trade of birds. It should enable us to have a clear idea on what IMPEL could do and how it could be done in addition to other important activities from important networks.**

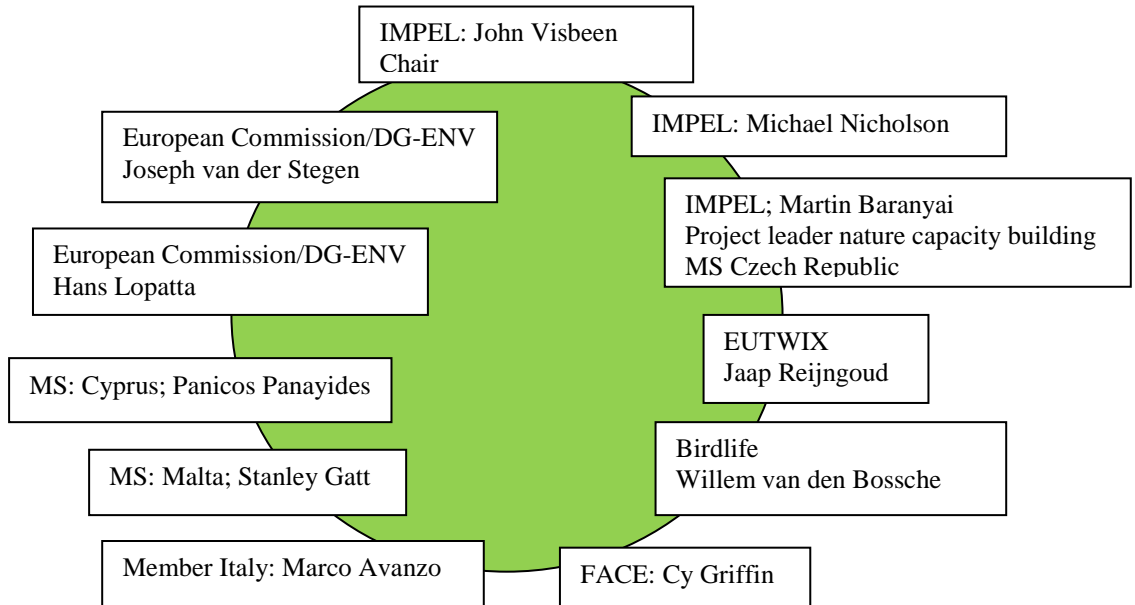
Therefore the input of involved networks and Member States was important and therefore we were proud that IMPEL, Commission, Birdlife FACE, EU TWIX, Cyprus, Malta, Italy and Czech republic (also in role of project leader other IMPEL project) were able to attend the meeting. Because of the coming conference in Tunis end of May, the participant of the Bern convention was not able to participate in this meeting. All participants prepared a presentation.

**The objective of the second day of the meeting, Friday May 17<sup>th</sup>, was to make appointments about execution of activities determined on the first day.**

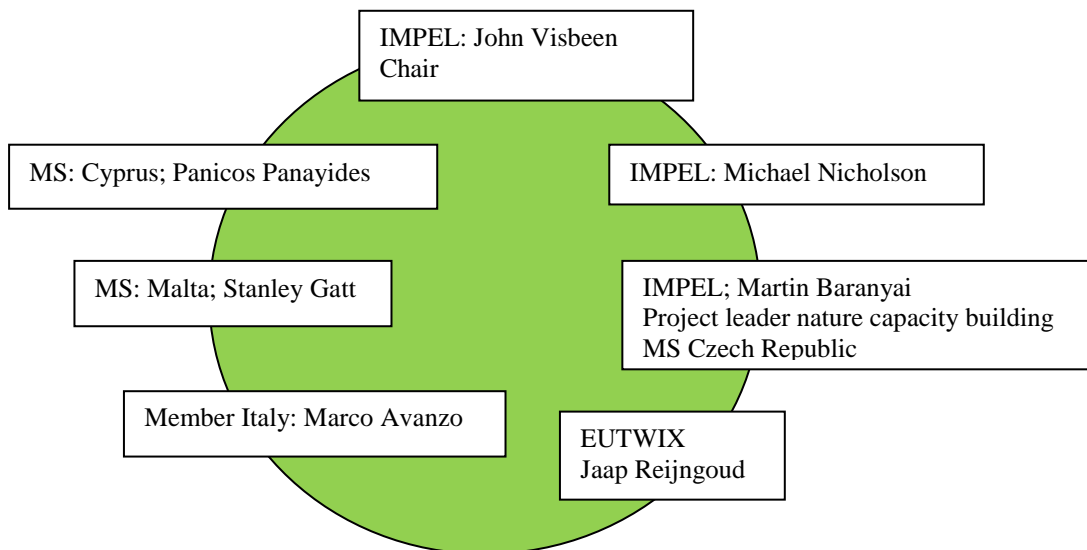
At the second day the Member States Italy, Malta, Cyprus, Czech Republic, EU TWIX and IMPEL participated. We realised that the agenda from the second day also depended from the conclusions of the first day.

### 1.1. PARTICIPANTS ROUND TABLE MEETING

Round table meeting day 1 Thursday May 16<sup>th</sup>:



Round table meeting day 2 Friday May 17<sup>th</sup>:





## 1.2. PROGRAMME FIRST DAY

Before the round table meeting the participants from IMPEL, Commission, Birdlife, FACE, EU TWIX prepared a PowerPoint presentation to explain their understanding of IKB issue in the EU, to identify key enforcement challenges in the EU and to explain their activities. The participants from the Member States Italy, Cyprus and Malta prepared a PowerPoint presentation with challenges according to eliminating illegal killing of birds and enforcement-case(s) were European/ international cooperation is important. The leader of the project Building up IMPEL nature conservation capacities prepared a presentation with goals, undertaken activities, connection-distinction with IKB-project.

09:00-09:30	Coffee and welcome
09:30-09:50	Start meeting, introduction participants, short introduction to project
09:50-10:10	IMPEL: Introduction IMPEL network, examples of projects, (DTRT, guidance documents, IRI)
10:10-10:30	European Commission-DG ENV; key challenges according to IKB, explanation roadmap
10:30-10:50	Birdlife: key challenges according to IKB, contribution to roadmap, existing/undertaken activities related to IKB
10:50-11:10	Coffee break
11:10-11:30	FACE: key challenges according to IKB, contribution to roadmap, existing/undertaken activities related to IKB
11:30-12:00	EU TWIX; key challenges according to IKB, contribution to roadmap, existing/undertaken activities related to IKB, mailing list/website for exchanging information between inspectors
12:00-12:20	IMPEL project Building up IMPEL nature conservation capacities, goals, undertaken activities, connection-distinction with IKB-project, gather opinion form participants
12:20-12:30	summary and looking forward to afternoon programme
12:30-13:00	Lunch break
13:00-14:00	presentation Malta and <u>discussion 1</u> : effective collaboration between networks, (point of view: helpful, profitable for inspectors-MS)
14:00-15:00	presentation Italy and <u>discussion 2</u> : how to make best practises and mutual experiences available for inspectors-MS, (expand/elaborate existing tools? do we need to develop new tools?)
15:00-15:15	Coffee break,
15:15-16:15	presentation Cyprus and <u>discussion 3</u> : explore IRI/expert meeting/taskforce in two countries, (opinions, concerns, ideas, recommendations)
16:15-16:45	summary and appointments

## 1.3 PRESENTATIONS FIRST DAY

In this chapter a brief summary is given from the presentations. All the presentations are added to the IMPEL basecamp.

### ▪ 1.3.1 IMPEL

(Michael Nicholson)

Michael began by summarising the structure and organisation of IMPEL. The network is composed of 47 individual member organisations (regulatory authorities and implementation and enforcement agencies) in 33 member countries. He said that it carries out its work largely in a project format that look to disseminate good practice in improving implementation of the environment acquis. Projects take the form of peer reviews, the building up of capacity, joint enforcement actions, training, developing guidance and tools, examining and sharing new and innovative regulatory methods for improving environmental outcomes and highlighting practicability and enforceability problems with new and existing legislation. Michael briefly summarised two key IMPEL projects: the IMPEL Review Initiative, a peer review process and Doing the Right Things that is a methodology developed by IMPEL that helps members to effectively plan their inspection schedules. He said that IMPEL had traditionally worked on 'brown' areas of the acquis such as industry regulation and waste issues however the network was beginning to focus more on 'green' issues and so this project was of increasing importance.

### ▪ 1.3.2 European Commission-DG ENV.

(Joseph van der Stegen)

Illegal killing (including poisoning), trapping and trade of European birds in Europe is still a topical issue even if habitat degradation represent the main threat as regards bird conservation. Enforcing the Birds Directive is primarily a responsibility of Member States but the EU can help make improvements. Further to discussions with BirdLife International, FACE, the Bern Convention and Member States the Commission produced a roadmap listing a set of actions to be undertaken to combat illegal killing of birds. Further to the decision to broaden the scope of IMPEL to nature-related issues the issue of illegal killing of birds was suggested as a first pilot case for IMPEL. IMPEL can make a significant contribution in this field considering the importance of appropriate inspections.

### ▪ 1.3.3 BirdLife

(Willem van den Bossche)

BirdLife Partners all over Europe report that illegal killing, trapping and trade of birds is still and in some countries a growing issue with often a serious conservation impact. Most important forms of illegal killing in the EU identified by BirdLife Partners are poisoning, illegal trade, killing outside legal season and trapping. Different techniques are used for trapping, such as nets, cages, spring traps, etc. Motivations have been identified as trade and keeping of songbirds, killing predators, human consumption. Illegal

activities are often different per country in scale and motivation. In Cyprus for instance, BirdLife Cyprus estimated that the trapping for human consumption of songbirds reached the toll of 2,8 million birds in 2011. Actions needed are effective organization of controls, to identify domestic and international links and networks driving the trapping and trade of songbirds, concentrate enforcement efforts in the migratory season, an effective collaboration of all involved parties, cooperation with legal song bird keepers and traders and more political willingness.

#### ▪ 1.3.4 EU TWIX

(Jaap Reijngoud)

The presentation gives a view on how the current mailing list is operating. 693 Wildlife Enforcement Officers from 127 Enforcement agencies are now connected with this internet tool that facilitates information exchange and international co-operation with the EU and neighbouring countries. EC already secured funds to develop and run a SUB mailing list focussed on IKB. Remaining funds (50%) are needed to start developing the IKB sub mailing list.

#### IKB in NL 2013

Just a short presentation on articles, gathered from open sources, about IKB related seizures in NL in the first 4 months of 2013 to show that IKB is not only taking place in southern EU MS.

#### ▪ 1.3.5 FACE

(Cy Griffin)

Cy provided an overview of the dialogue process leading up to the drafting of the EU Roadmap on Illegal Killing, Trapping and Trade, and an explanation of the functioning of the BirdLife International / FACE Agreement on the Birds Directive signed in 2004.

In describing the challenges of dealing with wildlife crime the view of FACE is that efforts are needed to understand and define the problem in order to set priorities and objectives. Priorities should also be set on the basis of threats to conservation and scale of illegal activity.

Communication plays an important role in FACE action towards illegal killing of birds and follows the Bern Convention Recommendation No.155 (2011), which sets out the following principles; (i.) this is about illegal killing of birds, not legal hunting; (ii.) zero tolerance of illegal killing of wild birds; (iii.) recognition of legal hunting and sustainable use.

#### ▪ 1.3.6 Project Building up IMPEL nature conservation capacities

(Martin Baranyai)

Martin informed that European Commission is asking for strengthening the implementation of nature conservation, so IMPEL was asked to broaden its scope also to nature conservation issues. The most important objectives of the project are the following:

- a) Mapping of existing networks and organizations in nature conservation as well as national organizations, agencies and authorities involved in nature issues, summarising the key competences and responsibilities.
- b) Identification of key challenges and implementation shortcomings.
- c) Sharing expertise and knowledge on practical solutions – drawing up list of proposed activities for short-term and long-term period.

- d) Building necessary links between IMPEL and existing EU networks, NGO's as well as national organizations, agencies and authorities involved in nature issues.

The outcome of the project should go beyond a mere document on paper, but create or lay the foundations in reality for the future creation of IMPEL nature conservation capacities.

The draft questionnaire has been discussed with project team members since February 2013 and is still in the process of revision. Regarding the different role of authorities, agencies and NGO's was proposed to elaborate two different versions of questionnaires at the meeting in Brussels on 9/4/2013. The first questionnaire would be addressed to environmental and nature authorities in the Member States. This questionnaire will be distributed via IMPEL's National Coordinators. The second version would be focused on and addressed towards NGOs and networks. Responses will be analysed by the project team and discussed at the project workshop in October 2013. Conclusions should be used afterwards for further IMPEL projects focused on nature conservation issues. IMPEL member countries could contribute to the project by completing the questionnaire, attending the workshop in Malta on 2<sup>nd</sup> October 2013, but also by sending their proposals and ideas for further IMPEL activities at the field of nature conservation.

#### ▪ 1.3.7 Presentation Malta

(Stanley Gatt)

Malta provided a summary of the tasks carried out by the Avifauna Section of the Malta Environment and Planning Authority to enforce the bird protection regulations, namely the gathering and sharing of intelligence; expert identification of species and determination of legal status; provision of expert testimony in court and follow-up of court cases. Malta also highlighted the main problems encountered to enforce the regulations, such as the techniques employed by offenders to avoid detection by the law enforcement authorities and the legal shortcomings, namely the lack of an exhaustive EU protected species list and a central database of close-ring sizes for captive-bred birds; and also indicated where international co-operation is important to improve effectiveness of enforcement practices. Malta stressed the importance of international co-operation to formulate the above-mentioned databases and to share knowledge on illegal hunting and trapping methods and enforcement techniques employed by Member States as tools to effectively implement the EU wild Birds Directive and the Commission's roadmap to eliminate illegal killing, trapping and trade of birds.

#### ▪ 1.3.8 Presentation Italy

(Marco Avanzo)

Marco reports that crimes against birds are still an actual problem in Italy. Illegal killing, trapping and trading are still very common: poisoning is at a lower level also considering that it occurs as effect of other species killing.

In some areas of the Country poaching is so spread out that has been necessary to contrast it by a special intervention unit, whose police action (combined with a low but constant raising up of environmental awareness) is causing a decrease of the crimes.

### ▪ 1.3.9 Presentation Cyprus

(Panicos Panayides)

It is reported that the main illegal killing problem of birds in Cyprus involves illegal trapping with nets and limesticks with the use of sound devices. Illegal poisoning and shooting may locally be a problem in some areas, but by comparison illegal trapping is the main issue of concern. The illegal economic profits of such activities have contributed to the increase of trapping levels from the 1990's onwards, and although the illegal activity has to some extent been controlled it is still a serious problem. The main issues which have been identified and have to be dealt with were: low fines imposed by the Courts, the big Vs small trappers, restaurants, awareness – education, the impact of economic crisis and other means to combat illegal killing of birds (i.e. cross compliance).

## 1.4 Conclusions First day -Missing links

After the presentations we started discussion how activities from this IMPEL IKB project can add value to other activities that are already executed by other existing networks. We present the conclusions in 'missing links' in activities.

### ▪ 1.4.1 Improve effectiveness in whole process of inspection and enforcement,

During the presentations it became clear that inspections, enforcement of IKB cases and bringing cases to court is time consuming. For instance the burden of proof of evidence is heavy.

Therefore we concluded that an important activity is:

- to investigate and discuss with experts from Member States where you can save time and efforts in the whole inspection and enforcement process,
- to address individual Member States requirements from international enforcement networks,

Bird Life mentioned a project in Andalusia in Spain. Result of this project was an extensive document according to the problem of poisoning of raptors. Also In relation with this point of effectiveness we concluded that an important activity is:

- develop guidelines for investigations, including forensic techniques for determination,
- inventory of existing guidelines and make them available for all Member States.

To improve effectiveness it is also important to evaluate cases. Here we can also learn from experiences in other Member States. Therefore we concluded that an important activity is:

- to identify why some cases were not successful in court and to share this information,
- to identify which techniques to proof are successful,

### ▪ 1.4.2 Improve effect of prosecutions and the impact of sanctions

Presentations of the Member States, but also information from Bird Life, Bern Convention show that IKB is still an important issue to be addressed. Also economic crisis could lead to an increase of IKB actions. During the discussion the participants concluded, even when it is possible to sanction with high penalties (money and detention), in practise the conviction for IKB crimes in average are low. Off course with all respect for the independent task of prosecutors and judges there seems to be a discrepancy between the benefits of the IKB crimes and the imposed sanctions. Possibly also the social costs of inspection and enforcement activities to bring these cases to court should be taken

into account. Based on experience within the IMPEL network we know that in different Member States the recovery of illegally obtained (financial) advances is a proven and effective method. Another opportunity based on private law is the possibility of redress.

