

PARANY

ILLEGAL ACTIVITY in the period 2007-2008



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By Josep Bort

GER-Ecologistes en Acció; e-mail: info@internatura.org
and David Olmos

Acció Ecologista-Agró; e-mail: paranymaps@gmail.com



ECOLOGISTAS
en acción VILA-REAL G.E.R.
Grup d'Estudi i Protecció dels Rapinyaires
(G.E.R.- Ecologistes en Acció)



Summary - In the period 2007-2008 a study was conducted to demonstrate that the so-called parany trapping technique, declared illegal since 2002, continues practically unabated in Castellon province, with no noticeable reduction in the number of parany tree stand installations. This report provides evidence to show that the Department of Medi Ambient, Aigua, Urbanisme i Habitatge do not take adequate steps to stop parany trapping. In October 2008, the Public Prosecutor's Office filed charges against the Regional Director of the Environment and twelve parany operators. They were charged with being alleged perpetrators of a crime against the environment for permitting or conducting an illegal means of hunting. In 2009 the Popular Party, which has a majority of seats in the Valencian Parliament, is sponsoring an amendment to Articles 7 and 10 of the Valencian Game Law 13/2004 that will legalise parany trapping.

INTRODUCTION

The parany is a bird trapping technique, practised in the Valencia region and in southern Catalonia in Spain. It involves the luring of song birds to high stands of trees interlaced with poles, to which sticks impregnated with glue or lime are attached. The migrant song birds are attracted to the tree groups and the plumage of the birds settling on the sticks becomes glued together and the birds fall helpless to the ground. Subsequently they are killed by the trapper. To ensure a high catch electronic lures are also employed. These are prohibited by law [Law 13/2004, Art. 12.2d].

This technique of hunting has been banned by various court judgments: The Supreme Court in the Community of Valencia - judgement 517/2002, the Supreme Court of Spain – judgement of September 21, 2005 - and the Court of Strasbourg ruling by Subject C-79/2003. All judgements stated that parany trapping is a mass hunting technique and is totally non-selective [1].

In Valencia, at least 2,000 illegal hunters still trap birds by his method in at least 1,500 parany installations. These figures have been publicly admitted by APAVAL, the parany trappers' association [2]. It is estimated that some 1.5 million birds are killed in parany in a single month. According to a study by the University Politècnica de Valencia, conducted in the so-called scientific parany in 2006 and approved by the Environment Department - **the parany catch consists of 76.6% of thrushes and 23.3% of protected birds, the latter mainly Blackcaps and Robins [1].**



METHODOLOGY

A. Study period and resources employed

The fieldwork was conducted in 2007 and 2008, from 15 September to 15 November. The peak trapping period is from 6 October to 6 November.

In 2007 two volunteers spent approximately 80 hours in the field over a 20 day period. In 2008 the team was increased to three volunteers, conducting 130 hours of field work in a 30 day period. To maximize the effectiveness of the study, the search transects focused on those areas where the concentration of parany was highest and they were most visible.

B. Study area and methodology

The extent of illegal parany trapping was studied in Castellon province during 2007 and 2008 [1]. The base line for the study was a list of 800 parany located in previous years. After the conclusion of the study our data base had increased to 1,100 parany locations. The



methodology consisted of:

- Driving along different routes by car (roads and tracks) in rural areas where the practice is prevalent;
- Once a parany was located from the road, geographic coordinates were taken and recorded using a GPS device. The following data was collated:
 - i. Parany location (coordinates)
 - ii. Whether the parany is active or inactive (in 2007 only active parany were recorded)
 - iii. Presence of the trapper
 - iv. Type and number of trees in the installation
 - v. Name of the local municipality



All information is recorded in an Internet application with public access, where the actual distribution and location of active and inactive parany in Castellon province can be seen at:

<http://www.accioecologista-agro.org/paranymaps/>

In 2008 maps were generated using this tool, which showed parany detected in previous years. Using these maps the volunteer field workers were able to plan the optimal daily search routes.

As it is impossible to monitor the whole region in a single season, the study was restricted to a small area of land most suitable for parany installations. New parany were located on every single day of the study period.

In order to assist the authorities in combatting illegal trapping, all data collated was passed to the Environmental Department, the Seprona (environmental) police and the Castellon public prosecutor's office.

