BirdLife Malta's comments on the draft

National Strategy for the Environment 2050

04 November 2022

BirdLife Malta welcomes further developments in the process of drafting the National Strategy for the Environment 2050. Such an overarching document requires horizontal and vertical collaboration, and it is crucial to incorporate the vision and insights of all relevant stakeholders for a proper implementation of the strategy in future. We augur this document will not simply be a paper exercise, but a true road map to improving our urban, rural and natural environment which is in dire need of attention in this day and age, and which has suffered greatly as a result of improper policy making and political priorities in past years. There is simply no room for erring in coming up with a strategy which can be realistically implemented and ultimately achieved irrespectively of who is governing the islands in the coming future.

BirdLife Malta has contributed to the consultation process at an earlier stage, as well as has joined other eNGOs in compiling a common position which has been submitted earlier in October 2022. In this document, we however delve deeper into the topics concerning the organisation's main competencies and work areas, and to the matters which are at the heart of the organisation's values and visions. With such a volume of topics to cover, the consultation period has felt a little short, however ERA's pro-active stance on this matter is to be commended. Nonetheless the organization shall reserve its right to comment further on the development of this strategy directly or publicly in due course.

Our responses are structured reflecting the same order of strategic goals and objectives as in ERA's draft document.

SG 1: Clean Air for Wellbeing, Healthy Humans and Thriving Nature

The Strategy is aimed at fulfilling the UN Sustainable Development Goals, yet the references concerning the limits of air pollutants' concentrations in the ambient air refer to the EU standards of air quality. Keeping in mind the consistency of the document and most importantly, greater health benefits, it can be beneficial to use the latest WHO guidelines (2021) when formulating the targets for air quality, since the WHO recommends lower limits for certain air pollutants (such as for particulate matter or Nitrogen dioxide which is one of the most dangerous among common air pollutants affecting the respiratory system and having well-studied devastating impact on the natural environment).

The "What we've achieved" section refers to the public ferry system as one of the achievements when talking about cleaner air. Though the presence of such ferries might have decreased the use of vehicular traffic to transit between the port towns, marking this as an achievement is rather far-fetched in terms of air quality. Vessel traffic in the Valletta harbour is a major source of pollution owing to the burning of various types of fuels. The air monitoring station currently based in Senglea should lay testimony to this issue.

In this regard there is much that can be achieved, and "Where we want to go":

- Actions are required for the implementation of the Mediterranean Emission Control Area (ECA) for Sulphur, which should be one of the main priorities under this Strategic Goal. This implies the phasing out of Heavy Fuel Oil from shipping, electrification of ports and ferry systems, as well as thorough monitoring of air quality.
- Following this, supporting and facilitating as possible the designation of the Mediterranean Sea as an ECA for Nitrogen (which is currently being studied and analysed at IMO) will also be a highly beneficial action which will contribute greatly to meeting the Strategic Goal targets.
- The two main ferry systems, the ones operating between Malta and Gozo, and the ones operating within the Grand Harbour and Marsamxett should see the phasing out of Heavy Fuel Oil or other fuels with significant Sulphur and Nitrogen content. This could be achieved through the development of hydrogen fuel cells or even by electrifying the service where possible.
- With the development of onshore energy provision to cruise liners docking at the Grand Harbour, emissions from stationary ships should be reduced, however nothing stops port authorities from being selective in admitting the least polluting ships within the harbour. Ranking exercises such as those carried out annually by our partners NABU Hamburg[1], could be a suitable guidance.

The section "Where we want to go" can be further refined. Particularly, we call for tying the targets to specific air quality standards (such as the WHO guidelines). The concentration of PM should be reduced to the healthy limits recommended by the WHO. The Ozone concentrations should be reduced rather than maintained, since the Strategy is aiming towards zero emissions.

The shift towards active modes of transport and hence the reduction of reliance on cars is one of the most ambitious targets under the NSE, however the means of achieving it are lacking a realistic approach (such as the SO 1.1 mentions "phasing out the importation of internal combustion engine vehicles", yet it remains unclear how this

[1] https://en.nabu.de/topics/traffic/32654.html

will be practically realised). At the same time, aiming at gradual phasing out of the internal combustion engine vehicles on the streets, the Strategy should address accompanying issues, such as the need to tackle the problem of disproportional amount of fuel stations and, therefore, amend the Fuel Stations Policy (including in the context of decommissioning/reuse, etc.). There is a dire need to change the culture in the use of transport and educating, and raising awareness on alternative modes of transport is needed imminently if we are to ever see a change. (*See our recommendation under SG2).*

Other useful considerations include: the installation of the additional air monitoring stations (such as one closer to the Southern Harbours, and a permanent air monitoring station in the Grand Harbour), as well as improved monitoring and communication to the public as regards to the air pollution levels in their localities, especially when certain pollutants can pose danger to health.