Therefore we concluded that an important activity is:

- awareness rising for prosecutors and judges,**
- recommend for specialisation of prosecutors and judges, training for prosecutors and judges,**
- organise well-structured seminars within countries that have biggest problems,**
- research of effectiveness of recovery illegally obtained (financial) advances methods,**
- research the use of or possibility of redress,**

It is important to emphasize that the meaning of this recommendation is not to interfere with independent responsibilities of involved actors but to work together in improving the process of inspection, enforcement, prosecution and conviction to make the best benefit of actions, to responsible social costs in relation to solve or decrease the problems according to IKB.

#### ▪ 1.4.3 Alternative approaches-awareness rising

IMPEL started as a network for environmental crimes. Within the scope of IMPEL projects is also the research for alternative approaches to reach compliance. During the workshop also the resemblance for green field crimes was discussed. Awareness rising from politics and society, but also support from politics and society is important to successfully decrease IKB. This mostly "against" cultural and historical practices. Beside enforcement also alternative approaches can contribute to this goal. The experience from former IMPEL projects can be useful.

We concluded that an important activity could be:

- the research of alternative approaches for instance: enforcement-communication, naming and shaming, aim at customers/traders (restaurants, collectors/traders stuffed birds), communication aimed at awareness-rising from public-politicians (realising that we have to take into account cultural and historical growth practise); improve impact of prosecution/sanctions by communication to the public. It has also been mentioned that cross compliance is an important tool to use in order to limit trapping in farming areas so this effort has to be strengthened.**

Precondition is data collection. What is the scale of infringements?, What is the effect of infringement to the birds population?, Which countries have the same problems? Is economic crisis also a thread to the increase of IKB?, What is the height of fines/detention in other Member States? Should we give priority to certain species or to certain areas?

Therefore we concluded that an important activity is:

- the continuation of collaboration between involved networks to collect and present relevant data (scale, fines in other countries, etc.) that can be used within Member States for awareness rising, to prevent infringements and to increase support from public an politicians for inspection and enforcement.**

The use of conservation reports from networks as Bird Life, Bern Convention and FACE is useful to identify species priorities and to identify what are the needs for supporting activities for this identified species or in general.

#### ▪ 1.4.4 Extend the enforcement network

The presentation of EU TWIX showed there is a large network (more than 600) of inspectors, mostly police-offices and custom-officers who have the possibility for exchanging enforcement information. Based on this information IKB cases were started and brought to court. Participants from Member States and the networks emphasized that it is important that IMPEL activities should be aimed at in the field inspection and enforcement activities. There is where IMPEL can add value to other existing activities. We all can help to identify which institutions that are acting in the IKB enforcement field. IMPEL can cooperate and help EU TWIX to extend the enforcement network

We concluded that an important activity is:

**-to make an overview from institutions acting on IKB enforcement issues,**

**-extend the network of inspectors involved in EU TWIX,**

**Considering the funds granted by the European Commission to EU-TWIX to extend their mailing list to better cover illegal killing, trapping and trade of birds in EU. That task is primarily the responsibility of EU-TWIX, though IMPEL is willing to support it and provide input when needed.**

Within the enforcement network information can be shared. Not only information about possible infringements within or between Member States can be shared, but also information about improved inspection methods, relevant data and legal requirements at Member State or regional level (e.g. national requirements regarding closed rings) as mentioned under 4.2.3 and guidelines.

The results from the discussion about missing links was starting point for the meeting on the second day.

## 1.5 DISCUSSION AND APPOINTMENTS SECOND DAY

**In the project plan we already mentioned important connection between networks and meaning for the IMPEL project:**

*"In relation to EU TWIX:*

*EU-TWIX gives online tool to facilitate information exchange on illegal wildlife trade in the European Union and also contains a section with information on technical, scientific, economic and other fields to help with the identification, valuation, disposal, etc. of seized or confiscated specimens. The purposes of EU-TWIX are to assist with strategic analyses and with carrying out field investigations.*

*The success of EU-TWIX largely depends on the regular input of information relating to new seizures and offences by national law enforcement agencies. The contribution of all designated enforcement officers in each EU Member State is therefore essential to increase significantly the efficiency of this tool in a short-term period. Join networks, exchange best practices and make guidance available is one of the goals of the IMPEL project. Probably the IMPEL project can contribute to a more effective tool.*

*In relation to Birdlife and FACE and the agreement:*

*Birdlife as well as FACE have lot of experience and skills within the fields of ornithology, conservation, management, fundraising, advocacy and play an important role in awareness-raising among competent authorities and citizens; to raise awareness is one of the goals of the IMPEL project.*

*In relation to the reports that were written because of Larnaca Conference.*

*The reports show solid reports and reviews according to the situation of execution, capacity, and implementation of green law enforcement (topic of eliminating killing of birds). Worth full are conclusions and recommendations. Particular attention should be drawn to the risk of 'exporting of the problem' from countries and regions with better enforcement (typically within the EU27), to countries with weaker enforcement systems in place (but having birds).*

*Because the declaration and the recommendations are accepted by all parties they are an important starting point for IMPEL to work together on this project.*

*In relation to the roadmap,*

*It is important to understand in what way the IMPEL activities should add value toward other activities within existing networks. It is also necessary to take notice of the possible activities mentioned in the roadmap to determine the scope if this project on illegal killing of birds.*

**Conclusion:**

*With the goals of this IMPEL project in mind important is that successes in improving compliance and enforcement are related to:*

- 1) to raise awareness and promote international exchange of experiences and best practises,*
- 2) to have a special focus on enforcement mechanism in few countries or regions to identify possible improvements"*

The round table meeting was a first step to build up links between IMPEL and the existing networks to see how best to organise project activities based on good collaboration between the partners and based on the highest added value (strength) for each partner. This first step was appreciated very much by all participants.

We realised that the next step should have a reachable goal. During discussion we concluded that the information from the presentations is important to share with other Member States. We discussed and concluded that the next step could focus on extend the network combined with awareness rising within one of the Member States.

▪ **1.5.1 Activity 1: Workshop**

Also because of practical situation that a IMPEL conference is organised in Malta, October 1<sup>st</sup> till 4<sup>th</sup>. We proposed to start with the preparation of a back-to-back workshop in Malta. We choose the topic of illegal killing, trapping and trade of birds (mostly passerines and other protected species). This is one of the focus areas mentioned in the project plan and relevant for the countries that participated in the first round table meeting. We keep in mind to use the workshop format for 2014 and choose for instance the topic of poisoning.

The main goal for the workshops are extending the enforcement network and awareness rising within Member States.

To extend the network according to this topic we want to invite other Member States, specially UK, Germany, France, Spain, Portugal, Croatia, Albania, Slovenia, Hungary. Other Member States are also welcome. Also the involvement of stakeholders form BirdLife, FACE, Bern Convention an EUTWIX will



be very useful. To work on awareness rising by the opportunity to listening to cases and problems within the different Member States, we invite Maltese participants for the whole workshop or parts form the workshop. Here you can think about Maltese police officers, custom officers, prosecutors etc. This will be decided in consultation with the Maltese representative.

Main topics for the programme of the workshop are:  
(more detailed programme, aims, outcomes will follow later)

First day – Wednesday, October 2<sup>nd</sup>.

- “worst” practise, storytelling from Member States about IKB, (similar like presentations from MS in first round table meeting.
- trade lines through involved countries, (based on enforcement experiences and data from seizures)
- Better detection methods,
- Forensic laboratory, best techniques (US presentation was recommended by Member States)

To prepare the workshop EU TWIX offered to start with an inventory of seizures,

Second day – Thursday morning October 3<sup>th</sup>.

Discussion and recommendations about extend enforcement network and further exchange of enforcement information, best practises and the activities as mentioned in chapter 4.2. End of the morning the next useful activity must be determined and appointments must be made to execute.

In the Thursday afternoon the IMPEL Conference Workshop Water and Nature is foreseen.

Member Sates emphasized that this step-by-step approach is more realistic than making too big or too many plans on beforehand. Also was emphasized that the workshop is a next step. Benefits of this informal collegial meeting is the exchange of experiences and collaboration between these authorities on common issues and problems. The workshop should be understood as a collegial support from European colleagues for improving inspection methods and better enforcement actions to eliminate illegal killing of birds.

When we take into account 20 participants resources that are needed are 15000 (20 x 500 travel + 20X2X100 Hotel + 1000 meeting venue).

#### ▪ **1.5.2 Activity 2: Contact with network of Prosecutors and Judges.**

On the European level also network for prosecutors and judges exist. Participants from the round table meeting were convinced that the information that was presented is also of interest for prosecutors and judges. As we explained in chapter 4.2.2 awareness rising is important taking independent responsibilities form prosecutors and judges into account. The aim of this activity is to explore with the EU network of judges and the network of prosecutors how to improve the effectiveness of the enforcement chain (from the control to the condemnation and penalty). This activity, improving the enforcement chain, would be valuable for any type of illegal activity regarding birds or even infringements related to nature.

Therefore the idea came up, as a first step, to consult the chair of the network and offer to give a presentation during their conferences in 2014. It should be seen as a first step and then we can discuss useful next steps. The project leader if the IMPEL IKB project will contact the chairs to discuss possibilities.

The first round table meeting in Brussels there was a first discussion to clearly identify how IMPEL's involvement can be the most useful to combat illegal killing, trapping, and trade of birds. For IMPEL it is important to determine what IMPEL could do and how it could be done in addition to other important activities from important networks, like Bern Convention, Birdlife, Face and EU TWIX. Also the Roadmap towards eliminating illegals killing of birds from the European Commission is an important guideline for activities.

Cyprus, Malta, Italy and Czech republic (also in role of project leader other IMPEL project), European Commission, Birdlife FACE, EU TWIX were participating. Missing links in activities were identified.<sup>2</sup> Result of the round table meeting were appointments about next step in the project aimed at extending the network, to work further on awareness raising, to exchange 'bad' practises in the field of illegal killing of birds. Therefore we decided to organise a workshop back-to-back with the IMPEL Conference on Implementation an enforcement of environmental legislation "Working together to Improve and Innovate" in Malta.

The programme of the workshop is added as Annex 1 to these minutes.

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<sup>2</sup> See minutes Round Table Meeting Project Eliminating Illegals Kiling of Birds, webiste NN, doc. Nr: NN:

## 2. WORKSHOP MALTA 2-3 October

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**The main goals for the workshops are extending the enforcement network, exchange information and good practices, and work on awareness raising within Member States. It is also the goal to determine activities for 2014, make appointments about execution and to work on the Terms of References 2014.**

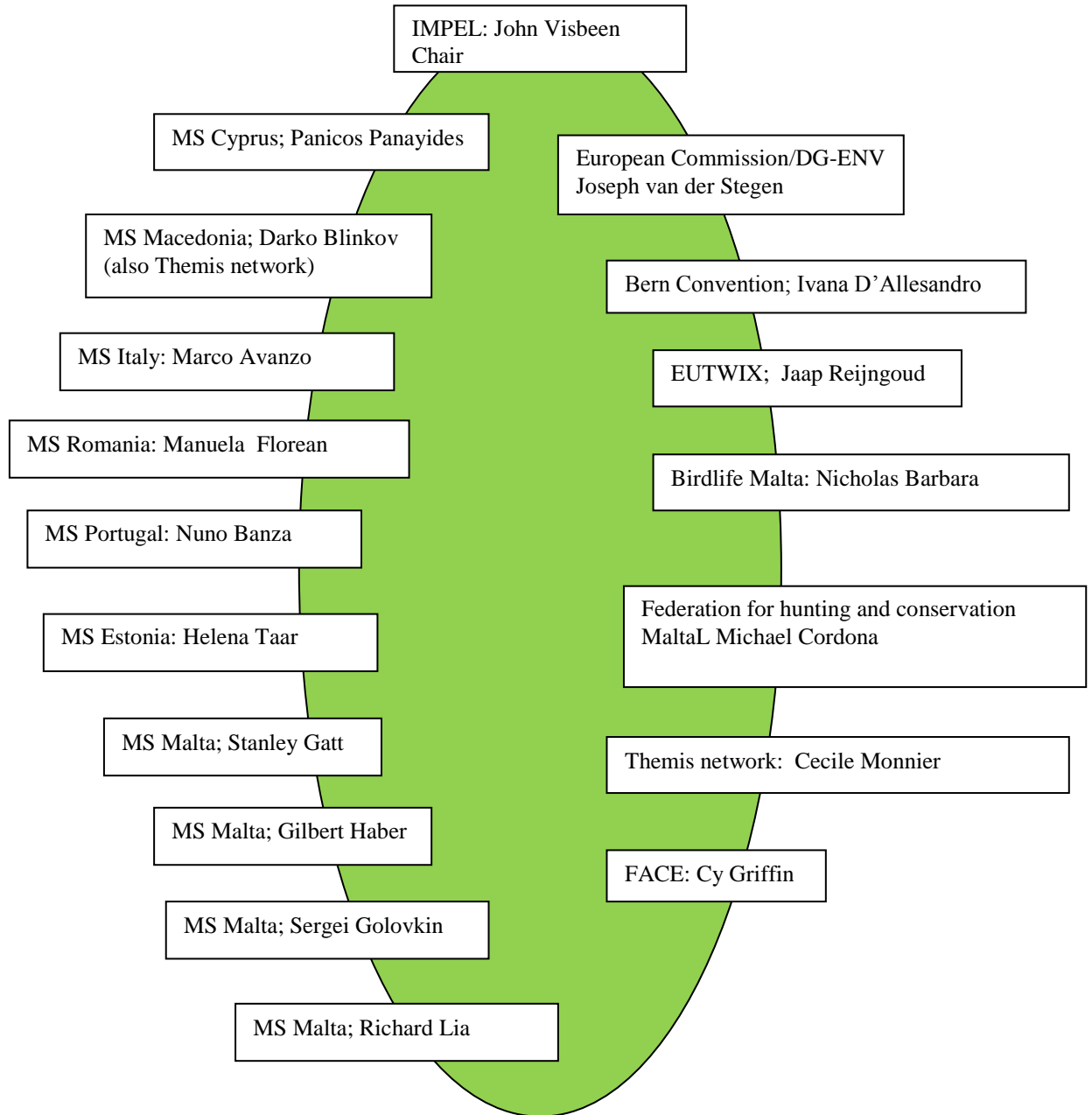
The programme of the workshop is added as Annex 1 to these minutes.

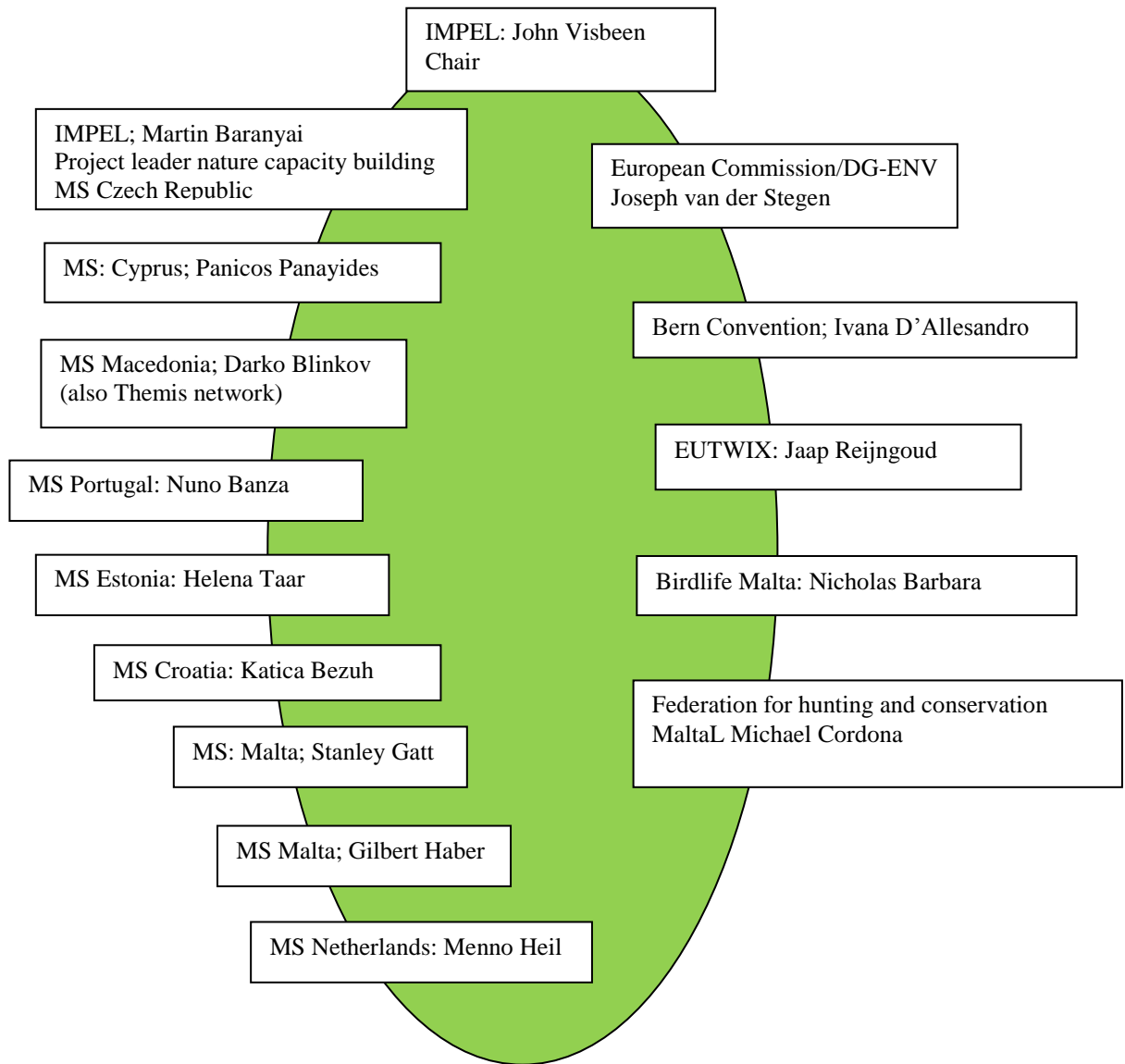
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<sup>3</sup> See minutes Round Table Meeting Project Eliminating Illegals Kiling of Birds, webiste NN, doc. Nr: NN:

## 2.1 Participants of the workshop in Malta

Workshop day 1 Wednesday October 2<sup>nd</sup> :



**Workshop day 2 Thursday October 3<sup>th</sup>:**

## 2.2 PROGRAMME FIRST DAY

On the first day, Wednesday October 2<sup>nd</sup>, we started with presentations from criminal cases from participants of Cyprus, Italy and Macedonia were presented. EU TWIX presented IKB related seizures. EU TWIX also presented how 693 Wildlife Enforcement Officers from 127 Enforcement agencies are now connected with an internet tool that facilitates information exchange and international co-operation with the EU and neighbouring countries. These topics contributed to the exchange of information between participants and further awareness raising. It underlined the importance to work together on eliminating illegal killing of birds.

