

bird's eye view



issue 31 • autumn 2009


BirdLife
MALTA

nothing marginal about it

Illegal killing and trapping of wild birds have been on top of BirdLife's agenda in Malta for a very long time. One of our main objectives was to stop the unsustainable practice of spring hunting and trapping. Following BirdLife's formal complaint with the Commission and long campaign work, the European Court of Justice found Malta in clear breach of the Birds Directive for allowing spring hunting (see pp. 4-5).

Yet, illegal hunting and trapping continues to be a major problem and there seems to be very little will to improve the situation. Indeed, changes in the hunting laws only came into force because of EU obligations and strong campaigns by BirdLife Malta and other organisations.

Although we have good cooperation with the authorities on several issues, this is not so when it comes to hunting. The Prime Minister and several other politicians continue to sit on the fence and try to undermine the seriousness of the situation by claiming this is a debate between two marginal sides and that they are trying to strike a balance.

There is nothing marginal about BirdLife's position. BirdLife wants to see nature conservation laws enforced, while others want to ignore the law or bend it to suit their interests.

BirdLife's demands are neither unjustified nor extreme: all we ask is that the laws be properly

enforced. Maltese hunters enjoy the longest hunting season in the EU, with minimum restrictions. And yet the FKNK has the cheek to protest just because someone asks for proper law enforcement!

And all the government does is make sweeping statements that the situation is "under control".

With thousands of protected birds killed every migration period; with our countryside littered with thousands of illegal *duri*; with gun-wielding poachers chasing eagles in the middle of residential areas; and with leadshot falling in the grounds of primary schools and terrified teachers calling BirdLife for help: to claim that things are under control means the politicians are either disconnected from reality or they care more about appeasing the aggressive hunters' lobby.

The Prime Minister seems to have forgotten that he was elected because he placed environment at the top of his party agenda. He should realise that most people have had enough of this farce.

I am sorry if this issue of *Bird's Eye View* seems to show more dead birds than live ones! But this is the reality of what is happening *and* will keep happening unless the authorities show some real commitment.



Tolga Temuge
Executive Director



Marsh Harrier

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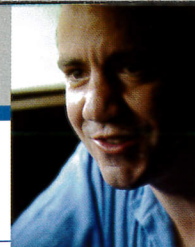
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dinja wahda launched

On 24 November, Dinja Wahda officially kicked off as over 100 school children coloured in animal masks which they wore during the ceremony. During the Dinja Wahda scholastic year, primary school teachers carry out a programme of environmental awareness with their students. At the launch, awards were distributed to the 90 schools that participated in last year's Dinja Wahda. Teachers and Heads of Schools were briefed about the focus of the new Action Guide, with its new selection of activities on habitats and their creatures. The focus reflects BirdLife's biodiversity mission as well as European targets to reduce habitat loss. Dinja Wahda is BirdLife's school environmental education campaign, which it carries out with Bank of Valletta, its partner in education. This year's edition is also being carried out in collaboration with the Education Directorate. A separate launch was held in Gozo the following day.



Crafty kids. Schoolchildren busy making face masks at a craft activity.

seabirds seminar

The Yelkouan Shearwater Project team and BirdLife International's Global Seabird Programme organised a 3-day seminar entitled *National Marine SPA and Europe-Africa Seabird Workshop* on 20-23 Oct in Valletta, which was attended by 11 BirdLife Partners from the Mediterranean region. Local research work to establish Marine Special Protection Areas for Yelkouan Shearwaters and seabird research work in the Mediterranean were among the various topics discussed. The need for international collaboration to protect important offshore areas for seabirds was also highlighted. Other presentations were delivered by MEPA, MCFS, Heritage Malta, the Office of the Prime Minister, UNEP (RAC/SPA), BirdLife International, RSPB (BirdLife in UK) and SPEA (BirdLife in Portugal).