Under the SO 1.9, we recommend including the waste treatment facilities into the list of a Horizon scanning framework of activities known to influence air quality (especially taking into consideration newly proposed Organic waste treatment plant and Waste to Energy plant).

SG 2: A Quality Environment for Liveable Towns and Villages, Conducive to Healthy Living

To improve and maintain the overall quality of our towns and villages, the collaboration and concerted effort between various policies and stakeholders is undoubtedly needed. However, it is also crucial that current legally-binding policies are implemented and monitored. For example, it is often the case that the Strategic Plan for the Environment and Development (2015) is not fully respected and at times is breached, particularly when approving developments (such as a number of hotels and their redevelopments approved in the past years in sensitive coastal locations or ODZ contradicting the SPED).

In the planning process we often see ERA being consulted and making recommendations, yet ERA's position is not always publicly announced or emphasized. Decisions at Planning Authority stage may not necessarily value the environmental impact of a development given the vote is based on a board which could outweigh ERA's stance. In this regard, we are recommending that ERA should be given the right to veto planning applications after assessing their potential environmental impacts. This could range from simple applications which do not qualify for an impact assessment, to larger developments where despite the EIA process being completed and concluded, the mitigation measures proposed or put forward may not be realistically achieved and would cause detriment to residents or to ecological assets in the area of influence.

The "Where we want to go" section should contain measurable targets, such as instead of saying "Air, noise and light pollution in towns and villages will be reduced" the desirable levels for each should be defined. In the same manner, the statement "Waste management in neighbourhoods will improve" is very vague and it will be better to reformulate it as a SMART target.

The SO 2.1 contains the following statement "Existing spaces will be improved through re-organisation to ensure their appropriate use, while new open spaces will be created within urban areas, giving priority to areas where such spaces are currently lacking". In this context, we would like to recommend including an action to earmark the potential sites for open spaces in each locality with the main role given to the local councils. Local councils should receive a wider area of competence (and support) with regards to local urban development. Local councils should have a more pivotal role in the decision-making process (specifically, in relation to the decision taken on developments) and have a more active and functional role (such as waste management within the local council boundaries).

The waste collection and management systems should be revised and fundamentally upgraded and should be designed in conformity with the character of the areas they target (separate plans should be worked out to improve waste management in Natura 2000 sites, urban areas, etc.). Among the benefits of proper waste management, its positive impact as a preventive measure in the control of invasive alien species (inter alia, rodents) should be duly mentioned and where necessary prioritised.

We feel that this section also grossly misses the need to maintain, keep pristine and where necessary restore our open rural areas. While reducing air, light and noise pollution in urban areas clearly has benefits, it is also beneficial to also have wild and natural spaces which are quiet, undisturbed and also free from air, light and noise pollution, and which are functional ecologically. We want to see the National Strategy that proposes national parks which are free from hunting and trapping; making amends to the unscrupulous give-away of large chunks of Mellieha to the hunting lobby for hunting purposes. Hunting and trapping in the densities that are currently practiced in Malta are not compatible with maintaining the areas pristine and ecologically functional. What is the use of having a Majjistral Park open for school children while birds are blasted away in front of them and electronic bird callers are calling away? Or what is the use of afforestation efforts in the Nwadar Park in the south of Malta where trees shall mostly serve to attract avifauna to be trapped or shot at?

Under SO 2.2 more incentives can be added to assist the nature potential of our urban environments. Our urban spaces could easily accommodate a variety of nesting avifauna such as the Blue Rock Thrush (our national bird) which is becoming a more urban

species. Innovative designs in modern buildings or even retrofitting designs on existing structures or heritage sites could easily accommodate nesting Spanish Sparrow, Common and Pallid Swifts and possibly other species which already inhabit other urban areas in the Mediterranean and which are lacking in Malta. There is also a strong need for further appreciation and awareness of urban tree areas which often act as important roosting sites to avifauna. Species such as the local Spanish Sparrow, but also migratory species such as the Common Starling and the White Wagtail already occupy various mature trees in different localities. It is often the case that such trees are under threat. A national inventory of such important roost sites is direly needed in order for ERA to protect these sites effectively and manage human activities around them, while also make intelligent use of any urban spaces which can in time also attract such roosts and offer opportunities for afforestation. In many cases these areas may host trees of a considerable size which are not necessarily indigenous to Malta, but which might still have an important ecological role as a roosting site, or even for pollinators. We often see the brutal massacre of trees simply because these are not considered local, yet little is done to evaluate their utilitarian value for fauna. There is a dire need to catalogue all these sites before they are simply lost for road-widening or other speculative development.