We continued with a short summary of during round table meeting in Brussels identified missing links in IKB activities and main challenges according to the roadmap towards eliminating illegal killing of birds from the European Commission. Also Bern Convention and Themis network presented their activities in the field of Illegal Killing of Birds. As closure from the first day we ended with an inventory. Based on all information all participants were asked to mention two or three activities that should be organised by IMPEL and mentioned in the Terms of References.

## 2.3 PRESENTATIONS FIRST DAY

In this chapter a brief summary is given from the presentations. All the presentations are added to the IMPEL basecamp.

### ▪ 2.3.1 Cyprus

(Panicos Panayides)

It is reported that the main illegal killing problem of birds in Cyprus involves illegal trapping with nets and limesticks with the use of sound devices. Illegal poisoning and shooting may locally be a problem in some areas, but by comparison illegal trapping is the main issue of concern. The illegal economic profits of such activities have contributed to the increase of trapping levels from the 1990's onwards, and although the illegal activity has to some extent been controlled it is still a serious problem. The main issues which have been identified and have to be dealt with were: low fines imposed by the Courts, the big Vs small trappers, restaurants, awareness – education, the impact of economic crisis and other means to combat illegal killing of birds (i.e. cross compliance).

### ▪ 2.3.2 Italy.

(Marco Avanzo)

Marco reports that crimes against birds are still an actual problem in Italy. Illegal killing, trapping and trading are still very common: poisoning is at a lower level also considering that it occurs as effect of other species killing.

In some areas of the Country poaching is so spread out that has been necessary to contrast it by a special intervention unit, whose police action (combined with a low but constant raising up of environmental awareness) is causing a decrease of the crimes.

### ▪ 2.3.3 EU TWIX – organisation

(Jaap Reijngoud)

The presentation gives a view on how the current mailing list is operating. 704 Wildlife Enforcement Officers from 127 Enforcement agencies are now connected with this internet tool that facilitates information exchange and international co-operation with the EU and neighbouring countries. EC secured funds to develop an Sub-mailing list focussed on IKB but due to funding problems for the main EU TWIX system this funds are withdrawn for this moment. In the mean time EU TWIX is willing to advise and support the IKB project.

### ▪ 2.3.4 EU TWIX – Seizures and datacollection

(Jaap Reijngoud)

Presentation about a preliminary insight on the illegal trade of Falconiformes based on seizure date of EU TWIX seizure data base, to show the benefit(s) of gathering seizure date. It can show the most relevant species involved in IKB, countries that are involved, reasons for seizure, method of concealment and locations where seizures took place.

### ▪ 2.3.5 European Commission-DG ENV

(Joseph van der Steegen)

Illegal killing (including poisoning), trapping and trade of European birds in Europe is still a topical issue even if habitat degradation represent the main threat as regards bird conservation. Enforcing the Birds Directive is primarily a responsibility of Member States but the EU can help make improvements. Further to discussions with BirdLife International, FACE, the Bern Convention and Member States the Commission produced a roadmap listing a set of actions to be undertaken to combat illegal killing of birds. Further to the decision to broaden the scope of IMPEL to nature-related issues the issue of illegal killing of birds was suggested as a first pilot case for IMPEL. IMPEL can make a significant contribution in this field considering the importance of appropriate inspections.

### ▪ 2.3.6 Presentation IMPEL IKB

(John Visbeen)

Before the workshop the Minutes of the round table meeting were sent to all participants. In this presentation John gave an overview from the identified missing links. These were clustered to the following topics:

- Improve effectiveness in whole process of inspection and enforcement,
- Improve effect of prosecution and the impact of sanctions,
- Alternative approaches – awareness raising
- extend the enforcement network

For a further description see the minutes of the round table meeting in Brussels.

### ▪ 2.3.7 Presentation Themis Network

(Cecile Monnier)

The Themis Network is a regional cooperation platform addressed to environmental and enforcement authorities as well as the judiciary of the EU candidate countries and potential

candidates. Themis' activities are focused on environmental law enforcement, and more specifically on increasing capacities in the national authorities to tackle environmental crimes, including those related to natural resources and wildlife. As such, Themis secretariat hosted by the Regional Environmental Center (REC) and the network members are welcoming IMPEL's activities on green issues and propose to play a role as facilitator to help IMPEL reaching out to South East European countries.

## 2.4 Conclusions first day– inventory of possible IKB Activities 2014

After the presentations we made an inventory of possible activities that should be organised by IMPEL and mentioned in the Terms of References. This inventory was used on the second day of the workshop.

### ▪ 2.4.1 Exchange of information-best practises

- best practises to demonstrate guilt
- use basecamp as connection tool and to share best practises,
- collaboration should be on going,
- practical focus, support on the ground action,
- IRI-peer review, (possibility also to take into account BC action plans-focal points),
- streamlining the measures, establish expert groups in every state, so information reaches database, connect with focal point (BC),
- distinguish the type of enforces, trade=costum, in the field inspection=police, take into account specific target group for the activity,
- list of enforcement authorities on the basecamp
- guidelines, exchange guidelines and good practice,
- various examples of best practices form the member states
- translation is point of attention,
- boekje voor afvalstoffen (draaiboekje TFS),  
Practical tool, traps, contact points mails,
- matter with rings - write recommendation
- exchange of information, expert meeting, for instance on determination

### ▪ 2.4.2 Collaboration with networks of prosecutors and judges

Collaboration should be started on European level;  
Collaboration towards ongoing process,  
Discussion theme: use of visual evidence, document comparing what can and how cases can be sued in MS, could harmonizing be possible?  
Collaboration with network of prosecutors and judges and IMPEL, How can activities within networks (IMPEL-prosecutors, judges) have positive effect within MS  
-gravity factors, conservation of status, legal obligations, legal gain

### ▪ 2.4.3 Awareness raising

Issue with hunting companies, (hunting tourism) document produced by IMPEL to raise awareness for these companies,



- hunting principles, final charter, tourism principles for hunters etc. also chapter for hunting tour operators, Bern convention charter for hunting .. (2007) as starting point to promote, (Cy)
- permanent open connection to the judge system, exchange information, because of the hard problems, we have,
- political support, raising awareness,

#### ▪ 2.4.4 Capacity building

- Extend network, involve more member states,
- cooperation on NGO on regional; level we need ears and eyes, you need intelligence, where is what happening, (also birds protectors) It is something within individual MS,
- also involve animal welfare, they can be ears and eyes,

#### ▪ 2.4.5 Data-collection:

- develop format for collecting illegal activities between MS, it is ,
- customs have an important role, particular in confiscation, example of import of mist net from Italy to Cyprus,
- identification of black spot of illegal activities based on standard protocols, working towards standard report,
- identifying the market why illegal killing is happening, when you know the market, you can also think of other solutions,
- also show trading routes,

#### ▪ 2.4.6 Recommendations for IMPEL

- better public face for information, better clarity what IMPEL can achieve, what is realistic and what not,
- list of enforcement authorities on the basecamp,

## 2.5 DISCUSSION AND APPOINTMENTS SECOND DAY

On the second day, Thursday October 3th, we started with the inventory of the first day. Most important was to determine the next activities for the IMPEL project; this in relation to other activities from important networks. The activity should be specific, achievable, realistic and has to be executed within reasonable timeline. Result of this discussion will be 'building blocks' for the Terms of Reference (TOR) for a IMPEL project in 2014. Based on the results of this discussion a TOR 2014 was drafted. The TOR is annex to the minutes and will be discussed in Cluster I meeting in Graz (end of October 2013) and during General Assembly in Vilnius (December 2013)

We determined next activities and also prioritized:

### 2.5.1 Collaboration with the network of prosecutors and judges

As a first step was suggested to have a meeting with representatives of the EU network of judges and the EU network of prosecutors. Suggested was ask more "to the IKB-issue dedicated" judges and

prosecutors. Topics for the meeting could be. Experienced shortcomings in enforcement chain, (possibilities to harmonize) burden of proof, (possibilities to harmonize) minimum and maximum height of fines, identify MS where progress has to be made and the Question what the role from the distinguished network can be towards these MS, presentation of existing training programmes (for instance in Themis network),

The aim of this activity is to explore with the EU network of judges and the network of prosecutors how to improve the effectiveness of the enforcement chain (from the control to the condemnation and penalty). This activity, improving the enforcement chain, would be valuable for any type of illegal activity regarding birds or even infringements related to nature.

**During Conference in Malta the IKB project leader contacted representatives of EU network of prosecutors and network of judges to explore the idea. There was positive attitude towards first meeting with delegate from IMPEL-IKB project team-members in the beginning of 2014. It is important to emphasise that the network of prosecutors the discussion of minimum and maximum height of fines is a topic, because of punitive and preventive effect. IKB is not a topic as such. So it is important to see this issue in a broader perspective.**

### **2.5.2 Expert meeting/sharing best practices/investigate techniques,**

During the workshop the need for sharing best practices amongst in the field specialists was emphasized. There for an expert meeting in 2014 was suggested. Four topics were suggested: illegal killing of birds, illegal trapping of birds, illegal trade of birds and (indirect) poisoning of birds. Two participants of each member state would be the most effective to cover these four topics. This activity also contributes to extend the network. We aim at 20 member states to participate and try to seduce them for instance with presentations of most innovative techniques used in wildlife forensic and determination.

On beforehand a questionnaire will be sent out to make an inventory of existing guidance. These will be made available on the basecamp. Translation stays a point of attention.

Based on the example of the TFS cluster, we recommend to develop and produce a "draaiboekje" that can be used by custom officers, police-officers, inspectors and specialists in the field.

### **2.5.3 Gathering and Sharing information about illegal activities between member states**

Also in close connection to one of the actions from Bern Convention the aim is to share information on illegal killing of birds. Not information about crimes within Member States, but information about crimes between member states (illegal trading, not allowed hunting tourism). Focus lies on international illegal trade information. It is non-nominal information. We should try to report this kind of information as a summary on a 3 to 6 months time frame.

**During Workshop we noticed that most of current IKB project members are already connected to EU TWIX mailing list. Others can apply for membership. It is important that only significant information about international IKB cases will be shared through EU TWIX mailing list. An EU TWIX sub-mailing list for IKB is still an aim for future.**

**A concept format to file seizure data will be prepared. The main aim is to develop such a template that all kinds of analyses can be made in future. This concept format will be presented during the next IKB project meeting**

#### 2.5.4 Impel Review Initiative -peer review

The IRI is a voluntary scheme providing for informal reviews of environmental authorities in IMPEL Member countries. The potential benefits of the IRI include providing advice to green force authorities seeking an external review of their structure, operation or performance by experts from other IMPEL Member Countries. Benefits are also the exchange of experience and collaboration between these authorities on common issues and problems. The IRI's are small scale meetings with the same purpose: **informal collegial** reviews of green force authorities in IMPEL Member countries.

Based on the needs from the voluntary country a skilled inspection team will be formed, travels and accommodation will be arranged. In close contact with contact persons in the selected country(ies) the IRI will be prepared, (what topics, focus, prioritize). Hosting country can give direction to topics so they have the most possible benefit from the IRI.

**During Workshop and Conference the project leader explored possibilities were a first IRI can take place. Representatives from Romania and Macedonia were positive about this idea and are going to discuss this within their countries.**

#### 2.5.5 Format reporting illegal activities

Based on report from TRAFFIC and experiences of Member States the project team can write a recommendation about the use of seamless closed foot rings and other markings for birds. The aim is to share information and offer Member States to choose the best approach. (the regulation-procedures concerning the individual marking of birds is a member state responsibility.

**During Workshop we made appointment that Jaap Reijngoud will compile a draft proposal for this recommendation, using the TRAFFIC report and available information from Member States**

### 3 Conclusions workshop and project 2013

2013 is a year in which IMPEL explored their role in the field of illegal killing of birds. These activities should fit in the roadmap on eliminating illegal killing of birds and should add value to activities from other networks.

During the round table meeting in Brussels and during the Workshop we became aware that illegal killing (including poisoning), trapping and trade of European birds in Europe is still a topical issue. Though enforcing the Birds Directive is primarily a responsibility of Member States IMPEL also can help member states to make improvements. Involvement from NGO like Bird Life International, FACE, the Bern Convention and EU TWIX is important. During the round table meeting we defined missing links and made appointment for a workshop. Aim of this workshop was the work further on awareness raising to exchange information and best practises and to extend the network. These goals were reached. Another important result from the workshop was determination of activities for 2014.

The Terms of References as result from the workshop is added as annex 2.

The participants from the workshop want to stress the importance of international co-operation to formulate the above-mentioned databases and to share knowledge on illegal hunting and trapping methods and enforcement techniques employed by Member States as tools to effectively implement the EU wild Birds Directive and the Commission's roadmap to eliminate illegal killing, trapping and trade of birds.