In session. The conference discussing ways how to identify important marine areas for seabirds.

partners meeting

This year's European Partnership Meeting (EPM) was held at Mellieha on 9-10 November. It was the best attended annual EPM so far, with a total of 51 delegates from 36 BirdLife Partners. A variety of topics were discussed during the conference, including the International Year of Biodiversity 2010, the Born To Travel Campaign, conservation in relation to IBAs, the potential to support new partners, branding and communication and finance issues. A particularly hot topic was the presentation given by BirdLife Malta Executive Director Tolga Temuge on issues of illegal hunting in the Maltese Islands, which received many interesting questions from the other directors. The closing dinner on 10 Nov celebrated the 70th birthday of Maltese ornithologist Joe Sultana, bade farewell to outgoing BirdLife International EU Policy Manager Konstantin Kreiser while welcoming Regional Director European Division Angelo Caserta, and also bade farewell to Jane Devitt, outgoing International Project Manager of the RSPB (BirdLife in UK).



Group photo. EPM Participants and guests of honour.

upcoming events

• illustrated talk

date **Wednesday 3 February 2010**

time **6.30pm**

place **National Museum of Natural History**

nature and birds of the seychelles

The Seychelles are a unique place with a very special biodiversity. The islands are home to many species found nowhere else on earth, including about 80 endemic species of flora and 12 endemic birds. A talk and presentation will be given by renowned ornithologist Joe Sultana about his recent visit to these marvellous islands. Not to be missed!



Fairy Tern with chick



Tolga Temuge

spring hunting is over

On 10 September 2009 the European Court of Justice (ECJ) finally announced its long-awaited verdict in the case of *Commission of the European Communities v Republic of Malta*. The ECJ concluded that Malta failed to comply with the conditions for a derogation and failed to fulfill its obligations under the Birds Directive.

The Court ruling was very clear and told Malta to respect the EU law.

historic decision

This historical decision is a remarkable achievement for bird and nature conservation in Malta and was welcomed by the BirdLife International partnership and other conservationists in Europe.

For years, the hunting lobby in Malta claimed that the spring hunting seasons opened by the Maltese government under a derogation from the Birds Directive were justified. The government went to Brussels and built a case with taxpayers' money to prove the hunters' point.

change of tack

But a few months before the ECJ's verdict, the hunting lobby changed direction and started claiming that spring hunting would

still be possible in future regardless of the Court's ruling. While disregard for the law is no surprise when it comes to hunting, this change of tack was a defensive position adopted because the outcome was bound to spell the end of spring hunting. And so the hunting lobby are again raising false hopes among the hunting community by distorting the content of the ECJ ruling.

It is important to point out here that the data for birds shot in autumn and spring presented to the ECJ by the government was a gross understatement. The numbers were taken from the hunters, mainly from their carnet de chasse. The carnet de chasse is a written record, filled by hunters themselves, supposedly listing all the birds they shoot.

fabricated figures

That the carnet de chasse does not present the real figures of shot and trapped birds has been acknowledged by



The Maltese public has long confirmed that it wants hunting in spring abolished. The image above was one of several BirdLife billboards that last year reminded the government of this.

FKNK officials themselves on a number of occasions. They admitted that the figures quoted were "much lower" than the real figures and that the Maltese "carnet de chasse are worthless".

Yet, even these understated figures were still enough for the Court to rule against Malta's decision to open the spring hunting seasons.

One therefore wonders how Malta can meet the conditions of the Birds Directive in a so-called "very limited" hunting season. According to the evidence presented in Court by the government, in eight weeks of spring hunting season the hunters shot less than three Turtle Doves each! Sounds like a lot of effort for such a small prize! Still, if this questionable evidence was enough for the Court to rule against spring hunting in Malta, how will Malta justify breaking the EU law by allowing another spring hunting season in future?

Downsizing further the number of birds killed and presenting doctored data again is one possible course of action!

conditions are tough

There are other conditions that Malta will need to meet, including the "small numbers" and "strictly supervised" tests. How can the government hope to strictly supervise 12,000 hunters and enforce a limited bag quota? The ALE - the wildlife law enforcement police, with less than 30 officers - cannot even cope with the current regulations, which as yet do not impose bag limits.

These and other conditions the government will have to comply with, if it is to legally allow any shooting in spring. So far, no other EU country has met these conditions, and this is why spring hunting is banned throughout the EU.

The government's next steps will reveal its intentions: whether it is serious about its EU obligations and nature conservation, or simply interested in appeasing a lobby for its votes.

Tolga Temuge is Executive Director of BirdLife Malta



The bag-numbers of Turtle Dove (above) and Quail (top) shot by hunters were grossly understated in the carnet de chasse. Nonetheless, the government defended these figures and used them to make a case for spring hunting.

malta spring hunting milestones

2005

BirdLife submits complaint to the European Commission.