The SO 2.5 declares that the "strategy will seek to guide the location of new developments with the purpose of reducing noise and safeguarding vulnerable areas", the word 'vulnerable' should be defined and specific areas should be listed accordingly (coastal areas, Natura 2000 sites, other areas benefiting from protection, agricultural land, etc.).

Light pollution is referred to in the Strategy as an "emerging concern" which is actually rather a long-lasting problem having required strong measures to address it for years. More ambitious steps are highly needed to tackle light pollution, for example the statement under the SO 2.5 "Buildings such as commercial outlets, offices and public buildings will be encouraged to switch off most lighting at night" is lacking strong practical implications: any lighting in such buildings at night which is not justified by safety and security reasons should be switched off. Furthermore, development applications should be first screened against the set of criteria developed to assess their environmental performance (such as smart design of lighting schemes, noise mitigation; no uptake of agricultural or ODZ land, no encroachment onto the protected areas or urban open spaces, etc.). The same objective promotes "the installation of full cut-off lighting fixtures with specific colour temperatures in public areas and roads"; while it would be useful to add that the existing lighting schemes should be adjusted and upgraded according to such parameters. The Strategy also calls for an advantageous measure to "designate specific dark sky areas where any lighting is discouraged", yet

truly beneficial would be to prohibit any unnecessary lighting in such areas (including within and close to Natura 2000 sites).

Under SO 2.7 the concept of achieving environmental sustainability could have a wide definition. Efforts should be undertaken to as much as possible contain the impact of alien species. The proliferation of cat colonies in various urban areas and at times too close to rural or ecologically sensitive areas is a reality that needs careful management. Incentives such as the neutering and micro-chipping of cats could make a difference in the long run in preventing having stray animals as has been the case with the micro-chipping of dogs which has been a success at preventing stray animals. Other incentives such as ensuring that feral cats do not venture to sensitive sites should be encouraged through providing for appropriate relocations.

SG 3: Biodiversity Valued, Conserved, Restored and Sustainably Used for the Benefit of Our Nature, People, and Climate

This strategic goal is lacking more comprehensive and decisive actions in terms of protection of birds and their habitats.

Though one might argue that our current local legislation implements a great degree of the Nature Directives, we find the current scenario where nature legislation is biased between birds and everything else as being highly unsustainable and counter-productive. We shall continue contesting the legality for the Ministry for Gozo's remit on the (non-)conservation of wild birds to permit and legislate hunting and trapping as politically convenient. Such a remit should fall solely under one Ministry for Environment who should be able to take decisions on the basis of environmental priorities holistically. Over the past years, there have been too many scenarios where legislation in favour of hunting and trapping has been taken without full consideration of the enforcement needs or the environmental impacts associated with such activities.

We find the statement that "the majority of the local breeding and wintering birds analysed under the EU Birds Directive have shown an increasing or stable population, both in the short and long term" as a misrepresentation of reality and which is not based on any literature. The most recent assessments of breeding and wintering birds should refer to the status reported under the Breeding Bird Atlas of 2018, and the Farmland Bird Index of 2013, for which BirdLife Malta has contributed in the data collection and for which it can vouch that this is not the case with most bird species.

Malta is indeed currently regarded as being the country with the densest number of illegal killing of bird incidents in the Mediterranean, with the most up-to-date estimates

pointing to a mean of 343 birds killed illegally per square kilometre per year.[2] This situation is a direct result of policy making, legislation, compliance and enforcement which all have various lacunae. Malta has the highest density of hunters and trappers globally, and there is also a huge overlap between protected areas and areas where such activities are permitted.

In this regard there are various actions that need to be done in order to improve the conservation status of habitats and species, and to maintain and improve ecosystems, as we recommend hereunder.

In terms of illegal killing of birds (IKB), Malta has obligations under the Bern and Bonn Conventions to develop a national action plan to reduce the illegal killing of birds by 50% by 2030. As the authority on the environment, ERA should take lead in overseeing that entities such as the Wild Birds Regulation Unit perform adequately and commit to achieving this aim. BirdLife Malta has already offered its support to the formulation of this strategy, which is bound to touch upon a number of controversial matters if it is to see the action plan achieving success. Ways and means to achieve these targets could include:

A) The closure of unsustainable derogations such as spring hunting which are implemented yearly on the basis of bogus hunting bag data and which go against the Birds Directive, as well as EU expert recommendations on the protection of the vulnerable European Turtle-dove and its Species Action Plan;
B) The closure of trapping derogations for which case law has been established from the 2018 European Court of Justice sentence, and which continue pro-longing hope that trapping can be practiced sustainably and in line with the Birds Directive when clearly this is not the case;
C) The revision of a number of legislative loopholes which contribute to IKB (such as the transfers of taxidermy collections, the use of bird callers, etc) which is especially fitting under the SO 3.9;
D) The development and proper implementation of the National Action Plan Against the Illegal Killing, Taking and Trade of Birds under the Bern Convention which should be based on the transparent and reliable baseline data and which Malta is obliged to develop in full consultation with stakeholders by December 2022;
E) Increasing capacity of enforcement units such as the Malta Police Force's Environmental Protection Unit (especially, but not limited to, during all hunting

[2] https://www.cambridge.org/core/journals/bird-conservation-international/article/preliminary-assessment-of-the-scope-and-scale-of-illegal-killing-and-taking-of-birds-in-the-mediterranean/34A06A94874DB94BE2BBACC4F96C3B5F#figures

seasons[3]) as well as establishing of a training scheme and expertise development in solving wildlife crime;

F) Increasing the scope and spread of enforcement units such that checks are carried out ubiquitously across the whole country (including Gozo as a priority rather than an exception).

In terms of restoring ecosystems, the strategy should acknowledge that hunting and trapping with the current practiced intensity and density are detrimental and damaging to biodiversity. It should thus consider also:

- increasing the protection status of Natura 2000 sites to a bird sanctuary status where hunting and trapping are not permitted, as opposed to giving away land as hunting and trapping reserves as was the recent case with Mizieb, Ahrax and other parts of Mellieha;
- establishing a cap on the issuing of new hunting licences such as these are in time lowered to sustainable levels that exert a lessened impact on wild bird populations and can also allow for better reach and effect of enforcement units with dedicated resources;
- implementing and overseeing the current cap on trapping licences which had been negotiated at EU accession stage such that the demand for the trapping of wild birds and the upholding of such 'traditions' which have a high impact on habitats and wild birds is also decreased in time.

Specifically, for the N2K sites, we would like to see:

- More detailed and localized strategies aimed at improving their conservation status.
- Restoration initiatives are proposed and taken forward within the N2K network, on the basis of an actual implementation of management plans which are adhered to and financed appropriately for the respective sites. Apart from that, we suggest adding the aim to ensure the connectivity of protected areas through creating green corridors across the islands and safeguarding them.
- Particularly we wish to see this being implemented within the Marine N2K sites for which management plans are still awaited and for which it seems that the process is taking an excruciating long time to be concluded by ERA.

Biosecurity plans should be developed to tackle the problem of Invasive Alien Species within the protected areas. As part of this initiative, the waste management system should be improved across the Maltese Islands, as this is especially critical in terms of

[3] Malta currently permits no less than 8 months of hunting season annually – a spring hunting season in March/April for Turtle-dove and Common Quail, a hunting season for wild rabbit between June and December, and a bird hunting season between September and January.

invasive rodent species which are a threat to wildlife (such as protected seabird species).

The SO 3.2 contains a proposal to determine the "zonation of acceptable activities, along with stricter protection for areas of very high biodiversity and climate value". This is a great initiative and it should greatly contribute to the spatial plan updating process. Furthermore, this objective states that the "management of existing protected areas will be improved, and its effectiveness will be monitored", although not providing details on how this shall be achieved. The management plans for each Natura 2000 site should be revised regularly and reports on the implementation of such plans, should be produced and published every year to be able to update them accordingly. The spatial plans (both terrestrial and maritime) should integrate the management plans objectives not to compromise, but contribute to the protected status of the Natura 2000 sites.

There is a pledge to expand the Natura 2000 network to meet the EU target 30/10 which should be reflected in the NSE. For instance, in 2016, BirdLife Malta submitted proposals to ERA to designate certain important areas as Special Protection Areas (especially with regards to nesting colonies of Yelkouan Shearwater), which are somehow still in the pipeline. These include:

- site 22 Il-Gzejjer ta' San Pawl (Selmunett),
- site 29 Il-Qortin tal-Magun u l-Qortin il Kbir,
- site 24 Rdumijiet ta' Malta: Ir Ramla tac-Cirkewwa sar Ramla tal Mixquqa

The current state of natural habitats remains poor and unsatisfactory: habitat loss and degradation (and not only homogenisation as said in the draft) is an ongoing problem. All the degraded ecosystems should be restored by 2050 under the EU Nature Restoration Law. Afforestation initiatives mentioned under the draft Strategy should be thoroughly assessed in terms of their environmental impacts, and no afforestation projects should be considered within the Natura 2000 network.