## Annex 1; programme of the workshop

# IMPEL project Eliminating Illegal Killing of Birds

Wednesday - October 2nd			
Time	Subject	Organization	
09:00-09:20	Welcome-Introduction Workshop	John Visbeen	
09:20-09:45	Eliminating Illegal Killing of Birds: cases, enforcement and collaboration (Cyprus)	Panicos Panayides	
09:45-10:15	Eliminating Illegal killing of Birds: cases, enforcement and collaboration (Italy)	Marco Avanzo	
10:15-10:45	Eliminating Illegal killing of birds: cases, enforcement and collaboration (Themis network-Macedonia-Grifon Vulture)	Darko Blinkov/Enis Tela	
<b>10:45-11:15</b>	<b>Coffeebreak Conference</b>		
11:15-11:35	EU-TWIX, a successful tool for enforcement officials in europe	Jaap Reijngoud	
11:35-12:00	EU TWIX data analyses: A preliminary insight into the illegal trade of Falconiformes	Jaap Reijngoud	
12:00-12:20	IMPEL IKB project: Short presentation identified missing links, <i>(document: Minutes round table meeting Brussels)</i>	John Visbeen	
12:20-12:30	Conclusions first part of the workshop	John Visbeen	
<b>12:30-13:30</b>	<b>Lunch Conference</b>		
13:30-13:45	Bern Convention - Tunis Conference - draft action plan	Ivana D'Allesandro	
13:45-14:00	Themis network – activities, developments within networks	Cecile Claude Monnier	
14:00-14:15	European Commission Roadmap, main challenges,	Joseph van der Steegen	
14:15-15:30	discussion and ranking missing links, recommendation for next IKB project in activity in 2014 <i>(document: Minutes round table meeting Brussels)</i>	John Visbeen/all	
15:30-16:00	Introduction to fieldtrip (tbc)	Nicholas Barbara	
16:00-19:30	<i>After closure we offer possibility to attend an excursion to a field camp of Birdlife Malta to watch the migration of birds of prey offered by both project leaders, John Visbeen and Martin Baranyai (project leader nature capacity building)</i>	John Visbeen Martin Baranyai Nicholas Barbara	
19:30	<b>Dinner Conference</b>		



# Programme Workshop

## IMPEL project Eliminating Illegal Killing of Birds

Thursday October 3<sup>rd</sup> 2013, room Carapecchia, Grand Hotel Excelsior

Time	Subject	Organization	
09:00-09:15	Summary conclusions day 1	John Visbeen	
09:15-10:15	Determination IKB activity 2014, follow up discussion missing links, work on Terms of Reference 2104 (document: TOR IMPEL IKB project 2013)	All	
10:15-11:15	<b>Coffeebreak Conference</b>		
11:15-12:15	Appointments next IKB activity	All	
12:15-12:30	Conclusions and closure Workshop	John Visbeen	
12:30-14:00	<b>Lunch Conference</b>		
<p><b>Participants are also invited to attend the Conference work-session 8: Nature and Water, therefore see programme Conference</b></p>			

## Annex 2; contact information participants

Workshop on Malta								
List of participants - IMPEL members								
No	Member State	Name	First name	Organisation	Address	Position	Phone and Fax:	E-mail
1	Netherlands	Visbeen	John	Province Utrecht	Archimedeslaan 6, Utrecht	Head of department	mob. 0031-618300452	<a href="mailto:john.visbeen@provincie-utrecht.nl">john.visbeen@provincie-utrecht.nl</a>
2	Netherlands	Heil	Menno	Province Utrecht	Archimedeslaan 6, Utrecht	Coordinator	mob. 0031-618300501	<a href="mailto:Menno.heil@provincie-utrecht.nl">Menno.heil@provincie-utrecht.nl</a>
3	Portugal	Banza	Nuno	General Inspectorate for the Agriculture, Sea, Environment and Spatail Planning	Rua de O século, nº 51 – 1200 Lisboa	Deputy Inspector General	Tel: 213215500 Fax: 213215562	<a href="mailto:nbanza@igamaot.gov.pt">nbanza@igamaot.gov.pt</a>
4	Italy	Avanzo	Marco	Corpo Forestale dello Stato	Via A. Pacinotti 5, Viterbo, Itlay	Provincial command of Viterbo-investigation unit	Tel: +390761298822, Fax: +390761298805	<a href="mailto:m.avanzo@corpoforestale.it">m.avanzo@corpoforestale.it</a>
5	Estonia	Taar	Helena	Estonian Environmental Inspectorate	Kopli 76, 10416 TALLINN	leading inspector	Tel:+372 696 2243, Fax:+372 696 2237	<a href="mailto:helena.taar@kki">helena.taar@kki</a>
6	Romania	Floean	Manuela	National environmental guard-Hunedoara county commissariat	Deva, Aurel Vlaicu st. no 25, Hunedoara County - Deva - Romania	commissary	Tel:+40742321698 Fax:+40254219790	<a href="mailto:floeanmanuela@yahoo.com">floeanmanuela@yahoo.com</a>
7	Cyprus	Panayides	Panicos	Game & Fauna Department, Ministry of the Interior	Ministry of the Interior, 1453	Officer	Tel: 00 357 22 560113 Fax: 00 357 22 560 114	<a href="mailto:panayides.gf@cytanet.com.cy">panayides.gf@cytanet.com.cy</a>

8	<b>Croatia</b>	<b>Bezuh</b>	<b>Katica</b>	MINISTRY OF ENVIRONMENTAL AND NATURE PROTECTION, Directorate for Inspection; Sector for Nature Protection Inspection	Savska cesta 41/23 , Zagreb	Senior inspector	Tel: +385 (1) 4866 137 Fax: +385 (1) 4866 191	<a href="mailto:Katica.Bezuh@mzoip.hr">Katica.Bezuh@mzoip.hr</a>
9	<b>Macedonia</b>	<b>Blinkov</b>	<b>Darko</b>	State environmental and nature protection inspectorate	Bldv. Goce Delcev no. 18 (MRTV building) floor 12, Skopje, Republic of Macedonia	state environmental and nature protection inspector	tel: +38923251556	<a href="mailto:blinkov_d@yahoo.com">blinkov_d@yahoo.com</a>
10	<b>Malta</b>	<b>Gatt</b>	<b>Stanley John</b>	Malta Environment and Planning Authority-Environmental Protection Directorate		Team Manager (Avifauna Section)		<a href="mailto:stanley.gatt@mepa.org.mt">stanley.gatt@mepa.org.mt</a>
11	<b>Malta</b>	<b>Haber</b>	<b>Gilbert</b>	Malta Environment and Planning Authority		Environmental Protection Officer Avifauna Section		<a href="mailto:gilbert.haber@mepa.org.mt">gilbert.haber@mepa.org.mt</a>
12	<b>Malta</b>	<b>Golovkin</b>	<b>Sergei</b>	Ministry for Sustainable Development Environment and climate change, Wild bird regulation unit		Officer		<a href="mailto:sergei.a.golovkin@gov.mt">sergei.a.golovkin@gov.mt</a>
13	<b>Malta</b>	<b>Lia</b>	<b>Richard</b>	Ministry for Sustainable Development Environment and climate change, Wild bird regulation unit		Officer		
15	<b>Czech Republic</b>	<b>Baranyai</b>	<b>Martin</b>	Czech Environmental Inspectorate, Forest Protection Department				<a href="mailto:Baranyai_martin@hk.cizp.cz">Baranyai_martin@hk.cizp.cz</a>
<b>Other organization/network/NGO</b>								
	<b>Organization</b>	<b>Name</b>	<b>First name</b>	<b>Organisation</b>	<b>Address</b>	<b>Position</b>	<b>Phone and Fax:</b>	<b>E-mail</b>



1	<b>European Commission, DG Environment</b>	<b>Van der Stegen</b>	<b>Joseph</b>	EC - DG Env, NATURE & BIODIVERSITY UNIT	Avenue de Beaulieu 9, 00/24, Brussels	Policy Officer	<a href="tel:+322988386">Tel:+322/2988386</a>	<a href="mailto:joseph.van-der-stegen@ec.europa.eu">joseph.van-der-stegen@ec.europa.eu</a>
2	<b>Regional Environmental Center for Central and Eastern Europe</b>	<b>Monnier</b>	<b>Cecile</b>	Regional Environmental Center for Central an Eastern Europe	Ady Endre ut 9-11, 2000 Szentendre, Hungary	expert	Tel: 003626504094, Fax:003626311294	<a href="mailto:cmonnier@rec.org">cmonnier@rec.org</a>
3	<b>EU-TWIX</b>	<b>Reijngoud</b>	<b>Jaap</b>	EU TWIX	Zuidersloot 186, 7765 AN Weiteveen Netherlands	Enforcement Support Officer	31.653.713.344	<a href="mailto:reijngoudconcept@gmail.com">reijngoudconcept@gmail.com</a>
4	<b>Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention)</b>	<b>D'Allesandro</b>	<b>Ivana</b>	Bern Convention	Council of Europe, Strasbourg Cedex, F 67750-Strasbourg	Secretary of Bern Convention	33.390.215.151	<a href="mailto:ivana_dalessandro@coe.int">ivana_dalessandro@coe.int</a>
14	<b>Malta</b>	<b>Michael</b>	<b>Cordoza</b>	Federation for Hunting and Conservation Malta				<a href="mailto:info@huntinginmalta.org.mt">info@huntinginmalta.org.mt</a>
13	<b>Malta</b>	<b>Nicholas</b>	<b>Barbara</b>	Birdlife Malta				<a href="mailto:info@birdlifemalta.org">info@birdlifemalta.org</a>

### Annex 3: Roadmap towards eliminating illegal killing, trapping and trade of birds Version 20/12/2012

Based on various sources of information (in particular the Bern Convention Recommendation on the illegal killing<sup>45</sup>, trapping and trade of wild birds, discussions with Birdlife International, FACE, and Member States, and a study produced for the Commission<sup>6</sup>), the Commission intends to identify actions to be taken at EU or Member State level with a view to increase effectiveness in measures aimed at eliminating illegal killing, trapping, and trade of birds in the EU.

#### I. Possible actions

##### I.1 Monitoring and data collection

No	Action	Body in charge	Public concerned/targeted	Details on past, current or planned activity	Timetable
1	Processing in a structured way information reported by Member States in the context of their <b>reporting</b> obligations under the Birds Directive (Art. 12, information on "threats") or any information provided under Article 10 of the Birds Directive (research activities)	Commission	Birdlife, FACE and other stakeholders		First exercise in 2014/15 after the next Art. 12 reporting
2	<b>Collection of data</b> on the nature, extent and trend of illegal activities by using the most relevant methodologies	Birdlife, FACE and other stakeholders	Commission, Member States	Example of on-going action: Regular monitoring reports by Birdlife CY	On-going

<sup>4</sup> [https://wcd.coe.int/ViewDoc.jsp?Ref=T-](https://wcd.coe.int/ViewDoc.jsp?Ref=T-PVS(2011)20&Language=lanFrench&Ver=original&Site=DG4nature&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864)

[PVS\(2011\)20&Language=lanFrench&Ver=original&Site=DG4nature&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864](https://wcd.coe.int/ViewDoc.jsp?Ref=T-PVS(2011)20&Language=lanFrench&Ver=original&Site=DG4nature&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864)

<sup>5</sup> [http://www.coe.int/t/dg4/cultureheritage/nature/bern/default\\_fr.asp](http://www.coe.int/t/dg4/cultureheritage/nature/bern/default_fr.asp)

<sup>6</sup> BIO Intelligence Service (2011), Stocktaking of the main problems and review of national enforcement mechanisms for tackling illegal killing, trapping and trade of birds in the EU, Final report prepared for European Commission (DG Environment).

				... An EU reporting template could be envisaged	
3	Monitoring and follow-up of <b>derogations</b> granted by Member States, in particular by insisting on quality and timeliness of MS reporting obligations (Art. 9 of the Birds Directive)	Commission	Stakeholders		On-going

### **I.2 Information exchange, training and awareness-raising**

No	Action	Body in charge	Public concerned/targeted	Details on past, current or planned activity	Timetable
4	<b>Uptake of IMPEL</b> in the on-going initiative on illegal killing	Commission	<b>Artikel I.</b> IMPEL (EU Network for Implementation and Enforcement of Environmental Law)	<ul style="list-style-type: none"> <li>- Identification of enforcement authorities</li> <li>- Exchange of best practice and mutual experience</li> <li>- Establishment of a task force dedicated to illegal poisoning of birds and another to trapping of passerines</li> </ul>	End 2013: Report to the IMPEL General Assembly
5	Support to <b>training for judges</b> , prosecutors or enforcement officials and disseminate training material	Commission, Member States with support of Birdlife, FACE...	National judges, prosecutors, enforcement officials	EC's seminar in Bucharest, Brussels and Budapest in 2012 (with the support of EIPA), training module produced by EIPA, further seminars organized by Member States at regional/national level	Seminars: 4-6/07/2012 22-24/10/2012 21-22/11/2012
6	<b>Information on good practices</b>	Commission, Birdlife,	Member States,	At Commission level (on-	Commission study

		FACE and other stakeholders	Sectors or group of persons possibly involved in illegal activities	going action): Identification of existing agricultural measures within the Common Agricultural Policy (rural development programmes, cross-compliance under the 1 <sup>st</sup> pillar of the CAP) or measures that have been piloted in LIFE projects that can contribute to reducing illegal activities.	due by end 2012
7	Addition of a page to the EC's Nature and Biodiversity <b>website</b> on implementation of the Birds and Habitats Directives	Commission	Large public		On-going
8	<b>Information</b> of national associations of the <b>on-going initiative</b>	Birdlife, FACE and other stakeholders	National/regional associations	Improving the promotion of the implementation at national level of the 2004 agreement between Birdlife and FACE <sup>7</sup> and setting up joint communication	
9	Organization of <b>targeted communication campaigns</b> aimed at addressing well identified and acute cases. Information of the Commission on such campaigns.	Birdlife, FACE, other stakeholders, Member States	Large public, targeted groups...		
10	Identify and support mechanisms to improve <b>understanding of national or regional</b>	Member State authorities,	Stakeholders	Improved inter-service communication between	

<sup>7</sup> [http://ec.europa.eu/environment/nature/conservation/wildbirds/hunting/docs/agreement\\_en.pdf](http://ec.europa.eu/environment/nature/conservation/wildbirds/hunting/docs/agreement_en.pdf)

	<b>hunting legislation</b>	appropriate national hunting organisations		competent authorities and resources for awareness campaigns	
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### I.3 Enforcement and legal aspects

No	Action	Body in charge	Public concerned/targeted	Details on past, current or planned activity	Timetable
11	Assessment of the transposition and implementation of the <b>Environmental Crime Directive</b> (Directive 2008/99/EC), including its aspects related to the killing of specimens of protected wild fauna or flora species and their trading.	Commission	Member States		
12	Extension of the scope of the <b>EU-TWIX<sup>8</sup> system</b> to better cover illegal trade of EU bird species.	Commission	Enforcement officials (custom agents, etc...)	EU-TWIX is an internet tool to facilitate information exchange on illegal wildlife trade in the EU	Action to be undertaken in 2013, 2014 and 2015
13	Updating the <b>EU CITES enforcement Group</b> about the present initiative and identifying key areas of overlap/co-operation	Commission	National officials in charge of CITES (trade with non-EU countries as well as within EU)	Presentation at the EU CITES enforcement Group by the EC	
14a	Identification of <b>legal loopholes</b> that affect the implementation and enforcement of bird protection measures	Commission, stakeholders	Member States		
14b	<b>Legislation clarification</b> or improvement	Member States		e.g.: setting deterrent fines	

<sup>8</sup> <http://www.eutwix.org/Fr/Default.aspx>

	when a loophole has been clearly identified				
15	<b>Addressing specific problems</b> as much as possible in <b>collaboration</b> with NGOs, stakeholders, and, if appropriate, other countries concerned.	Member States, Birdlife, FACE and other stakeholders		If needed, development of a national plan to fight illegal killing, trapping and trade of birds	
16	Communication on best practises in terms of the effectiveness of the " <b>enforcement chain</b> " and of transboundary communication	Member States	Member States	Best practices in terms of 1) communication and co-operation between law enforcement and legal actors involved (control officers, prosecutors and judges), 2) communication between Member States in case of transboundary problems	
17	Opening a <b>legal procedure</b> when a clear breach of the Birds Directive or a characterized failure of enforcement measures has been identified	Commission	Member States		On-going

**I.4 Prevention**

	Action	Body in charge	Public concerned/targeted	Details on past, current or planned activity	Timetable
18	Promoting <b>good use of derogations</b> to prevent damage when alternative solutions are not satisfactory (Art. 9.1.a. of the Birds Directive)	Member States, Birdlife, FACE and other stakeholders	Stakeholders	In collaboration with stakeholders On-going action: EC's Guidance document on Cormorant.	
19	Promotion of <b>alternative activities</b> likely to	Member States,	Citizens, sectors or		

	divert people from illegal ones	Birdlife, FACE and other stakeholders	group of persons possibly involved in illegal activities		
20	Adoption as far as possible of a <b>clear and stable legal framework</b> for derogations under Art. 9.1.c. of the Birds Directive	Member States	Stakeholders		
21	Promoting application of <b>cross-compliance</b> under CAP for Illegal Killing of Birds	Member States	Stakeholders	Inserting conditions regarding illegal practices (killing or trapping) in cross-compliance	

## II. Background information

### II.1 The Birds Directive, still a lack of enforcement

The Birds Directive (2009/147/EC) establishes a general system of protection for all species of birds naturally occurring in the wild state in the European Union. "*The Directive covers the protection, management and control of these species and lays down rules for their exploitation It shall apply to birds, their eggs, nests and habitats*" (Article 1). Under the Environmental Crime Directive (2008/99/EC<sup>9</sup>), intentional and unlawful killing, destruction, possession or taking of specimens of protected wild fauna or flora species constitutes a criminal offence for which Member States are required to provide for criminal penalties in their national legislations.

Although the Birds Directive is more than 30 years old, illegal activities such as illegal killing, trapping or trade of birds still occur and are one of the threats hindering the achievements of the objectives of the Birds Directive and the first target<sup>10</sup> of the Biodiversity Strategy of the EU. Although illegal killing of birds is not, as a whole, the most significant threat to birds, it can have a very negative impact on bird populations in some specific situations (specific species or regions). For more than 20 years this issue has been an Open File at the annual meeting of the

<sup>9</sup> OJ C 10, 15.1.2008, p. 47

<sup>10</sup>The first target of the EU Biodiversity Strategy is about Conserving and Restoring Nature.

Standing Committee of the Bern convention<sup>11</sup>, and the Commission regularly receives complaints concerning illegal killing, trapping or trade of birds in the European Union (e.g. poisoning of birds of prey in Eastern Europe, illegal trapping of passerines in Southern Europe, killing of protected species, restaurants serving trapped birds as delicacies, illegal imports, egg picking ...).

Ensuring the respect of all bird conservation legislation, in particular through proper law enforcement but also by education and awareness raising initiatives, is one out of the 10 points on which Birdlife and FACE have agreed in 2004.