Jun 2006

Commission opens infringement procedure against Malta.

Mar 2007

European Parliament adopts a resolution supporting Commission's legal infringement proceedings against Malta.

May 2007

Spring hunting season closed 10 days before originally scheduled, following massacre of birds of prey and vandalism of Foresta 2000.

Jan 2008

Commission takes Malta to the European Court of Justice (ECJ).

Apr 2008

ECJ issues interim measures preventing Malta from opening spring hunting season in 2008

2009

Spring hunting season remains closed pending ECJ interim measures

10 Sep 2009

ECJ finds Malta guilty for allowing spring hunting in 2004, 2005,

mizieb a bird cemetery

André Raine

In the grey light of dawn on 20 September 2009, a Raptor Camp team observed Marsh Harriers lifting off from their roost in Mizieb to continue their long migration to Africa. As the birds flapped out of the trees and into the still morning skies, they were met with a barrage of gunfire, bringing them crashing limply back to earth.

Later, the team filmed three suspects leaving the immediate area after the shooting stopped. As these individuals, one of whom was armed, were not carrying any birds, two BirdLife Malta staff members went to the site to look for evidence of the massacre. What they found instead was one of the largest wildlife crime scenes in recent memory: a veritable bird cemetery!

Joined by three members of CABS¹, who were also running a bird protection

camp at the time, the searchers soon located the freshly shot body of a Marsh Harrier, hidden crudely under a stone. Within minutes, two other fresh Marsh Harriers were found, also hidden under stones and rubble. The rotting bodies of a young Hobby and Night Heron, killed within the last few weeks, were also discovered under stones in the same area.

body count

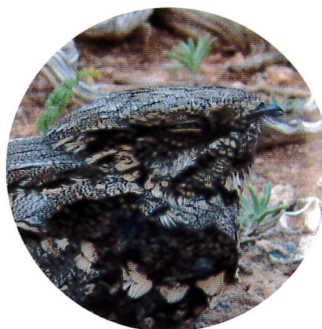
Realising they had uncovered evidence of illegal shooting not only from that morning but also from previous weeks

and even months, the team decided to search the area more thoroughly. More international and local volunteers from Raptor Camp and CABS were brought in, and the ALE was alerted, as was the media.

Over the next day and a half, in the presence of ALE officers who witnessed and noted every dead bird found, about a third of the Mizieb woodland was searched. What the teams found was truly shocking: the remains of over 200 protected birds, all hidden under stones, in plastic bags, under piles of rubble or stuffed into rusted barrels. The bodies were mostly birds of prey (mainly Marsh Harriers, Honey-buzzards, Common Kestrels and Hobbies) and herons (Night, Purple and Grey) but there were also European Nightjars, European Bee-eaters, Hoopoes, Golden Orioles and even a Nightingale among the dead. The bodies were not restricted to a single site within the woods, but scattered throughout the entire search area. This indicates the criminals were not one or two individuals, but a number of hunters operating within an area claimed to be a hunting 'reserve' by the FKNK.

What was even more appalling about the find was the sheer disregard for life. The hunters were basically killing the birds, picking them up, hiding them under stones and leaving them there to rot - in other words

Line-up. Among the birds found dead at Mizieb were (L to R) European Nightjar, Golden Oriole, Grey Heron, Hoopoe, Marsh Harrier.



this was simply killing for the sake of killing. Under the cover of the Mizieb woodlands, they obviously felt they had little to fear from the police.

no action

Considering the sheer scale of the crime, it came as a surprise that the police did not even bother to cordon off the crime scene, nor conduct a search of their own. Indeed, while volunteers were searching on 21 September, hunters were still actively shooting within the woods, and the FKNK were allowed to hold a mass meeting in Mizieb a few days later, apparently unsupervised by the police. Instead of searching for clues, the police even tried to downplay the find and were quoted on 21 September in *The Malta Independent* as saying that 'while the birds and remains were allegedly discovered in Mizieb, they could have been shot at other places and hovered (sic) to the woodland for shelter'. Unless the birds crawled under heavy boulders or stuffed themselves into plastic bags before they died, this statement is patently ridiculous.

no comment

Furthermore, there has as yet been no comment from the government or the Opposition on such tangible proof of large-scale killing of protected birds at Mizieb. As there has been no directive from the government, two-thirds of the woodland remain unsearched, and it is likely that many more bodies of protected species remain to be unearthed.