SO 3.3 says that "Re-introduction of extinct species and reinforcement of populations of endangered species will be considered as relevant" which should be devoted with further studies and analysis, especially in terms of working out the guidelines for reintroduction and enforcement which would ensure the least adverse impacts on the environment and the species population dynamics (including in terms of genetic pollution). Prior to conducting such efforts, the issues which led to the species extinction or its population decrease in Malta should be evaluated and addressed. This includes also extinctions and reduction brought about as a result of pressure from illegal or unsustainable hunting and trapping. Legislation should be put in place and clearly enforced when it comes to deliberate re-introductions or restocking of species in the wild which in some cases (e.g. releases of captive-bred Turtle-doves) are not

adequately controlled and may actually be counter-productive to the longevity of a species which is already facing a multitude of pressures. A case in point is the unregulated release of captive-bred Turtle-doves by hunting organization. The Wild Birds Regulation Unit do not consider the need to control such activities since they regard the matter as not concerning wild birds, while ERA has shunned the need to control this activity as it is a naturally occurring species.

We strongly support the permanent environmental monitoring system proposed to be established under the Strategy, as it is expected to provide currently scarce data for further improvement and better nature protection. Based on the collected data and the latest available studies, the State of the Environment report should be published on a yearly basis.

The SO 3.8 could contain the measures to empower landowners to protect their land from any forms of intrusive activities such as hunting and trapping. Especially, this should be the case for arable land which must be safeguarded and should serve exclusively for the purposes of agriculture, which implies that such activities as artificial pond creation, non-native trees planting, as well as hunting and trapping should not occur on such land. Among the key players for this SO, eNGOs should be included. Land-owners should be empowered and encouraged to protect their land enhancing its ecological potential.

Regarding SO 3.8, specifically: "*Younger generations will be sensitized to the importance of conserving nature and biodiversity by increasingly mainstreaming nature-based learning in schools. Further collaboration with eNGOs and educational institutions will be sought to this end, as well as to evaluate the possibility of expanding the reach of such programmes to higher educational levels and beyond educational institutions. The creation of sustainable community gardens in schools will be encouraged to foster a sense of environmental responsibility and connection with nature in students. This will be supplemented by regularly revising curricula and study programmes, to ensure that aspects related to biodiversity conservation are sufficiently integrated*". All the above are intentions in the right direction but cannot be implemented unless national policy on the building or retrofitting of schools allows for such activity as described in Strategic Objective 3.8. Schools are increasingly being built without softscapes, hence the implementation of a nature-based learning strategy is simply lip service without the infrastructure to support it. The overall average percentage of soft landscaping in our primary schools is 13% while an overwhelming 39% of primary schools have 0 – 5% soft landscaping – figures that show the impossibility of carrying out any of the above-mentioned activities in at least just under half our primary schools. Nature-based learning, connecting children with nature and motivating them towards environmental responsibility in our schools must be separated from community gardening as the two

have separate aims that may be seen as competing with one another. School soft landscaping for the purposes of connecting chidlren with nature should be planned to enhance urban biodiversity and be sensitively designed to include areas that are not harvested for human consumption, as is the aim of community gardens. Furthermore, with the space constraints that our schools face, they cannot be used as both community gardens and places where nature-based learning can be applied as the resulting disruption of food chains found in naturescapes is counterintuitive to allowing children to experience nature.

It must become a national policy to view schools as places where green infrastructure must be invested in to generate the educational objectives outlined in this section. School grounds should receive adequate planning, management, evaluation, resourcing, staffing and maintenance. Appropriate resources should be dedicated to staff training in nature awareness and the nature-based learning approach.

SG 4: Responsible and Efficient Resource Use that Reflects the Value of Raw and Waste Materials in Support of Zero Waste to Landfill

The current state of the waste management system evidently requires its reformation and perhaps even reinvention. The door-to-door collection system needs to be re-evaluated since it does not deliver desirable results either in terms of sanitary conditions, environmental concerns, or aesthetic considerations. Furthermore, it is vital to rethink the waste management schemes in places falling within the protected areas (which is critically important in N2K sites designated for protection of the seabird species vulnerable to predation by rodent species thriving on waste). The need to upgrade the waste management system is overlooked and not included under the aims of this SG. The aim formulated as "waste generation will be reduced" should be more explicit (as to which extent - based on the EU pledges and national policies).

According to the draft, construction is the major contributor to waste generation in Malta, while the space for backfilling is said to be almost used up. Furthermore, the Strategy proposes the promotion of alternative construction materials to minimise the use of raw materials, however no alternative is mentioned. Tangible and decisive measures are needed to address such an issue. Development proposals should be analysed in terms of sustainability of materials used and generated during its construction, and the decision on the approval should be based on the fulfillment of a set of criteria established for new developments or redevelopments (*refer also to our recommendations for SG2*).