The Commission adopted a Communication on implementation<sup>12</sup> ("Improving the delivery of benefits from EU environment measures: building confidence through better knowledge and responsiveness" – COM(2012)95) on 07/03/2012. This communication is intended to help prepare the way for the 7<sup>th</sup> Environmental Programme and indicates an intention by the Commission to explore several options for improving implementation which are relevant to the present Road Map, including the following: 1) upgrading current EU provisions on inspection and surveillance 2) adopting criteria for complaint-handling at Member State level (including complaints consisting of information about criminal offences) and 3) improved conditions for access to justice.

Although law enforcement of bird protection regulations is primarily a competence of Member States, this issue has an international dimension (migratory species, international trade...) which justifies EU action. Therefore the Commission has decided to collaborate with the Secretariat of the Bern Convention, Birdlife International and the Federation of Associations for Hunting and Conservation in the EU (FACE) and participated in the international conference organized by the Bern Convention Secretariat on 6-8/07/2011 in Cyprus. The Recommendation n°155 (2011) of the Standing Committee on the illegal killing, trapping and trade of wild birds was adopted by the contracting parties of the Bern Convention on 02/12/2011.

In view of the Conference Birdlife consulted its partners and produced an assessment of the situation in the EU as regards illegal killing of birds. The Bern Convention assessed the extent of the problem among contracting parties. The Commission also launched a study contract to collect Member States' views on the issue, to better assess the scale of the problem and to suggest recommendations for action.

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<sup>11</sup> [http://www.coe.int/t/dg4/cultureheritage/nature/bern/default\\_fr.asp](http://www.coe.int/t/dg4/cultureheritage/nature/bern/default_fr.asp)

<sup>12</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0095:FIN:EN:PDF>



Finally a resolution on "Minimizing the risk of poisoning for migratory birds" was adopted at the latest Conference of the Parties (COP10 – 20-25/11/2011) of the Convention of Migratory Species<sup>13</sup>.

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<sup>13</sup> [http://www.cms.int/bodies/COP/cop10/resolutions\\_adopted/10\\_26\\_poisoning\\_e.pdf](http://www.cms.int/bodies/COP/cop10/resolutions_adopted/10_26_poisoning_e.pdf)

## II.2 Categories of illegal activities

The Commission's consultant produced an overview of illegal practises reported by Member States. Some practises are still widespread throughout Member States whereas others are only reported in few Member States. The most widely reported illegal activities which deserve serious attention are the following:

The following groups of illegal activities are the three most often reported by Member States:

- **Intentional poisoning of raptors or predators** (corvids and mammals).
- **Illegal killing of protected species** (shooting, trapping, nest destruction): This type of activity concerns so called pest species (Cormorant, Heron, Gulls ...) or other protected species, e.g. for trophy or taxidermy.
- **Trapping of protected "small species"** (mostly passerines): Illegal trapping of passerines is practised in some Member States either for cage birds or for food.

Other activities are less common but still reported in more than four Member States:

- **Accidental poisoning** due to the use of illegal products.
- **Stealing eggs or chicks**: The reasons behind such practise may be demand for birds for falconry or trade but also fears that the presence of some bird species will not allow some developments
- **Illegal trade of protected species.**
- **Shooting game species in close period** (waterfowl, quail,...) or use of illegal methods to capture game species.

## II.3 Types of measures taken at Member State level

The study produced for the Commission and other sources of information allowed the collection of a list of measures experienced throughout Member States. The most relevant ones are presented hereunder.

### **Information exchange, training and awareness-raising**

- Awareness raising campaign on illegal use of poison: joint communication and collaboration of hunting associations, NGOs, veterinarians... aimed at detecting, reporting and elucidating poisoning incidents. Joint press releases were issued.
- Training of custom officers or enforcement officers

- Training dogs to detect poison baits
- Trans-boundary expertise sharing among police forces

### **Enforcement and Legal aspects**

- Prohibition to detain trapping material in Belgium
- Administrative fines
- Specialized prosecutors
- Legal responsibility of landowners as regards offences committed by their employees
- Deterrent sanctions
- Specialized wildlife crime unit within the police force with established work priorities
- Shift of the burden of proof

### **Monitoring and data collection**

- Collection of identified cases in a specific database
- Possibility for citizens to report illegal activities

### **Prevention**

- Compensation for agricultural damage to reindeer herders based on the number of nesting pairs in their herding areas
- Dedicated LIFE program to address poisoning problems
- Efficient scheme to compensate for damage
- Development of alternative sources of income such as nature tourism

### **Co-ordination**

- Setting up a special task force or communication platform involving all concerned actors (authorities, NGOs, hunting organisations...) aimed at addressing a specific problem
- Joint declaration of all concerned actors against illegal raptor persecution
- Co-ordinated production of documents raising awareness
- Co-operation between NGOs and police forces

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Workshop on Malta								
List of participants - IMPEL members								
No	Member State	Name	First name	Organisation	Address	Position	Phone and Fax:	E-mail
1	Netherlands	Visbeen	John	Province Utrecht	Archimedeslaan 6, Utrecht	Head of department	mob. 0031-618300452	<a href="mailto:john.visbeen@provincie-utrecht.nl">john.visbeen@provincie-utrecht.nl</a>
2	Netherlands	Heil	Menno	Province Utrecht	Archimedeslaan 6, Utrecht	Coordinator	mob. 0031-618300501	<a href="mailto:Menno.heil@provincie-utrecht.nl">Menno.heil@provincie-utrecht.nl</a>
3	Portugal	Banza	Nuno	General Inspectorate for the Agriculture, Sea, Environment and Spatail Planning	Rua de O século, nº 51 – 1200 Lisboa	Deputy Inspector General	Tel: 213215500 Fax: 213215562	<a href="mailto:nbanza@igamaot.gov.pt">nbanza@igamaot.gov.pt</a>
4	Italy	Avanzo	Marco	Corpo Forestale dello Stato	Via A. Pacinotti 5, Viterbo, Italy	Provincial command of Viterbo-investigation unit	Tel: +390761298822, Fax: +390761298805	<a href="mailto:m.avanzo@corpoforestale.it">m.avanzo@corpoforestale.it</a>
5	Estonia	Taar	Helena	Estonian Environmental Inspectorate	Kopli 76, 10416 TALLINN	leading inspector	<a href="tel:+3726962243">Tel:+372 696 2243</a> , <a href="tel:+3726962237">Fax:+372 696 2237</a>	<a href="mailto:helena.taar@kki">helena.taar@kki</a>
6	Romania	Floean	Manuela	National environmental guard-Hunedoara county commissariat	Deva, Aurel Vlaicu st. no 25, Hunedoara County - Deva - Romania	commissary	<a href="tel:+40742321698">Tel:+40742321698</a> <a href="tel:+40254219790">Fax:+40254219790</a>	<a href="mailto:floeanmanuela@yahoo.com">floeanmanuela@yahoo.com</a>
7	Cyprus	Panayides	Panicos	Game & Fauna Department, Ministry of the Interior	Ministry of the Interior, 1453	Officer	Tel: 00 357 22 560113 Fax: 00 357 22 560 114	<a href="mailto:panayides.gf@cytanet.com.cy">panayides.gf@cytanet.com.cy</a>

8	<b>Croatia</b>	<b>Bezuh</b>	<b>Katica</b>	MINISTRY OF ENVIRONMENTAL AND NATURE PROTECTION, Directorate for Inspection; Sector for Nature Protection Inspection	Savska cesta 41/23 , Zagreb	Senior inspector	Tel: +385 (1) 4866 137 Fax: +385 (1) 4866 191	<a href="mailto:Katica.Bezuh@mzoip.hr">Katica.Bezuh@mzoip.hr</a>
9	<b>Macedonia</b>	<b>Blinkov</b>	<b>Darko</b>	State environmental and nature protection inspectorate	Blvd. Goce Delcev no. 18 (MRTV building) floor 12, Skopje, Republic of Macedonia	state environmental and nature protection inspector	tel: +38923251556	<a href="mailto:blinkov_d@yahoo.com">blinkov_d@yahoo.com</a>
10	<b>Malta</b>	<b>Gatt</b>	<b>Stanley John</b>	Malta Environment and Planning Authority-Environmental Protection Directorate		Team Manager (Avifauna Section)		<a href="mailto:stanley.gatt@mepa.org.mt">stanley.gatt@mepa.org.mt</a>
11	<b>Malta</b>	<b>Haber</b>	<b>Gilbert</b>	Malta Environment and Planning Authority		Environmental Protection Officer Avifauna Section		<a href="mailto:gilbert.haber@mepa.org.mt">gilbert.haber@mepa.org.mt</a>
12	<b>Malta</b>	<b>Golovkin</b>	<b>Sergei</b>	Ministry for Sustainable Development Environment and climate change, Wild bird regulation unit		Officer		<a href="mailto:sergei.a.golovkin@gov.mt">sergei.a.golovkin@gov.mt</a>
13	<b>Malta</b>	<b>Rai</b>	<b>Richard</b>	Ministry for Sustainable Development Environment and climate change, Wild bird regulation unit		Officer		
15	<b>Czech Republic</b>	<b>Baranyai</b>	<b>Martin</b>	Czech Environmental Inspectorate, Forest Protection Department				<a href="mailto:Baranyai_martin@hk.cizp.cz">Baranyai_martin@hk.cizp.cz</a>
<b>Other organization/network/NGO</b>								
	<b>Organization</b>	<b>Name</b>	<b>First name</b>	<b>Organisation</b>	<b>Address</b>	<b>Position</b>	<b>Phone and Fax:</b>	<b>E-mail</b>

1	<b>European Commission, DG Environment</b>	<b>Van der Stegen</b>	<b>Joseph</b>	EC - DG Env, NATURE & BIODIVERSITY UNIT	Avenue de Beaulieu 9, 00/24, Brussels	Policy Officer	<a href="tel:+3222988386">Tel:+322/2988386</a>	<a href="mailto:joseph.van-der-stegen@ec.europa.eu">joseph.van-der-stegen@ec.europa.eu</a>
2	<b>Regional Environmental Center for Central and Eastern Europe</b>	<b>Monnier</b>	<b>Cecile</b>	Regional Environmental Center for Central and Eastern Europe	Ady Endre ut 9-11, 2000 Szentendre, Hungary	expert	Tel: 003626504094, Fax:003626311294	<a href="mailto:cmonnier@rec.org">cmonnier@rec.org</a>
3	<b>EU-TWIX</b>	<b>Reijngoud</b>	<b>Jaap</b>	EU TWIX	Zuidersloot 186, 7765 AN Weiteveen Netherlands	Enforcement Support Officer	31.653.713.344	<a href="mailto:reijngoudconcept@gmail.com">reijngoudconcept@gmail.com</a>
4	<b>Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention)</b>	<b>D'Allesandro</b>	<b>Ivana</b>	Bern Convention	Council of Europe, Strasbourg Cedex, F 67750-Strasbourg	Secretary of Bern Convention	33.390.215.151	<a href="mailto:ivana_dalessandro@coe.int">ivana_dalessandro@coe.int</a>
14	<b>Malta</b>	<b>Michael</b>	<b>Cordoza</b>	Federation for Hunting and Conservation Malta				<a href="mailto:info@huntinginmalta.org.mt">info@huntinginmalta.org.mt</a>
13	<b>Malta</b>	<b>Nicholas</b>	<b>Barbara</b>	Birdlife Malta				<a href="mailto:info@birdlifemalta.org">info@birdlifemalta.org</a>

## Annex 4 Terms of References IKB 2014

### Terms Of Reference (TOR) for an IMPEL project

*Notes: Please read the supporting notes before filling in each section indicated with an \*. This is a smart document, to move to the next section press the tab key*

#### 1. Project title & version control

<b>1.1 Name of project Contributing to the elimination of Illegal killing of birds II</b>			
Contributing to the elimination of illegal killing of birds			
<b>1.2 Abbreviated project name (where deemed required)</b>			
IMPEL IKB			
<b>1.3 Version Control (enter current version number of TOR &amp; date eg. V1 03/03/13)</b>			V1 04/10/2013
<b>1.4 Where was this TOR amended to current version (eg Spring cluster 2013)?</b>			
<b>1.5 How many years do you foresee this project lasting?</b>			2 years
<b>1.6 Current year of project?</b>	2014	<b>1.7 Approved at which G.A?</b>	Vilnius/ December 2013

#### 2. Outline business case (why this project?)

<b>2.1 Legislative driver(s) (name the Directive, Regulation etc)</b>	
Birds directive, Habitat Directive	
<b>2.2 Link to MASP priority work areas (indicate which of the following apply)</b>	
Assist members to implement new legislation.	
Build capacities in member organisations including through the IMPEL review initiatives.	Yes , but exploring this for the green enforcement



	aerea
Work on trans-frontier shipment of waste.	
Work on 'problem' areas of implementation identified by IMPEL and the European Commission.	Bird directive, Habitat directive
<b>2.3 Description of the project (include reasons why the project is needed)</b>	
<p>Halting and reversing the loss of biodiversity by 2020 is a priority within the European Union. The implementation of EU Nature legislation (the Birds and Habitat Directives) is essential to achieve the EU 2020 biodiversity target. However, implementation and enforcement need to be improved. A relatively high number of complaints and infringement procedures related to these nature Directives reach the EC every year. There is a lot of work to be done if we want to reach the goals for 2020: only 17% of species and habitat assessments indicate a favourable conservation status. We need to strengthen the inspection and enforcement on this item and to do so it is necessary to join forces with other Nature networks in Europe. IMPEL is willing to combine the effort of all these networks and use its experience in inspection and enforcement.</p>	
<b>2.4 Desired outcome of the project (what do you want to achieve?)</b>	
Capacity building, awareness raising, extend the network, strengthen collaboration with EU network from prosecutors and judges	
<b>2.5 Which Cluster will review this TOR (I or TFS)?</b>	Cluster I

### 3. Structure of the project

<b>3.1 Describe the activities of the project (What are you going to do?)</b>
<ol style="list-style-type: none"> <li>1. Awareness raising: <b>Collaboration with EU network of prosecutors,</b></li> <li>2. Extend network, share expertise, and developing tool: <b>Expertmeeting + draaiboekje (after example TFS waste book)</b></li> <li>3. Develop tool and exchange of information: <b>Format on sharing information about illegal activities between memberstates</b></li> <li>4. Collegial support: <b>Impel Review Initiative focussed on implementation and execution green legislation Romania, (t.b.c.) ,</b></li> <li>5. Improve implementation: <b>Recommendations on ringing birds,</b></li> </ol>
<b>3.2 Describe the products of the project (What are you going to produce?)</b>
Ad 1. Agenda and Preparation document, meeting between delegations, minutes with recommendations for follow up, Topics for meeting: discussion about the need minimum and maximum rates for fines, possibility of harmonizing burden of proof, etc.

Ad 2. Questionnaire, inventory of existing guidelines, programme expert meeting, expert meeting, overview with guidelines, basecamp filled with information, draaiboekje,  
 Ad 3. Format for sharing information about illegal activities between member states,  
 Ad 4. Preparation document IRI - execution IRI- report with recommendations,  
 Ad 5. Recommendation for MS on legislation/prescriptions for ringing of birds

### **3.3 Describe the milestones of this project (How will you know you are on track to complete the project on time?)**

#### **Januari 2014:**

1: meeting with delegation from IMPEL, Network of Prosecutors, Network of Judges,  
 2: project team meeting (back-to-back –after meeting with network Prosecutors, -Judges) to discuss:

- results meeting with networks,
- preparation for IRI,
- adoption programme expertmeeting,
- adoption opdracht voor draaiboekje,
- adoption of questionnaire,
- adoption format for exchange information about illegal activities,
- adopt recommendations for ringing birds for MS

#### **Februari 2014:**

3: Send recommendation on ringing to MS/EC,  
 4: Send out en instruction for use of format for exchange information on illegal activities,  
 5: Send out questionnaire to make inventory of existing guidelines,  
 6: Tender voor draaiboekje,

#### **March 2014:**

5: preparation meeting in country that volunteers for IRI,

#### **June 2014**

6: IRI Romania, (t.b.c.)