Meanwhile, the killing of protected species continues in Mizieb unabated. A few days after the gruesome find of so many dead birds, BirdLife teams witnessed poachers shooting at an Osprey and killing a falcon in the same area of Mizieb. Following this, another team saw several hunters firing 8 shots at a Marsh Harrier flying low over the woods.



Spread-eagled. A freshly dead Honey-buzzard, one of the birds found at Mizieb.



Crime scene. Mizieb is the largest stretch of woodland in the Maltese Islands. Controlled by hunters since the 1980s, to date no management plan governs what goes on in the site. The area is fast earning itself the same reputation for bird slaughter that Buskett held in the past.

With silence from the government and inaction from the police, the Mizieb bird cemetery is being re-stocked.

Dr André Raine is Conservation Manager of BirdLife Malta

¹Committee Against Bird Slaughter (see also p11)

the killing goes on

André Raine



Joe Zammitt/Lucia

Once again, this autumn large numbers of migratory birds used Malta as an integral stepping stone in their migration to their African wintering grounds, and once again the poachers' guns were here to meet them. But also here to meet them were 52 international volunteers from eight countries and 22 local volunteers...

All these volunteers were participants in this year's BirdLife Malta Raptor Camp, a three week marathon that every year is serving as strong deterrent to illegal hunting. From 12 September to 4 October, Raptor Camp teams were out in the countryside recording migration, gathering evidence and reporting illegal hunting activity.

During the three-week period, a total of 467 illegal hunting and trapping incidents were recorded by Camp participants alone. Predictably, poachers targeted larger species like raptors and herons, with rarer birds like storks and eagles being literally chased around the island before being gunned down. A case in point was a Lesser Spotted Eagle which tried to rest in Malta on 29 September. Pursued relentlessly for over an hour by scores of hunters in jeeps and cars all the way from Għargħira to Żurrieq, it was eventually shot down over Haġar Qim, a prime tourist attraction. In the process, Camp teams filmed a poacher standing in the middle of a road in a residential area with his shotgun scanning the skies for the eagle. Families with children were walking in the streets nearby while this individual brazenly stood with his loaded weapon, fixated on killing the eagle. If poachers feel they can stand in the middle of a residential street with a loaded shotgun in full defiance of several laws, the situation in Malta can only be described as very serious indeed.

with impunity

This was no isolated incident. This year alone, BirdLife members and staff have witnessed: poachers wearing balaclavas to hide their identities; numerous protected birds being shot at and killed next to the airport; trappers operating illegal sites as large as football fields (and despite being arrested returning to the same site to blithely trap again the

following week); eagles and storks gunned down within an hour of their arrival; men smashing injured birds' heads in with rocks; hunters and trappers covering the countryside with thousands of illegal structures: all with apparent impunity. And then of course: the grisly discovery at Miżieb (see pp. 6-7).

The evidence is irrefutable. As well as many of the above instances being filmed (see the footage online at www.birdlifemalta.org/photogallery/videos), there is a constant stream of dead and dying protected birds with gunshot injuries coming into the BirdLife office. Since January, we have received 87 shot protected birds (excluding the 200+ birds and remains found in Miżieb), all with gunshot injuries verified by an independent veterinarian and all reported to the ALE, MEPA and the Office of the Prime Minister. This is an increase on the 80 received over the same period in 2008. The birds come from a wide range of species including Marsh Harrier, Honey-buzzard, Scops Owl, European Nightjar, Grey Heron, Night Heron, Purple Heron, Great White Egret, Stone-curlew, Yellow-legged Gull and Cory's Shearwater.

All of the above points to a very clear picture of the situation:

- illegal hunting and trapping are still widespread
- it concerns a significant number of hunters and trappers
- it shows no sign of abating unless drastic changes happen.

question of attitude

The question is: Why is this still such a serious problem, when Malta is such a small island? In theory, the problem should be easily manageable. The answer is that much of the fault lies with the government. The politicians' persistent pretence that the hunting situation in Malta is not serious only aggravates the situation. Such an attitude translates into a lack of resources for the police, inadequate punishment for criminals in court, and a general air of indifference to a problem that affects anyone that walks in the countryside.