Achieving a zero-waste scenario should be an ultimate target, and we strongly disagree with the concept of land reclamation being included in the strategy. Land reclamation,

irrespective where this is carried out, leads to a loss of marine habitats and a promulgation of the impact from the construction industry from land to sea. The fact that this is mentioned in the strategy points to resorting to an easy quick solution rather than to tackling the issue at source. A circular economy demands maximizing the use of waste before resorting to dumping it offshore. The strategy should look beyond political promises or electoral manifestos and if it is already looking at 2050 as being a year by which land reclamation has happened, than frankly this strategy appears to be failing. We recommend that land reclamation is removed from the strategy.

SG 5: Land Resources Managed to Sustain Natural Functions and Increase Resilience to Climate Change

Agroecosystems are among the most degraded in the Maltese islands due to unsustainable agricultural practices, the spread of monoculture, excessive use of harmful pesticides and continuous pressures arising from developments and infrastructure. Primarily, the land uptake in semi-natural and agricultural land should not be just "minimised", but avoided by all means to improve environmental quality and support a thriving biodiversity for the continued provision of ecosystem services. Therefore, the SO 5.1 declaring that the "land will be used more efficiently to ensure less demand for land take-up in natural, semi-natural and agricultural land" is not ambitious enough, basically leaving room for potential loopholes and misuse.

The SO 5.2 could also integrate the need to monitor the soil pollution, namely in relation to heavy metals which is a serious concern in Malta[4], as well as consequent measures to address it, such as the initiatives launched by the government to rehabilitate the degraded and heavily polluted soils.

SG 6: Ecologically Diverse, Healthy and Productive Marine Waters, Capable of Supporting Sustainable Growth

A considerable amount of actions under this SG are not formulated explicitly and should be revised. Statements such as: "Efforts to green the relevant sectors and industries, such as sewage treatment, will continue to be increased and facilitated" is very generic and does not imply any practical tools or criteria. The whole paragraph below contains declarations and no practical vision of those: "*Efforts will be channeled towards a better understanding of the requirements of key marine habitats and species in order to implement targeted management regimes that enhance the ecological functions of marine ecosystems as a whole, including marine protected areas. To this effect, marine strategies will continue to be cyclically developed to define what needs to be done for the*

[4] https://www.um.edu.mt/library/oar/bitstream/123456789/73391/1/20MBIOCH001.pdf

achievement of GES in Malta's marine waters. These measures will continue to serve as the environmental dimension of the wider maritime policy. Efforts will focus on harmonisation across relevant policies, as well as sharing of data across stakeholders, to enable concerted holistic management of the marine environment across sectors".

A vital step to accomplish to protect our seas is developing proper management plans for the Marine Protected Areas and implementing them accordingly, revising such plans regularly, updating and evaluating, along with permanent environmental monitoring and data collection. Apart from that, at least 10% of the marine Natura 2000 network should benefit from strict protection where no activities adding pressure to the marine environment are allowed. Such a target should be included into the NSE.

A second crucial step to take is to update and implement the National Maritime Spatial Plan (MSP) which at the moment remains quite generic and does not reflect neither management objectives of the MPAs (which are yet to be formulated), nor the latest news on concessions in the EEZ, which appears to have been opened up for various commercial interests prior to the 2022 elections. We recommend the review of the current available data and information to understand data gaps and what further data collection is needed. Mapping the sensitivity of threats and human pressures that species and habitats face in Malta's territorial waters enables the identification of the best places to allocate human activities. For seabirds, those areas were designated because of high congregation areas (colonies, foraging or rafting sites). However, the areas do not account for migratory flyways or for "foraging trips-commutes". Therefore, mapping the sensitivity to different pressures would enable us to understand the impact certain activities might have on a population of seabirds that is not just breeding, foraging or rafting in the area, but also passing through the area on the way to foraging grounds. Allocation of activities such as aquaculture or bunkering areas might change seabird behaviour and movement. A marine spatial plan should propose an allocation of areas for different human activities depending on the least ecological impacts, especially in the MPAs. Before adopting a final maritime spatial plan, a Strategic Environmental Assessment of allocated areas should be undertaken that determines the extent of the environmental impact of the plan and if needed, adjustments have to be made. The MSP should integrate the conservation objectives established in the management plans for each MPA.