#### **June- September 2014:**

7: IRI report,

#### **September 2014**

8: expert meeting organised in country were IRI will take place??? Romania (t.b.c.),

#### **2015:**

**IRI Macedonia (t.b.c.)**

#### 4. Organisation of the project

<b>4.1 Lead (Who will lead the project: name, organisation &amp; country)</b>
John Visbeen, The Netherlands Joseph van der Steegen, EC/DG ENV section nature.
<b>4.2 Project team (Who will take part: name, organisation &amp; country)</b>
John Visbeen (Netherlands) H1 Martin Baranyai (Czech republic) T1, H1 Joseph van der Steegen, (EC/DG Env.- Nature dep.) Panicos Panayides, (Cyprus) T1, H1, (Portugal) T1, H1 Manuela Florean (Romania) T1, H1 Ivana D'Allesandro (Bern Convention) T1, H1 Willem van den Bossche (Birdlife) Cy Griffin (FACE) Darko Blinkov/Cecile Claude Monnier (Themis Network) T1, H1 Jaap Reijngoud (EU TWIX) H1
<b>4.3 Other IMPEL participants (name, organisation &amp; country)</b>
Expert meeting: 2 participants from 20 MS  IRI-team: Stanley Gatt (Ma), Darko Blinkov (Macedonia)
<b>4.4 Other non-IMPEL participants (name, organisation &amp; country)</b>
Ivana D'Allesandro (Bern Convention) Willem van den Bossche (Birdlife) Cy Griffin (FACE)

#### 5. High level project budget projection over life of project

	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Year eg.2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>		
<b>How much money do you require from IMPEL?</b>	45.065	8000	8000		
<b>How much money is to be co-financed?</b>	5.000				
<b>Total cost</b>	<b>50.065</b>	<b>8000</b>	<b>8000</b>		

**6. Detailed cost of the project during 1<sup>st</sup> year (subsequent years see annex1)**

<b>6.1 Meeting costs</b>	<b>Event 1</b>		<b>Event 2</b>		<b>Event 3</b>	
	<i>Name meeting of networks back to back with workshop</i>		<i>Name projectteammeeting</i>		<i>Name Prepmeeting IRI</i>	
	<i>Month Januari</i>		<i>Month Januari</i>		<i>Month March</i>	
	<i>Country Belgium Brussels- House of Dutch Provinces</i>		<i>Country Belgium Brussels-House of Dutch Provinces</i>		<i>Country Voluntary</i>	
	<b>€</b>	<b>No.</b>	<b>€</b>	<b>No.</b>	<b>€</b>	<b>No.</b>
Total numbers of participants		9		11		2
Travel costs/numbers	2400	6 <sup>14</sup>	2400	6	800	2
Catering costs/numbers	175	9	550 (2 times)	11	100 (2 times)	2
Hotel costs/number	540	6	1440 (2 nights)	8	360 (2 nights)	2
Total costs	3115	See note 1	4390		1260	
<b>6.1 Meeting costs continued</b>	<b>Event 4</b>		<b>Event 5</b>		<b>Event 6</b>	
	<i>Name IRI</i>		<i>Name Expertmeeting</i>		<i>Name</i>	
	<i>Month June</i>		<i>Month September</i>		<i>Month</i>	
	<i>Country Voluntary</i>		<i>Country Voluntary</i>		<i>Country</i>	
	<b>€</b>	<b>No.</b>	<b>€</b>	<b>No.</b>	<b>€</b>	<b>No.</b>
Total numbers of participants		5				
Travel costs/numbers	2000	5	16000	40		
Catering costs/numbers	750 (3 times)	10	2000 (2 times)	40		
Hotel costs/number	1350 (3 nights)	5	7200 (2 nights)	40		
Total costs	4100		25200			
<b>6.2 If you use a consultant what is the total cost?</b>				10.000		
<b>6.3 What is the total amount of any other costs?</b>				Meeting venue expertmeeting: 2000		
<b>6.4 Where a consultant is used what will they do?</b>						

<sup>14</sup> 3 travels for 3 prosecutors and 3 judges if there is no budget in their own network facilities

Making of format for draaiboekje, take care of first edition, preparation expert meeting, make documentation expert meeting available for green force inspectors,
<b>6.5 Where there are other costs what will they be spent on?</b>
2000 euro's is taken into account if hosting country don't have meeting rooms available and we have to pay for them
<b>6.6 Where money is co-financed detail which organisation(s) will provide the money?</b>
Dutch provinces: 5000
<b>6.7 Where money is co-financed describe how that money will be spent?</b>
Part of contribution to draaiboekje

**7. Communication & follow-up (ensuring value for money)**

<b>7.1 How will you communicate the outputs of the project?</b>
-basecamp, -IMPEL website, -publish article about project, also within networks like Birdlife, Face, Bern Convention, EU TWIX, Interpol,
<b>7.2 Who will you communicate the outputs of the project to?</b>
-Member states, -IMPEL, -European Commission, NGO's like Birdlife, Face, Bern Convention, EU TWIX, Interpol,
<b>7.3 What follow-up will you undertake to ensure the outputs of the project are embedded? (Include how &amp; when you intend to carryout the follow-up)</b>
-appointments about follow up recommendations IRI, -Appointments how to make information from expert meeting available for green force inspectors, within member states,

**8. Review & approval**

<b>8.1 Which cluster meeting(s) will you discuss the project? (Include what you plan to discuss eg. progress reports and/or draft documents)?</b>
Cluster 1: -reporting activities in 2013: (A) project plan, (B) minutes of first round table meeting in Brussels, (C) minutes of workshop in Malta,  -Terms of Reference Eliminating Illegal Killing of Birds 2014
<b>8.2 Which General assembly will you seek to get final approval by?</b>

Vilnius: December 2014

### **Supporting Notes for completing an IMPEL project Terms of Reference**



#### Tab key

### 3. Structure of the project

Please state what activities will be undertaken to achieve the objectives stated in 2.6. and what the products will be resulting from these activities.

For milestones, a GANT chart would be welcome but the main thing is to describe when the following actions will be carried out: 1) Approval is expected to be given, 2) the start of the project, 3) when communications actions and the dissemination of results will be carried out, 4) project milestones, 5) the products will be finished and can be circulated, 6) which General Assembly the project report will be presented to.

### 5. Quality review

Please state who will check the quality of the project work and when e.g. IMPEL Cluster, a consultant...

### 6. Communications

For 'Dissemination of results', the questions to be considered are:

- Will the report be posted on the IMPEL Website?
- Are you going to write a News item for the IMPEL website?
- Are you going to send the results to the Commission desk officer concerned?
- Are you going to write a press article for media in your country?
- Are you going to write a press article for media in Brussels/European wide media or environmental trade bodies?
- Are you going to send the results to each target group identified in 3.6? If not, why not?

For 'Main target groups', some examples include:

- Are the European Commission involved e.g. as a workshop or conference participant or as a core team observer? If not, why not?
- Expert Working Groups e.g. European IPPC Bureau in Seville
- Networks e.g. Interpol, REACH forum, Basel Convention, European Chemicals Agency (ECHA), INECE...
- Non Governmental Organisations (business and environmental) e.g. Business Europe, European Environmental Bureau, WWF...
- European Parliament Environment Committee e.g. specific MEPs interested in an issue, Chair and Vice Chairs of ENVI, rapporteurs on specific legislative dossiers
- Economic and Social Committee
- Committee of the Regions

- Domestic national, regional and local government

Please state which are relevant AND add to the list where appropriate.

#### 7. Resources required:

**Note: it would be helpful if for this item an excel sheet template (using these exact headings) would be provided!**

- This matrix is for one year only. If your project is taking place over more than one year, please fill in another for each year your project is taking place
- Accommodation per person, per night should be priced at a maximum of € 125
- Travel should be priced at a maximum of € 500 per person for a return journey
- Under 'Human Resources', please consider how many days commitment this project will require from: a) the project manager, b) the project team members and, c) participants at workshops, seminars etc.

To understand IMPEL's financing mechanism, it is important to consider the following:

- IMPEL is financed partly through its Members and partly through the EU-Commission's share of the LIFE+ fund. The applicable budgetary rules for this kind of Commission's financing differ to some extent from the budgetary rules applicable for LIFE+ project funding in the EU Member States. For example, Member State's human resources put into a project cannot be accounted for in monetary terms.
- IMPEL Members have to pay at least 30% of the overall IMPEL-budget (minimum!), the Commission may then pay 70% of this overall budget (maximum!)  
Therefore, the size of the Commission's payment is limited through the size of the IMPEL Member's payment. For every 3 Euros a Member pays into the IMPEL budget, the Commission may pay 7 Euros to IMPEL. As a rule, if Members pay more into the IMPEL budget, the Commission will pay more to IMPEL as well.
- Only direct payments of IMPEL Members into the IMPEL-budget are recognised by the Commission's financial rules as "payment of a Member towards IMPEL". Neither in-kind - contributions like rooms, meals, human resources NOR PAYMENTS of a Member which are paid DIRECTLY INTO A PROJECT are counted as part of the IMPEL Member's share of 30%.

## Annex 5: project plan 2013

# “Eliminating illegal killing, trapping and trade of birds”

Project plan [1 March 2013]





### **Introduction to IMPEL**

The European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL) is an international non-profit association of the environmental authorities of the EU Member States, acceding and candidate countries of the European Union and EEA countries. The association is registered in Belgium and its legal seat is in Bruxelles, Belgium.

IMPEL was set up in 1992 as an informal Network of European regulators and authorities concerned with the implementation and enforcement of environmental law. The Network's objective is to create the necessary impetus in the European Community to make progress on ensuring a more effective application of environmental legislation. The core of the IMPEL activities concerns awareness raising, capacity building and exchange of information and experiences on implementation, enforcement and international enforcement collaboration as well as promoting and supporting the practicability and enforceability of European environmental legislation.

During the previous years IMPEL has developed into a considerable, widely known organisation, being mentioned in a number of EU legislative and policy documents, e.g. the 6th Environment Action Programme and the Recommendation on Minimum Criteria for Environmental Inspections.

The expertise and experience of the participants within IMPEL make the network uniquely qualified to work on both technical and regulatory aspects of EU environmental legislation.

Information on the IMPEL Network is also available through its website at:  
[www.impel.eu](http://www.impel.eu)

<p><b>Title report:</b> Project plan eliminating illegal killing, trapping and trade of birds</p>	
<p><b>Project managers:</b> <u>Lead:</u> Mr John Visbeen, Province of Utrecht, The Netherlands. John.visbeen@provincie-utrecht.nl <u>Co-Lead:</u> Mr Joseph van der Stegen, DG-ENV/EC, Joseph.VAN-DER-STEGEN@ec.europa.eu</p>	
<p><b>Authors:</b> John Visbeen</p>	<p><b>Number of pages:</b> Report: 23 Annexes: 1</p>
<p><b>The European Commission is co-leading the IMPEL project on Illegal killing, trapping and trade of birds with the Dutch province of Utrecht (John Visbeen). The present IMPEL project is based on the same concept as the other projects already implemented by IMPEL in other fields. The role of the European Commission in that context is to provide guidance and advices to help the IMPEL project to deliver and improve compliance to EU legislation. However the content of the documents or other materials produced by IMPEL do not engage the European Commission and do not represent its official views.</b></p>	

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[Annex 1: Roadmap towards eliminating illegal killing, trapping and trade of birds,](#)  
[Version 20/12/2012](#)

## INTRODUCTION

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Halting and reversing the loss of biodiversity by 2020 is a priority within the European Union. The implementation of EU Nature legislation (the Birds and Habitat Directives) is essential to achieve the EU 2020 biodiversity target. However, implementation and enforcement need to be improved. A relatively high number of complaints and infringement procedures related to these nature Directives reach the EC every year. There is a lot of work to be done if we want to reach the goals for 2020: For instance, only 17% of both species and habitats of Community importance assessments were deemed favourable<sup>15</sup>. We need to strengthen the inspection and enforcement on this item and to do so it is necessary to join forces with other Nature networks in Europe.

IMPEL is willing to combine the effort of all these networks and use its experience in inspection and enforcement.

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<sup>15</sup> This result concerns the Habitat Directive. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0358:FIN:EN:PDF>

## 1. OBJECTIVES AND ACTIVITIES

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The overall objective is to contribute to eliminate illegal killing, trapping and trade of birds protected by the Birds Directive in the EU.

Based on some preliminary surveys, four focus areas are identified: **1) illegal poisoning of birds, in particular raptors, 2) illegal trapping of passerines**, 3) illegal killing of game and non-game species, and 4) illegal trade of dead birds for human consumption.

The objectives of the proposed measures are to raise awareness, exchange best practices and improve co-operation between enforcement experts.

In the Terms of Reference the following activities are identified:

-exchange best practice and mutual experience in combatting the two first focus areas especially as regards:

- the effective organisation of controls ( identification of high risk areas or periods for illegal activities, control planning and strategy, identification of the required inspection services...)
- the effective collaboration of all involved parties from the control operation to a possible deterrent sanction (enforcement authorities, experts, judicial authorities - prosecutors and judges -, and other possible actors like NGOs and stakeholders) to ensure success on some exemplary cases
- the promotion of EU-TWIX, a web-based platform for information exchange for enforcement (police agents, custom agents, forest officers...) and judicial authorities

-establish two tasks forces (+/- 4 or 5 skilled inspectors each), one dedicated to illegal poisoning of birds, the other one dedicated to illegal trapping of passerines to do consultancy missions for the national/regional inspectorates candidate for an external support. The task force will act in the most concerned regions or countries and co-operate with the inspection services to review and improve their working methods.

## 2. PROJECT ORGANISATION

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### Lead:

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### Co-Lead:

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IMPEL: secretariat: Michael Nicholson:

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General Assembly: France, Italy, Germany, UK, Slovenia, Hungary,

Participate if possible: Croatia, Spain

## 4. PROJECT PHASES

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### **Phase 1: Identify other networks and initiatives –round table meeting (February – April)**

For IMPEL it is important to develop capacity and to join forces with other networks. Focus for this project is to contribute to eliminate illegal killing of birds. According to this we identified:

EU TWIX  
Birdlife  
FACE  
Bern Convention

First I give some more information about the networks and conference. Then I will point out some important connection and I propose to end phase 1 with a round table meeting. The result of this round table meeting should be to identify the key activities for the project (focus), set reasonable achievable goals for the determined activities and then based on the strength and opportunities of each partner to determine what is the best way to execute the activities and to collaborate.

#### **Phase 1.1 Networks-conference-initiatives-reports**

**EUTWIX ([www.eutwix.org](http://www.eutwix.org))<sup>16</sup>**

**Contact person : Vinciane Sacré ([vsacre@traffic-europe.com](mailto:vsacre@traffic-europe.com))**

National law enforcement agencies in the European Union (EU) play a crucial role in the efficient enforcement of EU Wildlife Trade Regulations through the efforts of Customs, police and other inspection services in combating illegal wildlife trade into and from the EU, as well as within the single market of its 27 Member States.

EU-TWIX gives online tool to facilitate information exchange on illegal wildlife trade in the European Union. The EU-TWIX database has been developed to assist national law enforcement agencies, including CITES Management Authorities and prosecutors, in their task of detecting, analysing and monitoring illegal activities related to trade in fauna and flora covered by the EU Wildlife Trade Regulations. The main section of the database is designed to become a unique source of centralised data on seizures and offences reported by all 27 EU Member States. Additionally, it has a section with information on technical, scientific, economic and other fields to help with the identification, valuation, disposal, etc. of seized or confiscated specimens. The purposes of EU-TWIX are to assist with strategic analyses and with carrying out field investigations.

EU-TWIX has been developed by the Belgian Federal Police and TRAFFIC Europe with the advice of the Belgian CITES Management Authority and Customs. Currently, the EU-TWIX system is supported by the Finnish and Spanish Governments. Previous financial assistance has also been provided by the Governments of Belgium, the Czech Republic, France, Germany, Latvia, the

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<sup>16</sup> Source of this information is the web-site form EU-TWIX

Netherlands and the United Kingdom, and by the European Commission (DG Environment and DG Home Affairs).

The success of EU-TWIX largely depends on the regular input of information relating to new seizures and offences by national law enforcement agencies. The contribution of all designated enforcement officers in each EU Member State is therefore essential to increase significantly the efficiency of this tool in a short-term period.

It is planned to develop the EU-TWIX network so as to better focus on illegal activities related to European birds within the EU and with neighbouring countries.

### **Birdlife ([www.Birdlife.org](http://www.Birdlife.org))<sup>17</sup>**

**Contact person: Sophie Herbert ([Sophie.herbert@Birdlife.org](mailto:Sophie.herbert@Birdlife.org))**

Birdlife International is a global Partnership of conservation organisations that strives to conserve birds, their habitats and global biodiversity, working with people towards sustainability in the use of natural resources. Birdlife Partners operate in over one hundred countries and territories worldwide, some with more than one Partner.

Together the Birdlife Partnership forms authority large network of experts on the status of birds, their habitats and the issues and problems affecting Birdlife.

The Birdlife Partnership has conservation work programmes in every region of the world. Birdlife Europe is an international team of permanent staff who collectively provide a wide range of experience and skills within the fields of ornithology, conservation, management, fundraising, advocacy, communication, administration and European languages. Birdlife Europe also coordinates the work in Central Asia.

Birdlife Partners exist in: Andorra, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Faroe Islands (to Denmark), Finland, France, Georgia, Germany, Gibraltar (to UK), Greece, Hungary, Iceland, Ireland, Israel, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Macedonia, Malta, The Netherlands, Norway, Poland, Portugal, Romania, Russia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, Uzbekistan.

Birdlife actively participated in the Larnaca conference in 2011 and issued at that occasion a review of the illegal killing and trapping of birds in Europe.<sup>18</sup>

### **FACE ([www.face.eu](http://www.face.eu))**

**Contact person: Angus Middleton ([Angus.middleton@face.eu](mailto:Angus.middleton@face.eu))**

The Federation of Associations for Hunting and Conservation of the EU (FACE) is an international non-profit making non-governmental organisation that acts in the interest of 7000000 European Hunters. FACE was founded in 1977. It has his headquarters in Brussels. FACE represents its Full Members that are the national hunters association within 36 states of the EU and other Council of

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<sup>17</sup> Source of this information is the website from Birdlife.