Until the government acknowledges the scale of the problem, and provides resources for the beleaguered ALE, the rampant illegalities witnessed around Malta this autumn will continue.

Dr André Raine is Conservation Manager of BirdLife Malta

of songbirds surveys and seminars

Geoffrey Saliba



Bird's eye view. The survey included aerial photography of trapping sites.

Those of us who this autumn went out birdwatching or for a walk in the countryside may have seen active finch trapping sites. ALL these sites were illegal!

According to the Accession Treaty signed by the European Commission and the Maltese government, finch trapping should have been phased out and completely stopped by the end of 2008. The government honoured this agreement and did not open finch trapping this autumn. But at the same time the government applied a derogation for the trapping of Turtle Dove and Quail (1 September to 30 October) and for Golden Plover and Song Thrush (20 October to 10 January).

still trapping finches

This autumn, the LIFE+ project on Bird Migration and Trapping surveyed Malta and Gozo for active trapping sites

to understand the scale of illegal activity in the countryside. The surveys showed that many trapping sites were operating illegally. Many Golden Plover trapping sites were using illegal electronic tape lures and were also targeting protected species. One huge plover site in Nadur built on protected garrigue without permit was active despite a MEPA enforcement order against it.



Alluring. Two Quail decoys at a trapping site.

Most Song Thrush trapping sites were also recorded targeting protected finches instead. Some sites had a few caged Song Thrush decoys in an attempt to pass the site off as targeting legal species, but they also had caged or tethered finch decoys hidden behind bushes or stones. These illegalities were noticed and acted upon by the police, who apprehended around 80 illegal trappers in just a few weeks this autumn.

but less than before

However, while the above is true, it is also clear that trapping decreased considerably this autumn. Compared to 4000+ licenced trappers up to last year, only around 1200 trappers applied for licenses this year, and no doubt some of them are targeting only the permitted species. The effects of less finch-trapping is already being felt as birders report many more finches in the field this autumn than in previous years.

The project has also been meeting trappers to discuss the legal changes and alternative activities to trapping. A seminar was organised at St James Cavalier (Valletta) on 11 November, bringing together international speakers to discuss trapping. Of particular note was a speech given by Profs. Bruno Massa of the University of Palermo, who emphasised that finches also breed on nearby small Central Mediterranean islands like Lampedusa and Linosa, and that if illegal trapping ceases they could also breed in the Maltese Islands. A Belgian ex-trapper, Jaak Aerts, who gave up trapping when it was banned in Belgium and took up captive bird breeding and participating in cage-bird competitions, also attended to share his experience. Mr Aerts explained that since many trappers love bird, Maltese trappers could easily switch to such satisfying alternatives to trapping.

With an effective ban on finch trapping, finches can in time establish viable breeding populations in the Maltese Islands. Meanwhile, trappers can channel their passion for finches through captive breeding and participating in cagebird competitions. This will help birds and biodiversity in Malta to recover for the benefit of all.

Geoffrey Saliba is Campaigns Coordinator of BirdLife Malta



From Black to Black. The Danube is the longest river in the EU. Rising in the Black Forest, it snakes eastwards for 2860km and empties into the Black Sea.

no deal for the delta

Victor Falzon

ROMANIA. The Danube Delta is one of the world's largest wetlands, with a rich biodiversity. Over 320 species birds have been recorded in the area, with an impressive breeding list that includes the endangered Red-breasted Goose, the third largest colony of Dalmatian Pelicans in Europe, and 80% of the European population of Pygmy Cormorants. No wonder the site is a Biosphere Reserve, a World Heritage site, a Ramsar wetland of international importance, an Important Bird Area (IBA) and a Special Protection Area under the EU Birds Directive, among other designations.