It is highly important to start evaluating and addressing the issue of light pollution offshore. This is especially relevant in context of the latest proposal by the government to give the Hurd's Bank for concessions (for a number of projects, including aquaculture, wind farms, artificial islands, etc.), but also the existing threat of bird strikes on illuminated ships and decreased colony attendance due to the bunkering opposite colonies. Indeed, we encourage the inclusion of revisions to bunkering area 1 and area

6, opposite Rdum tal-Madonna and Majjistral NHP Yelkouan shearwater colonies respectively. We propose that no bunkering is allowed during the crucial hatching and early chick rearing period (mid-April to mid-May) and that all ships within Maltese territorial waters are obliged to have black-out blinds on all but navigation and operational lights and that operational lights have a set temperature and intensity. Such measures will not only positively affect shearwaters but other marine fauna.

Aquaculture is not mentioned in the background section for this SG, while this sector is a great contributor of pollution (including biological pollution) and creates an immense pressure on marine ecosystems, not to mention environmental implications of the aquaculture activities in general (specifically, the impacts originating from capture-based aquaculture which comprises at least 80% of Maltese aquaculture industry). The document states that "some of the pressure on wild seafood stocks can also be relieved by diverting the existing demand to farmed fish and other seafood". This initiative requires rigorous analysis in light of a number of ecological impacts such diversion can have on marine and coastal ecosystems. All aquaculture activities should be established and conducted in appropriate locations so as to minimise pressure on protected habitats and species, and be aligned with the latest available guidelines for sustainable aquaculture, such as "Strategic guidelines for a more sustainable and competitive EU aquaculture for the period 2021 to 2030". The establishment of a North Aquaculture Zone has gone off the plans completely, resulting in the exploitation of the Sikka l-Bajda area for the tuna farming industry, which is set to continue to increase at the detriment of this area. Relocating this growing industry to an area where it would produce the least impact is now crucially important, and ERA should oversee this within the NSE, with a realistic outlook of how this industry may continue to grow in the coming years.

For the Mediterranean Sea, there is a lack of reliable scientific data on seabird bycatch, which leads to governments not taking action on the issue. From our regional BirdLife partners, available data shows that the critically endangered Balearic shearwater, the vulnerable Yelkouan Shearwater and Scopoli's shearwater, are regularly caught in pelagic and demersal longline fishery in the whole Mediterranean, but also locally (Dimech et al. 2008[5]). The lack of recent data on bycatch for Maltese territorial waters needs to be tackled in order to assure that fishing techniques are sustainable and do not cause a threat to protected species. To address such an issue as fisheries bycatch, it is highly beneficial to establish Remote Electronic Monitoring systems on vessels in accord with the EU legislation. In order to improve monitoring, electronic logbooks from fishing vessels should have systems in place to record seabird bycatch, all vessels should have VMS or similar, the organization of trainings on seabird bycatch mitigation for fisheries inspectors and fishers should be considered. The lack of monitoring poses a

[5] https://www.iccat.int/Documents/Meetings/Docs/SCRS/SCRS-08-027_Dimech_at_al.pdf

threat not only to seabirds but also to other bycaught species in our waters. For the portions of the fleet where bycatch is identified, efficient mitigation measures need to be established in close collaboration with fishers. Once the mitigation measures and best practices are established for each fishery, these need to be implemented on vessels operating with gears associated with a known bycatch risk, especially those operating within MPAs.

In accord with the EU 30/10 target, 10% of the MPAs should gain from strict protection, meaning among others the establishment of no-take zones where human activities associated with pressures on the environment should not occur. Such designations should be based on the introduced management regimes for protected areas, updated MSP, and other relevant national plans and strategies. Prior to any no-take zone designation, an Environmental Impact Assessment should be conducted to prevent any negative environmental implications on the marine ecosystems.

This SG pays special attention to Comino (SO 6.4), stating: "Comino, it will be ensured with priority that the islet's opportunities and limitations, including its landscapes, seascapes and nature, will be taken into consideration to enable growth in a resource-efficient and environmentally sustainable manner". The whole island of Comino is designated as a Natura 2000 site. Despite its "pristine, remote and unspoilt" character as referred to in the draft, Comino is facing a number of serious pressures originating from human activities, and tourism remains the most concerning one, with a number of visitors in peak season being far from sustainable given the sensitive nature of the area. Comino should have an established limit of visitors allowed on the island in a single day, with as little maritime transport berthing around as possible. The impacts from multiple vessels arriving in bays can be limited by the establishment of ecological mooring, which would in turn set a limit on the number of vessels. These measures will significantly help to improve the status of the island, reducing such pressures as noise and light pollution, trampling, waste generation, invasive rodent species spread, etc. and at the same time contribute to habitat restoration initiatives, seabird colonies protection and wildlife conservation.