<sup>18</sup> [https://wcd.coe.int/ViewDoc.jsp?Ref=T-PVS/Inf\(2011\)13&Language=lanEnglish&Ver=original&Site=DG4-Nature&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864](https://wcd.coe.int/ViewDoc.jsp?Ref=T-PVS/Inf(2011)13&Language=lanEnglish&Ver=original&Site=DG4-Nature&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864)



Europe countries, as well as its four Associate Members. FACE is also members of the World Conservation Union (IUCN) since 1987.

FACE has regular contacts with the Members of the European Parliament and works in particular close collaboration with MEPs taking part in the Sustainable Hunting, Biodiversity Countryside Activities & Forestry Intergroup. FACE has provided the Secretariat for this Intergroup since it was established in October 1985. EU legislation and issues of relevance to wildlife conservation and management, as well as to hunting, are discussed during these informal gathering of MEPs in Strasbourg. The outcome of its discussions often lead to a consensus view, that becomes a useful tool when the Parliament has to vote on Proposals and Amendments.

Already active at the very early preparatory stages of legislative proposals, FACE strives to ensure that these texts are as realistic as possible even before they come to the attention of the general public. Since its foundation, FACE has had decisive input into all EU initiatives (Directives, Amendments and Regulations) relating directly or indirectly to hunting and wildlife management.

FACE is recognised by the European Commission as the main discussion partner, representing Europe's 7 million hunters, and is consulted by the relevant Directorate-General during the elaboration and monitoring of EU legislation dealing with hunting, wildlife management, nature conservation, firearms, wild animal health, game meat hygiene, etc.

FACE is in regular contact with the Council of Ministers, directly as well as through its national delegations. The Council of Europe has granted FACE observer status at the meetings of the Standing Committee of the Bern Convention (T-PVS). FACE also takes active part at its Expert Groups (e.g. Threatened species, Large Carnivores, etc.) and has already organised several wildlife expert meetings for the Council of Europe. It also works closely with its NATUROPA Centre, to gather and distribute information about nature conservation issues, and to raise awareness among European citizens.

### **Sustainable Hunting Initiative and the Agreement between FACE and Birdlife International**

To address the long standing need for an improved dialogue with and between stakeholders, the European Commission launched the so called Sustainable Hunting Initiative (2001). An important output of this initiative was the EC Guide on Hunting under the Birds Directive (2004). It provides clear and comprehensive guidance on how Member States should be reflecting the principles laid down in the Birds Directive in their national measures for regulating hunting.

On the 12 of October 2004, FACE and Birdlife International signed an Agreement, witnessed by Environment Commissioner Margot Wallström as part of the European Commission's Sustainable Hunting Initiative. The Agreement was the conclusion of a three-way dialogue, during 2001-2004, aimed at producing a pragmatic interpretation and application of the Birds Directive.

A key principle of the Agreement<sup>19</sup> is that Birdlife International and FACE recognise the value of the Directive for maintaining wild birds (including hunt able species) and their habitats in a favourable

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<sup>19</sup> More information about the Birdlife-FACE Agreement:  
[http://ec.europa.eu/environment/nature/conservation/wildbirds/hunting/index\\_en.htm](http://ec.europa.eu/environment/nature/conservation/wildbirds/hunting/index_en.htm)

conservation status at the EU level - with application of the Directive being based on the Commissions' Interpretative Guide.

### **Larnaca Conference 2011 (Convention on the conservation of European wildlife and natural habitats (Bern convention))**

The European Conference on Illegal Killing of Birds, co-organised by the Council of Europe and the Game Fund of Cyprus (Ministry of Interior) in the framework of the Convention on the Conservation of European Wildlife and Natural Habitats (Bern, 1979), was held in Larnaca, Cyprus from 6 to 8 July 2011. The event was attended by 100 participants representing various stakeholders, including Contracting Parties and Observers to the Bern Convention, international organisations, national and local authorities, enforcement agencies, nature conservation NGOs including hunting associations, scientific and research bodies, tourism industry, police authorities and mass-media.<sup>20</sup>

#### **Compilation of national reports:**

For the conference a compilation of national reports from 17 contracting parties was submitted to the Bern Convention Secretariat on a voluntary basis.

For the purposes of the reporting the scope of "Illegal Killing of Birds" was limited to: "Activities which are illegal under national or regional law, and which are aimed at marketing birds, or deliberately killing or catching them alive, thus not covering indirect or side effects (like for example accidental bird poisoning due to the use of pesticides). Such activities include: shooting/trapping in closed period, shooting/trapping in areas with shooting prohibition, shooting/trapping by unauthorized persons, killing of protected species, use of prohibited means, non-respect of bag limits, deliberate poisoning... ."

Contracting Parties were requested to submit a concise, general overview of the most relevant law enforcement mechanisms in their country, and to inform – as far as possible – on the following specific issues:

1. What are the main on-going illegal activities that occur on the territory of your country (where, when, which species, which means...)?
2. How exact is the evidence?
3. What are the scale and trend of the problem?
4. Who are the actors concerned?
5. What are the main drivers of the concerned illegal activities?
6. What are the main obstacles to eradicate these?
7. What have been the most recent successes?
8. What were the reasons of these successes?

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<sup>20</sup> Source: Larnaca declaration, see page 12.

Specially the answers on question 7 are interesting. Here you can see that most successes are related to:

- improving rules for better implementation of the birds directive,
- better collaboration within countries or between countries,
- examples of Rulebooks (Montenegro), detail examples of bird crime with photo documentation (Slovakia) and guidelines,

### **Larnaca declaration**

The European Conference on Illegal Killing of Birds, co-organised by the Council of Europe and the Game Fund of Cyprus (Ministry of Interior) in July 2011 concluded that “despite efforts by many governmental authorities, illegal taking and trading in wild birds is still a serious pan-European problem with clear regional patterns, having a considerable negative impact on biodiversity across the continent. In some European countries, the driver for such activities is mainly direct or indirect financial profit for individuals or organised crime, generating illegal (untaxed) benefits not related to basic survival needs. Considering the multiple dimensions of illegal killing, trapping and trading of birds in Europe, such as the ecological/environmental, legal, economic, social and political aspects, a combination of measures, policies and strategies is necessary to solve the problem. These measures should sensitively combine law enforcement (including advocacy and judicial processes, effective investigative agencies, exemplary punishment and adequate court judgments), education and awareness of the general public and of specific target groups (e.g. hunters, farmers, children and youth, etc.) and secure political support mostly by strengthening the operational capacity of law enforcement agencies or bodies.”<sup>21</sup>

### **Recommendations on the illegal killing, trapping and trade of wild birds (2 December 2011)<sup>22</sup>**

The Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats recommends Contracting Parties to the Convention on general aspects, enforcement aspects, biological aspects and institutional aspects.

In general the Standing Committee recommends to Develop and support national communication strategies, promoting dialogue between all relevant interest groups, and noting cultural sensitivities. These strategies should be aimed to the conservation of bird population and based on the following principles: (i.) this is about illegal killing of birds, not legal hunting; (ii.) zero tolerance of illegal killing of wild birds; (iii.) recognition of legal hunting and sustainable use.

#### According to Enforcement aspects the Standing Committee recommends to:

- Consider birds as a European heritage and a valuable resource, thus applying a zero tolerance approach to illegal killing, trapping and trade of wild birds to support a shift of culture towards shared values respectful of nature, and promote active stewardship;
- Strengthen the enforcement at each stage of the bird-crime chain through appropriate political, judicial, operational, scientific and technical support and cooperation, and include a concerted focus on end-users;
- Promote partnership and coordination between government agencies and stakeholders so as to streamline enforcement at the local, national and international level, and target awareness-raising.

<sup>21</sup> Larnaca Declaration available from:

[www.coe.int/t/dg4/cultureheritage/nature/bern/News/Cyprus/IKB\\_FinalDeclaration\\_Larnaca\\_July2011.pdf](http://www.coe.int/t/dg4/cultureheritage/nature/bern/News/Cyprus/IKB_FinalDeclaration_Larnaca_July2011.pdf)

<sup>22</sup> Recommendation No. 155 (2011) of the Standing Committee, adopted on 2 december 2011 on the illegal killing, trapping and trade of wild birds.

According to Biological aspects the Standing Committee recommends to:

- a. Taking into account that scientific knowledge can never be complete and this should not be an impediment to taking action, nevertheless every effort should be made to improve knowledge needed to support the solutions to the problem of illegal killing, trapping and trade of birds such as, in terms of priorities, a European bird migration atlas for the better knowledge of flyways of species and populations, seasonality of movements and connectivity among key areas for migratory birds;
- b. In cooperation between the stakeholders, to establish systematic monitoring and reporting systems for illegal activities using standardised methods for data collection, providing for common reporting format and taking into account population flyways;
- c. Undertake prioritised actions in hotspots of bird concentration and illegal killing activities in order to facilitate a best practice approach in countries along flyways. The breakdown of the links between the demand for wild birds and the supply through illegal activities should be dealt with as a priority by the relevant countries and institutions;
- d. Ensure the effective management of protected areas with the aim of maintaining and improving the connectivity of habitats in the wider landscapes thus ensuring the functionality of flyways;
- e. Take forward the issue of poisoning of migratory species in a global context to Conferences or Meetings of Parties of CMS and respective agreements.

According to Institutional aspects the Standing Committee recommends to:

- a. Strengthen the capacity, human resources, competencies and the level of cooperation between the relevant enforcement and judicial authorities, as well as make the best use of available budgetary resources to effectively prevent and punish wildlife/bird crimes;
- b. Where internal judicial processes allow, encourage the creation of special units of judges and prosecutors, provided with specialist training on combating wildlife/bird crime, and ensure all relevant cases are assigned to them.

You can find the Larnaca Declaration as well as the recommendations at:

[http://www.coe.int/t/dg4/cultureheritage/nature/Bern/Meeting\\_072011\\_en.asp](http://www.coe.int/t/dg4/cultureheritage/nature/Bern/Meeting_072011_en.asp)

Because the declaration and the recommendations are accepted by all parties they are an important starting point for IMPEL to work on this project.

**Stocktaking of the main problems related to illegal killing, trapping and trade of birds in the European Union and review of the enforcement mechanisms of Member States' legislation implementing the Birds Directive (2009/147/EC)<sup>23</sup> (2011)**

This study was prepared by a consultant for the European Commission and therefore only expresses the view of the consultant. It describes the situation in the EU related to illegal killing, trapping and trade of birds and reviews the enforcement mechanisms of Member States (MS) legislation implementing the Birds Directive (Directive 2009/147/EEC). It provides a useful insight about the issue.

The present report is composed of five main chapters. After a presentation of the main issues related to illegal killing of birds in Europe, the study reports the feeling of the different Member States concerning this issue. In the third chapter, a "country profile" assesses and summarises for each Member states the implementation and the enforcement of the Bird Directive. A focus is

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<sup>23</sup> [http://ec.europa.eu/environment/pubs/pdf/BIO\\_BirdsIllegalKilling.pdf](http://ec.europa.eu/environment/pubs/pdf/BIO_BirdsIllegalKilling.pdf)

then realised on some examples of successful and failed enforcement. Finally, the main findings as well as the proposed recommendations to make more efficient the fight against the illegal killing of birds are available in the last chapter.

### **Roadmap towards eliminating illegal killing, trapping and trade of birds**

Based on various sources of information (in particular the Bern Convention Recommendation on the illegal killing<sup>24</sup>, trapping and trade of wild birds, discussions with Birdlife International, FACE, and Member States, and a study produced for the Commission<sup>26</sup>), the Commission intends to identify actions to be taken at EU or Member State level with a view to increase effectiveness in measures aimed at eliminating illegal killing, trapping, and trade of birds in the EU. The roadmap gives background information and possible actions are identified.

The roadmap is added as Annex 1 to this project plan.

### **Important connection and meaning for the IMPEL project.**

#### In relation to EU TWIX:

EU-TWIX gives online tool to facilitate information exchange on illegal wildlife trade in the European Union and also contains a section with information on technical, scientific, economic and other fields to help with the identification, valuation, disposal, etc. of seized or confiscated specimens. The purposes of EU-TWIX are to assist with strategic analyses and with carrying out field investigations.

The success of EU-TWIX largely depends on the regular input of information relating to new seizures and offences by national law enforcement agencies. The contribution of all designated enforcement officers in each EU Member State is therefore essential to increase significantly the efficiency of this tool in a short-term period. Join networks, exchange best practices and make guidance available is one of the goals of the IMPEL project. Probably the IMPEL project can contribute to a more effective tool, .

#### In relation to Birdlife and FACE and the agreement:

Birdlife as well as FACE have lot of experience and skills within the fields of ornithology, conservation, management, fundraising, advocacy and play an important role in awareness-raising among competent authorities and citizens; to raise awareness is one of the goals of the IMPEL project.

#### In relation to the reports that were written because of Larnaca Conference.

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<sup>24</sup>[https://wcd.coe.int/ViewDoc.jsp?Ref=T-PVS\(2011\)20&Language=lanFrench&Ver=original&Site=DG4nature&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864](https://wcd.coe.int/ViewDoc.jsp?Ref=T-PVS(2011)20&Language=lanFrench&Ver=original&Site=DG4nature&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864)

<sup>25</sup> [http://www.coe.int/t/dg4/cultureheritage/nature/bern/default\\_fr.asp](http://www.coe.int/t/dg4/cultureheritage/nature/bern/default_fr.asp)

<sup>26</sup> BIO Intelligence Service (2011), Stocktaking of the main problems and review of national enforcement mechanisms for tackling illegal killing, trapping and trade of birds in the EU, Final report prepared for European Commission (DG Environment).

The reports show solid reports and reviews according to the situation of execution, capacity, implementation of green law enforcement (topic of eliminating killing of birds). Worth full are conclusions and recommendations. Particular attention should be drawn to the risk of 'exporting of the problem' from countries and regions with better enforcement (typically within the EU27), to countries with weaker enforcement systems in place (but having birds).

Because the declaration and the recommendations are accepted by all parties they are an important starting point for IMPEL to work together on this project.

In relation to the roadmap,

It is important to understand in what way the IMPEL activities should add value toward other activities within existing networks. It is also necessary to take notice of the possible activities mentioned in the roadmap to determine the scope if this project on illegal killing of birds.

**Conclusion:**

With the goals of this IMPEL project in mind important is that successes in improving compliance and enforcement are related to:

- 3) to raise awareness and promote international exchange of experiences and best practises,
- 4) to have a special focus on enforcement mechanism in few countries or regions to identify possible improvements,

## Phase 1.2 Round table meeting

The main goal is to identify needs expressed by participants, but also to identify realistic means to fulfil them. The round table meeting is also a first step to build up links between IMPEL and the existing networks to see how best to organise project activities based on good collaboration between the partners and based on the highest added value (strength) for each partner.

Because it is an IMPEL project it is important to be clear about the roles for this round table meeting. First there are the 'IMPEL 'enforcement authorities which are the professionals, The other participants provide useful insight and can make suggestions to the enforcement authorities.