Despite all the titles, however, the Danube Delta is under continuous threat from human activity, including road and canalisation projects, illegal hunting, overfishing and massive tourism development. SOR (BirdLife in Romania) has for years given priority attention to achieve adequate protection of the Delta, but the Romanian authorities keep blocking all attempts to pass effective legislation to stop further degradation of the site. The latest push to bring the protection of the Delta in line with EU law was defeated by the Romanian Parliament last November. Clearly, biodiversity is not high on the Romanian Government's agenda.



flight of the redfoots

HUNGARY. Technology is today an essential tool in bird research. Small but sophisticated devices are revolutionising methods and giving stunning results. Last summer, researchers of MME (BirdLife in Hungary) tagged 8 adult female Red-footed Falcons with PTTs. Weighing in at just 5g, PTTs are the world's smallest satellite transmitters and are ideal for tagging and tracking less robust species birds such as Red-footed Falcons. Satellite signals from the transmitters allow researchers to plot the birds' migration route to Africa with a 150m accuracy, and hopefully solve the mystery of these birds' wintering whereabouts.

With admirable speed, the falcons crossed the Mediterranean Sea and the entire Sahara Desert in just 3 days, sometimes flying day and night. Most of the birds arrived in southern Africa in less than a month (one of them in just 16 days) and are now staking out winter territory in Southern Angola. Mvsterv solved!

The researchers now hope to organise an expedition to visit "their" birds' wintering grounds and to assess possible threats to the area. Protecting migratory birds' wintering grounds is as important as protecting their breeding grounds.

The Red-footed Falcon project was co-financed by the EU's LIFE Nature fund.



◀ **Flight path.** The migration route taken by five of the eight Red-footed Falcons tagged in Hungary last summer. They are spending the winter in southern Angola.

good news from hispaniola

DOMINICAN REPUBLIC. After years of lobbying, the Grupo Jaragua (BirdLife in the Dominican Republic) and its partners finally achieved an important goal: the protection of the Loma Charco Azul, which forms part of a larger IBA in the southwest of the country. Protection in the area has now been extended by 28,748ha.

The IBA harbours a rich biodiversity, including 32 species of birds endemic to the island and 14 threatened bird species. Among these are the Bay-breasted Cuckoo, the La Selle Thrush, the Hispaniolan Crossbill and the Hispaniolan Amazon (a species of parrot).

Through the designation of the area as Biological Reserve, it will now be easier to manage the site for conservation and reduce threats to the site, namely agricultural expansion, exotic fauna, fires, illegal logging, the capture of parrot chicks and illegal hunting.



CABS Who are they?

David Conlin

The Committee Against Bird Slaughter (CABS) is the English title for the German conservation organisation *Komitee gegen den Vogelmord e.V.*, a recognised independent charity with its head office in Bonn.

founding and mission

CABS was founded in 1975. Since then it has conducted well-organised and successful operations, in cooperation with local partner organisations and the responsible local authorities. These operations were carried out in European states where migrant birds are still illegally hunted and caught, often using cruel and barbaric methods, with different types of traps, nets, lime sticks or shotguns.

CABS is a non-partisan and politically independent organisation which finances its operations and day-to-day activities exclusively through donations from foundations and private individuals. CABS receives no money from either public funds or industry. Without the donations of our members and sponsors throughout Europe, it would not be possible to conduct operations on the present scale.

operations and achievements

The success of CABS operations is dependent on the commitment of volunteers. Apart from a growing hard core of activists, a CABS training camp for first-timers, seasoned with a number of regulars, is held annually in October in the Brescia region of the Italian Alps. Here novices learn to move unobtrusively across rough terrain, detect the poachers'



carefully concealed nets and traps, and lead Forest Police patrols to ambush positions.