Risk and Impact Assessment in case of maritime emergencies (such as due to oil spills, shipping incidents, underwater pipeline ruptures, blowouts from offshore installations, illegal discharges, etc.) should be conducted, such that an emergency response system for wildlife (namely, marine fauna) should be established and capacity building exercises should be ensured (SO 6.1).

As suggested under the Strategy, efforts should be put to prevent marine litter, however existing litter (such as discarded/lost fishing gear, other large pieces of litter) should be removed to as much extent as possible, therefore financial incentives and funding

should be devoted to address this issue on more than just one level. Various NGOs are taking the lead in such initiatives and should be encouraged further to expand their efforts in line with the scale of this issue.

SG 7: Sustainable Water Resources that Ensure Long-Term Use and Support Water-Dependent Ecosystems

The explanation of the current situation with the use of water resources blames the over-extraction of aquifer water for irrigation and potable water. This grossly ignores the extraction pressure (often illegal) which is exerted by the construction industry, the hotel industry, as well as possibly for commercial use such as the filling of swimming pools, all of which have a history of inadequate regulation. While the establishment of the new water system is putting a good resource into use, currently the use of such water is not simply for agriculture but also for an unregulated and rather growing number of ponds that are mushrooming all over the country where some form of supply of water is available. While indeed the Maltese landscape is an arid one, the use of such water and the unregulated excavation/construction of these ponds are having various ecological repercussions, especially when these are utilised exclusively to attract avifauna for hunting and trapping purposes. A bird's eye view of the countryside over past years is testament to this growing phenomenon. With the onset of increasing supply of recycled/new water unless this is better regulated and guaranteed for agricultural use, this will only lead to a growth in the illegal transformation of agricultural land into hunting ponds. The indirect effect of such non-regulation is practically the decimation of various wader species that migrate over the Maltese islands in the summer months and that end up attracted to such areas to be hunted or trapped.

Functional water bodies should be guaranteed further protection, and the Energy and Water Agency's say on developments affecting or bordering valleys and water bodies should also be taken into consideration whenever proposed developments threaten the quality or state of natural water bodies.

We also recommend that initiatives that have in past resulted in the adequate funding and management of water systems (such as Chadwick Lakes) should be expanded to other areas of considerable ecological value, including if necessary heightening the protection status of these areas. Significant water bodies include those of Wied l-Imselliet and Wied Qannotta and Wied Ghajn Rihana systems, as well as Wied ir-Ramla l-Hamra on Gozo.

It will be beneficial to integrate the EU Nature Restoration Law targets into the NSE, particularly for this SG, the barriers that prevent the connectivity of surface waters should be identified and removed by 2030.

SG 8: Enabling and Empowering the Required Green Transition

Regarding the SO 8.6 dealing with the integration of environmental wellbeing and generic green skills into the curricula and study programs, in order to critically assess curricula for their capacity to deliver a shift towards green skills and nature literacy, subject Learning Outcomes must be reviewed to include such green skills. This can be done through eNGOs that provide a nature-based learning programme, such as BirdLife Malta does through its Dinja Waħda programme. Most importantly, educator training in nature-based learning must be given national importance both at undergraduate level as well as at in-service training level, and this must be undertaken before adoption of a nature-based learning policy for students.

Conclusion

Based on all the aforementioned points, we believe that with a more ambitious, concrete and realistic approach such an all-encompassing document as the National Strategy for the Environment can not only initiate a truly green transition, but shift all spheres of societal life towards a sustainable future, ensuring balanced and harmonized human-nature relationship on our Islands.

In order to enhance the NSE's potential, we highly recommend integrating national targets and pledges under the EU legislation and international agreements into the NSE. Namely, it would be beneficial if the objectives and targets, which are already based on the UN SDGs, are also aligned with the European Green Deal, including the EU Biodiversity Strategy 2030 and the Farm to Fork Strategy, the upcoming EU Nature Restoration Law, Bonn and Bern Convention (particularly, the Rome Strategic Plan), Barcelona Convention commitments, etc.

We note the intention to develop the action plans for each 10-year period covered by the Strategy. Such action plans should contain targets formulated with the use of SMART methodology; the timeframes and deadlines should be explicit and clear to ensure the proper implementation, monitoring and reporting. It will be beneficial to report on the progress of the Strategy implementation on an annual basis publicly, involving the relevant stakeholders into an open dialogue, thus contributing to the process of refining the Strategy, updating it and improving. This Strategy along with the documents and

policies originating from it, should be of a legally binding nature, they must be better coordinated, implemented and monitored which entails further development of capacity and expertise.

BirdLife Malta looks forward to being consulted as to the 10-year period action plans aimed at the efficient implementation of the NSE. We also are awaiting ERA's response on including our recommendations into the NSE.