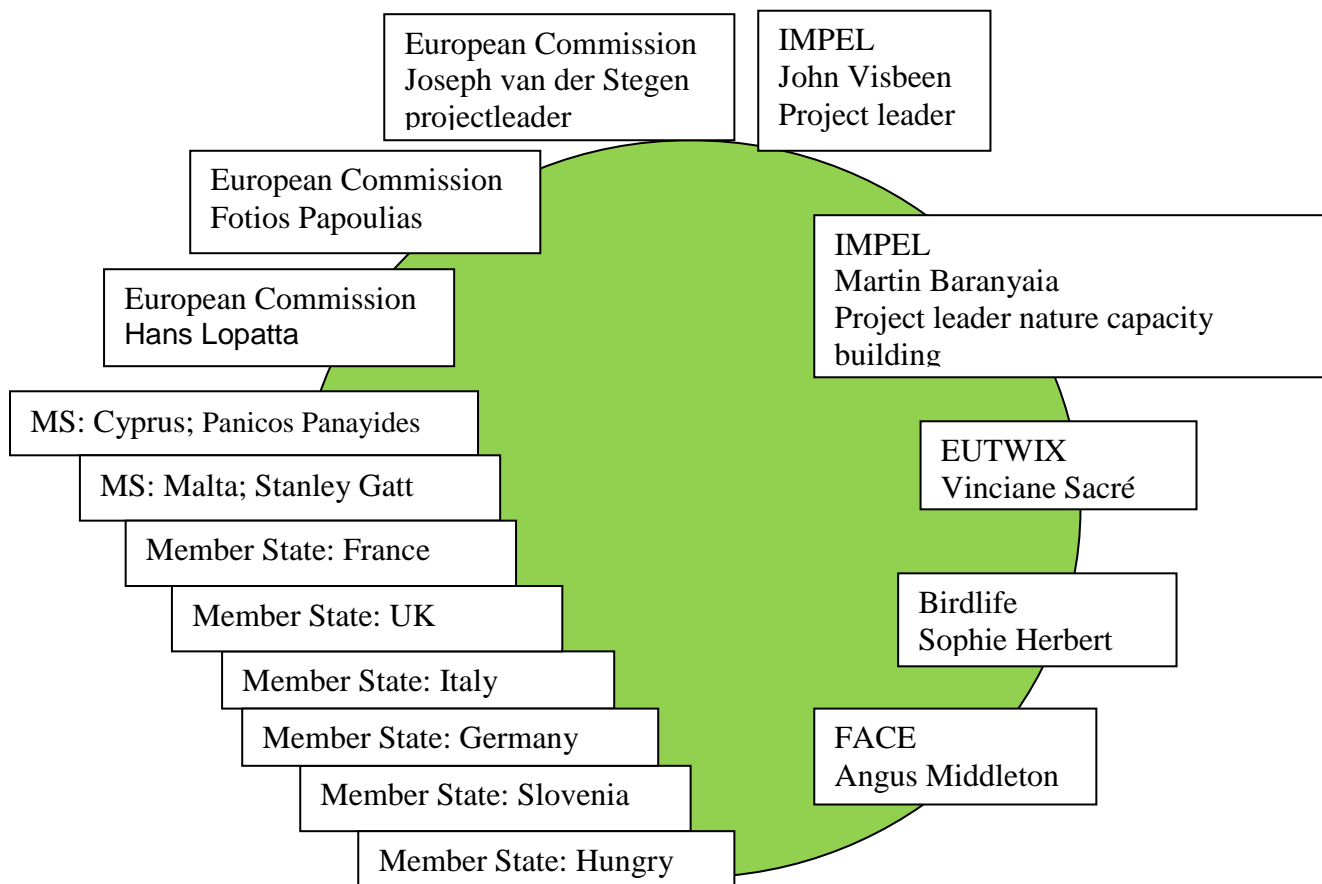
This means that the round table meeting will be divided in two parts:

Part 1: Round table with the IMPEL partners (persons in charge of enforcing the Birds directive from several MS), Birdlife, FACE, Bern Convention, EU-TWIX and EC. Each party would make a short presentation to explain their understanding of the issue in the EU and the MS where an "Impel Review Initiative"(IRI)/expert-meeting would take place (concerns, suggestions, then exchange of views on the IRI.)

The IRI is a voluntary scheme providing for informal reviews of environmental authorities in IMPEL Member countries. The potential benefits of the IRI include providing advice to green force authorities seeking an external review of their structure, operation or performance by experts from other IMPEL Member Countries. Benefits are also the exchange of experience and collaboration between these authorities on common issues and problems. Within the current timeline and financial means executing a full IRI is too ambitious. Instead of the full form of a IRI we can decide to organise two 'IRI-like' meetings in two countries. It is important that we make a decision for these two countries during first Round table meeting. These IRI's are small scale meetings with the same purpose: **informal collegial** reviews of green force authorities in IMPEL Member countries. For execution of the IRI see Phase 4 and 5.

Part 2: Meeting of the IMPEL partners alone to prepare the IRI. It is very important that the IRI should be understood as a support from European colleagues for improving its enforcement system.

## Organisation Round table meeting: Part 1:



### **Round one: (3 hours) (What?..)**

- each partner gives short presentation to explain their understanding of IKB issue in the EU and to identify key enforcement challenges in the EU. (See the roadmap towards eliminating illegal killing, trapping and trade of birds from European Commission and also reports),
- collect ideas and to share expectations,

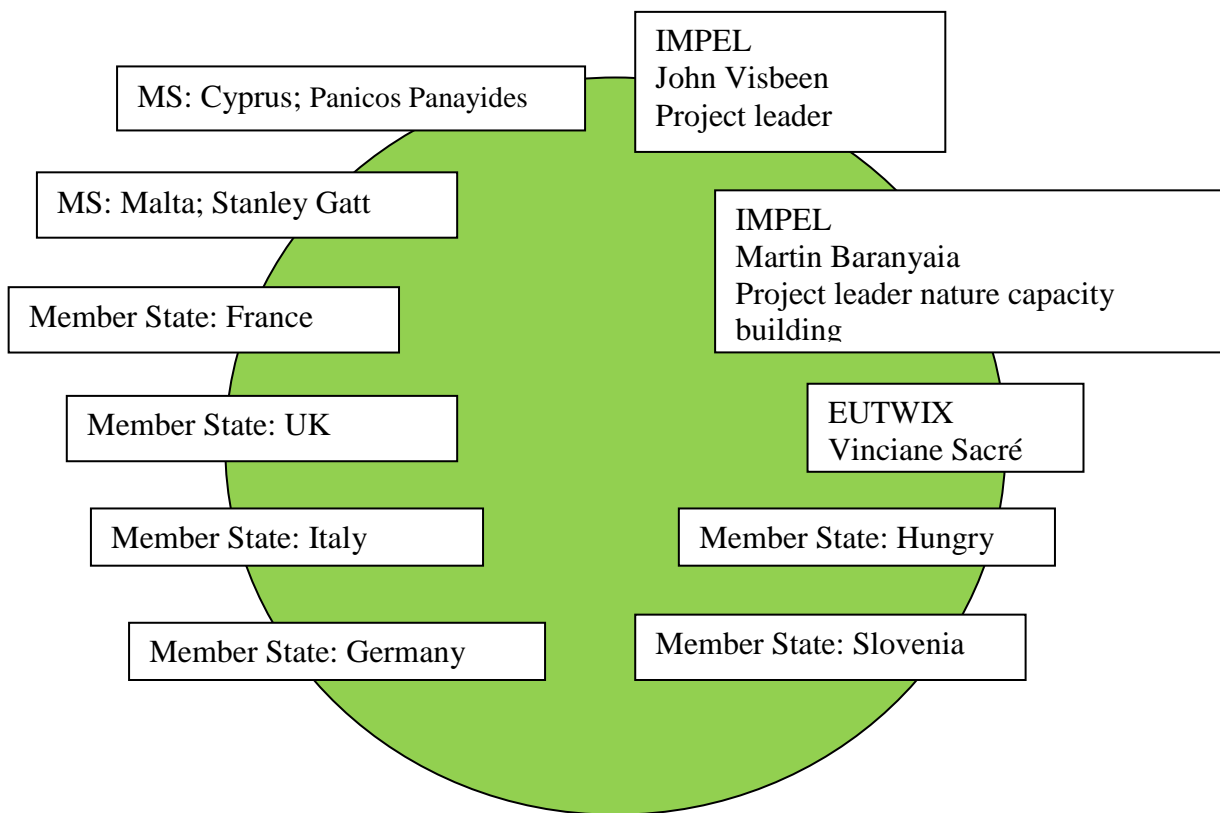
### **Round two: (3 hours) (How?... Who?... and When?.... )**

- to determine key activities for the IMPEL project (focus): proposal: 1) exchange best practises and mutual experiences, 2) effective collaboration, 3) promotion of EUTWIX, 4) organise two IRI's/expert meetings/taskforce and explore in which countries, and explore key issues (for instance one country focus on illegal poisoning and another country illegal trapping of passerines etc.)
- to set reasonable achievable goals for the determined key activities,
- Note: specially for activity nr. 4 it is important to share suggestions/concerns and views, because this information will be the input for Part two of the round table meeting: the preparation of the IRI/expert meeting/task force in two countries,*
- to determine what is the best way to execute and to collaborate,
- make appointments,

### **Planning: day 1**

- 09:30-12:30 round one
- 13:30-16:30 round two
- 19:00 -21:00 dinner (paid by province of Utrecht)



**Organisation Round table meeting: Part 2:****Round three: (3,5 hours)**

Preparation for the IRI/expert meeting in the two selected countries

**Round four: (0,5 hour)**

Conclusions and appointments

**Planning day 2**

09:00 – 12:30 round three

12:30 – 13:00 round four

12:30 – 13:00 lunch (paid by province of Utrecht)

**Location:** House of Dutch Provinces in Brussels

**Possible Data:** April 4-5  
April 11-12

**Costs:** travel and hotel costs for 6 participants

**Next steps after round table meeting:**

- Write down the conclusions and appointments in Enforcement Action Programme ,
- Start preparation for IRI/expert meeting in two selected countries,

## Phase 2: Raise awareness within IMPEL network – participation in cluster I meeting

For IMPEL enforcement on nature laws and building up capacity etc. is a new topic. Different to working with projects in environmental law is that within the green network, working with NGO's is more common. It also seems that topics are more political sensitive.

While making preparation for this project plan I discovered that there are rather active NGO's and networks operating in the field of eliminating killing of birds. Also European networks (for instance EUTWIX) that aim at inspection services (police, custom etc.,) and already exchange information about violation of laws. IMPEL should consider this and take this into account for making further plans to look where IMPEL specific can add value.

As said before: during a preparatory meeting Brussels in January, the idea raised that probably the IMPEL project should more focus on the regulatory system and execution framework. This is more or less an IRI-approach specific on the topic of eliminating the killing of birds. Probably (check week February 10-15) this idea replaces the idea from a taskforce with consultancy missions for national/regional inspectorates who candidate for external support.

During cluster I meeting a presentation will be held about:

*Halting and reversing the loss of biodiversity by 2020 is a priority within the European Union. The implementation of EU Nature legislation (the Birds and Habitat Directives) is essential to achieve the EU 2020 biodiversity target.*

*Need to strengthen the inspection and enforcement on this item and to do so it is necessary to join forces with other Nature networks in Europe. IMPEL is willing to combine the effort of all these networks and use its experience in inspection and enforcement.*

*Examples and results of these networks, specially EUTWIX because this network is close connected to enforcement activities.*

*Discussion where IMPEL can add value. IRI approach and/or consultancy missions with skilled inspectors approach.*

**When:** April 24-26  
**Where:** Munich, Germany  
**Who:** John Visbeen and/or Joseph van der Stegen  
**Costs:** travel and hotel costs for one participant,

### **Phase 3: Participate in Killing birds conference 2013**

In the TOR a workshop was foreseen, but there are also two mayor events taking place in 2013. First the 2nd European Conference on Illegal Killing, trapping and trade of Wild Birds May 29-30th in Tunis, Tunisia (t.b.c.) and second the IMPEL conference October 1-4 in Malta.

My proposal is to investigate if it is possible that (all or) a view members from the project participate at the conference on behalf of the IMPEL network.

Costs: travel and hotel for two or three IMPEL delegates

### **Phase 4 and 5: IRI/expert meeting/task force two countries (to be agreed)**

To spread good practice, to improve quality of the work of green force authorities and contributing to continuous improvement of quality and consistency of application of green law across the EU ("the level playing-field") we organise an IRI/expertmeeting/task force. This informal reviews between green force authorities in IMPEL Member countries activity should be understood as a support from EU colleagues for improving its enforcement system.

Therefore we establish a team with 4 or 5 skilled inspectors each, dedicated to illegal poisoning of birds and/or dedicated to illegal trapping of passerines. In 2013 this team will act for the first time in two countries and will co-operate with the inspection services.

#### **Planning: Round table meeting in April, (round three and four) (see above p 17 & 18):**

Two selected countries explain about their problems and give their opinion where they want to review and improve their inspection working methods,  
Two selected countries make a choice for which enforcement authority,  
Two selected countries makes choice for which area,

During the round table meeting April the specific need for assistance will be specified,

#### **Preparation for IRI/ expert meeting in two countries: May-July**

Based on the needs from the two selected countries a skilled inspection team will be formed, travels and accommodation will be arranged (May),  
In close contact with contact persons in two selected countries participant an inspection activity will be prepared (demonstration, site visit etc.: purpose- better understanding of certain or specific conditions/problems),  
In close contact with participant from the two agreed countries a discussion session about review an suggestions for improvement will be prepared,  
The two selected countries determine participants from their countries, (inspectors, prosecutors, policymakers etc.)

**Planning: September,**

Execution task force with 4 or 5 skilled inspectors in two selected countries,

**Planning day 1 (travel in the morning)**

14:00 – 18:00 in the field inspection activity (actual enforcement actions, former inspection activities on certain location, whether or not successful, problems etc.,) and first discussion, exchange of ideas, good practises,

19:00 -21:00 dinner

**Planning day 2**

09:00 – 12:00 discussion session about review, exchanging working methods, an suggestions for improvement,

12:00 - 13:00 conclusions and recommendations, appointments for report

**Possible Data:**               September 12-13  
  September 19-20

**Costs:**

-travel and hotel costs for 4 or 5 skilled inspectors, meeting venue and dinner/lunch

**Planning: October**

Execution task force with 4 or 5 skilled inspectors in second selected country, (if Malta is one of the countries that volunteers for IRI/expert meeting, this activity could be organised back-to-back with the IMPEL conference in Malta, with good planning it means that all inspectors involved also can attend some parts of conference; possibly workshop water and nature )

**Planning day 1 (travel in the morning)**

14:00 – 18:00 in the field inspection activity (actual enforcement actions, former inspection activities on certain location, whether or not successful, problems etc.,) and first discussion, exchange of ideas, good practises,

19:00 -21:00 dinner

**Planning day 2**

09:00 – 12:00 discussion session about review, exchanging working methods, an suggestions for improvement,

12:00 - 13:00 conclusions and recommendations, appointments for report

**Possible Data:**               October 1-2 (if back to back with IMPEL Conference Malta)  
  October 10-11  
  October 17-18

**Costs:**

-travel and hotel costs for 4 or 5 skilled inspectors, meeting venue and dinner/lunch

**Planning: June - November**

-reports, conclusions and recommendations from task-force activity,

## Phase 6: IMPEL Conference Malta (October 1-4th)

During the conference one of the workshops is about the for IMPEL new topics: Water and Nature. This is a 3 hour workshop. Some appointments about the water topic have been made. Now I take into account a 1,5 hour time reservation for nature.

According to nature the main goal for this workshop is to raise awareness and to develop capacity within IMPEL and to join forces with other networks to stimulate the inspection and enforcement of the nature directives (including birds directive off course).

During preparation of the workshop there will be a strong collaboration between the project leaders of the project on eliminating killing birds and the project on building up IMPEL nature conservation capacities.

### **Proposed presentations are:**

The level of implementation and enforcement of the Habitats and Birds Directives within these organisations in the Member States and identification of key challenges (proposed speaker: mr. Joseph van der Stegen or Liam Cashman, about 20-25 minutes)

EUTWIX as good example of existing and active network between enforcement authorities (police, custom services etc.) AND one or two success stories in enforcement based on collaboration in this network ((proposed speaker: ms. Vinciane Sacré – EU TWIX, about 25-30 minutes)

Mapping/overview of existing EU networks related to the promotion of implementation (e.g. EU Habitats and Ornis committees, ENCA-European Network of Nature conservation Agencies, Europol, Birdlife FACE ...)

Building necessary links between IMPEL and existing EU networks as well as national bodies dealing with nature conservation implementation to see how best to incorporate nature conservation in the IMPEL programme with the highest added value. (proposed speaker; Mr Martin Baranyai, project leader Building up IMPEL nature capacities, about 20-25 minutes)

Discussion-Questions etc.: 20-25 minutes

## **Phase 7: Report to the cluster I and general assembly**

- Planning:** -October - November 2013,
- Content:** -executed activities during 2013,  
-results of appointed actions,  
-contribution to roadmap towards eliminating killing birds,  
-conclusions, recommendations, further plans,

## 5. SUMMARY-PLANNING

Phase	Action	Objective	Date
0	Agreement on project plan	-make choice between IRI approach OR task-force approach	As soon as possible (e-mail/teleconferencing)
1	Round table meeting Brussels	-build up links between IMPEL and the existing networks to see how best to organise project activities based on good collaboration between the partners and based on the highest added value (strength) from each partner -preparation IRI round table meeting OR taskforce activity in two selected countries	April 4-5? April 11-12 Brussels
2	Participation in cluster I meeting (presentation/discussion)	Raise awareness within IMPEL network	April 24-26 Munich, Germany
3	Participate in Killing birds conference 2012	-make IMPEL known in networks to join forces -gather actual information,	May 29-30 Tunis, Tunisia (t.b.c)
4	IRI/expert meeting/task force: first selected country	The potential benefits of the IRI include providing advice to green force authorities seeking an external review of their structure, operation or performance by experts from other IMPEL Member Countries/NGO's. Benefits are also the exchange of experience and collaboration between these authorities on common issues and problems.	September 12-13 September 19-20
5	IRI/expert meeting/task force: second selected country		October 1-2 (if back to back with IMPEL Conference Malta) October 10-11 October 17-18
6	IMPEL Conference	raise awareness and to develop capacity within IMPEL and to join forces with other networks to stimulate the inspection and enforcement of the nature directives	October 1-4 Malta
7	Report to Cluster and General Assembly		October - November