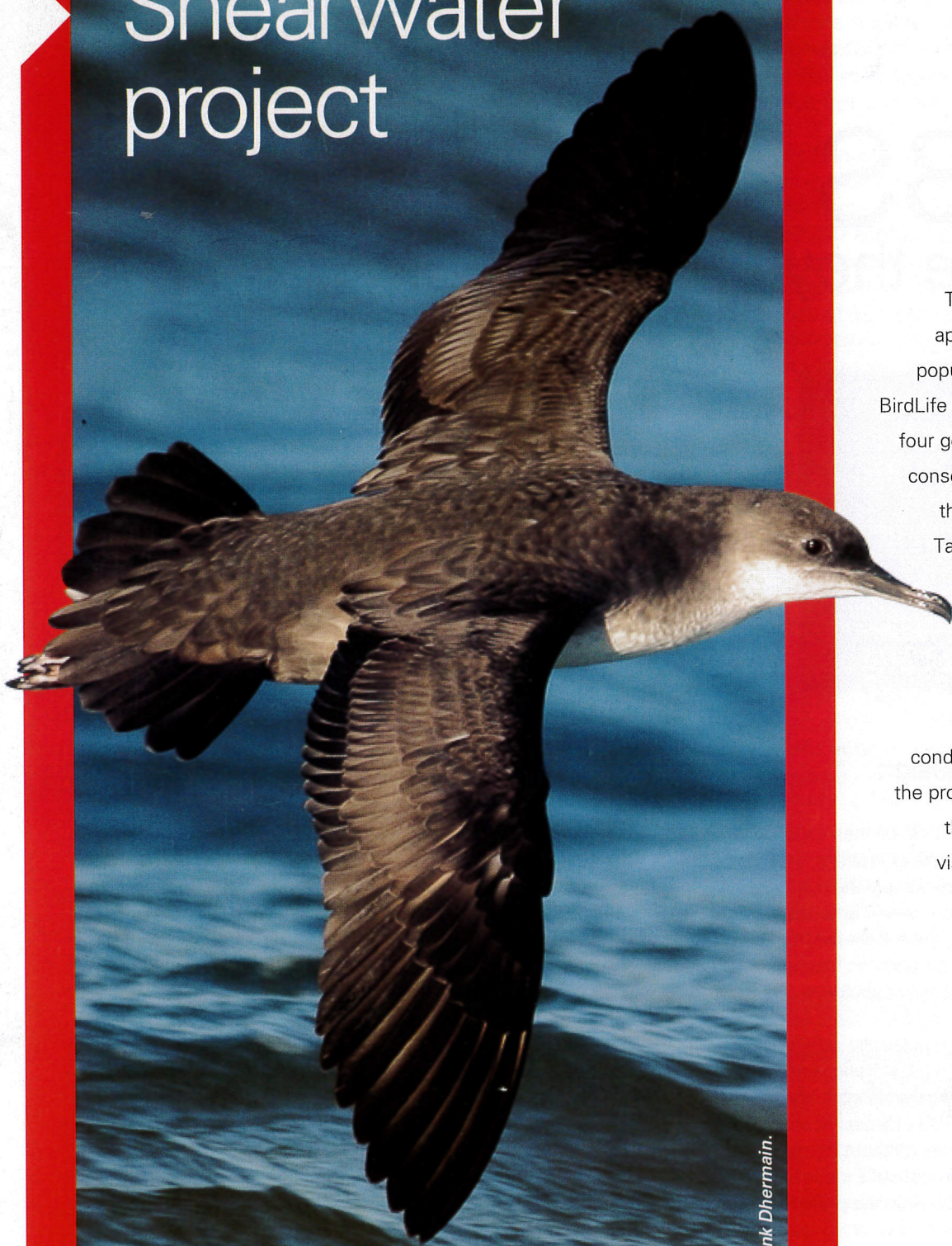
Those who have won their spurs in Italy are invited to take part in the more robust operations, involving close teamwork and personal initiative in Cyprus and Malta, where tense situations with illegal hunters and trappers often arise.

In the 34 years since it was founded, CABS teams have conducted operations all over Europe with the emphasis on combating illegal hunting and trapping in Mediterranean countries. Ongoing projects include a campaign against the brutal practices of stone-crush trapping in France and the equally cruel and illegal parany limestick installations in eastern Spain. Our main effort - for which we are perhaps best known - is today concentrated on our larger scale operations in Cyprus, Malta and Italy.

David Conlin is CABS Operations Officer

To keep updated on CABS activities, visit www.komitee.de/en
To make a donation to CABS, visit
www.komitee.de/en/index.php?donations

The Yelkouan Shearwater project



**Supported by
HSBC Cares For The
Environment Fund.**

Photo courtesy of Frank Dhermain.

The Maltese islands are home to approximately 10% of the world's population of Yelkouan Shearwaters. BirdLife Malta is leading a partnership of four government authorities and three conservation organisations to protect these secretive seabirds at Rđum Tal-Madonna, the largest breeding site on the island.

The project, Malta's largest conservation initiative of its kind, aims to achieve better breeding conditions for the birds by the end of the project in 2010. It will also improve the protected site for wildlife and visitors, whilst setting an example for the management of other protected sites in Malta.


BirdLife
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