RESULTS

In 2007, 321 active parany in 28 municipalities were located - an average of 4.01 installations per hour of study. In 2008 some 722 parany were monitored. **Of these, 583 were active in 38 municipalities and 139 (19.3 % - active in previous years) were inactive.** Many parany are active by day and night with lime sticks set out even when the trapper was absent. **Illegal electronic lures were used by trappers in 99 % of cases** [1].

In 2008, 4.48 parany per hour of study were located. This increase in efficiency of parany detection was due to the availability of maps enabling optimal route planning.

Among the parany identified as active in 2007, some 9% (n = 29) were inactive in 2008, although new installations were detected in areas which had been comprehensively monitored in 2007. On balance therefore, the abandonment and creation of new active parany across the time-frame 2007-2008,

demonstrated no significant decline in this illegal practice. These results agree with the data published by APAVAL, i.e. 2.000 trappers in over 1,500 active parany [2], the latter probably representing a conservative estimate.



ADMINISTRATIVE CONTROL

In 2008, 154 parany owners were fined, although no comprehensive data on the size of the fines is available. In 2007, 140 parany owners were fined out of 156 initially charged:

- 53 fines of 301 €, the minimum fine for a single serious offence;
- 61 fines of 602 €, the minimum fine for two serious offences;
- 26 fines of 903 € the minimum fine for three serious offences.

Based on data provided by the Department, the most common penalties include:

- Hunting using an illegal method
- Hunting using an illegal electronic lure

Both offences are classified as serious under the terms of sections 58.2.13 and 58.2.18 of the Valencia Hunting Law 13/2004. As the



minimum penalties available under law 13/2004 were imposed in all cases, it is clear that no account was taken of repeated offences by the same person, or other aggravating circumstances.

According to the Environmental Department, on all occasions when trapping in */scientific paranys/* was permitted, the managers appointed by APAVAL were fined for non-compliance with the technical regulations for the European bird ringing programme.

The trend in the number of illegal trappers charged in the period 2003-2008 shows that a decline at a rate that does not reflect a corresponding reduction in the number of active paranys.

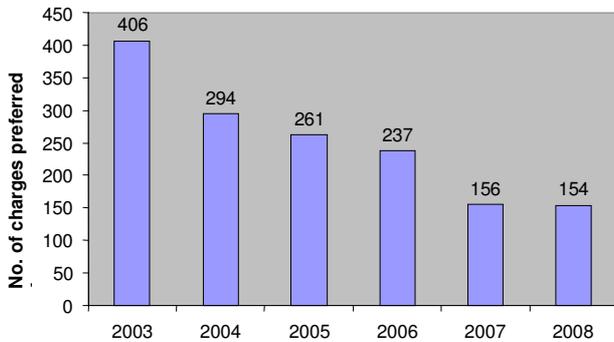


Fig 1. Trend in the number of charges filed against parany operators Source: Conselleria. Period 2003-2008

On Tuesday 27 and Wednesday 28 October 2008, charges were filed against 12 and 14 parany operators respectively, well above the average of 4.05 charges per day for the period 8 October - 14 November (3.55 if these two days are excluded). During the study period, Friday 25 October 2007 was the day with the highest number of charges (n = 23). Since a high proportion of paranys are active every year, all with a fixed infrastructure, elevated from the surrounding terrain and clearly visible, there is clearly no technical impediment to the detection and prosecution of illegal trappers.

Parany trapping is a primarily nocturnal hunting technique, coinciding with the post-breeding migration of thrush species [3], with hunters mostly active at weekends and on public holidays. Nonetheless the Environmental Department organizes most of its anti-parany operations on weekdays and during daylight hours [1].

Because of the physical dangers involved, officers often refuse to inspect paranys at night unless they are accompanied by another officer [4]. Nonetheless the department responsible insists on sending out single officer patrols.



The department has even opened disciplinary proceedings against an environmental officer for assisting a fellow officer in investigating a parany, even though he was off duty and therefore not neglecting his responsibilities [5].

Finally, in response to a request for information from the association of environmental officers in Castellon, the Department has reported that the file with the census of the paranys in Valencia has been destroyed and is no longer available [6].

Such evidence reinforces the premise that **the Department tolerates paranys and does not provide the resources necessary to eradicate this illegal practice.**

INVESTIGATIONS BY THE PUBLIC PROSECUTOR

The complaint against Jorge Traver, the director of the Castellon Department of the Environment and 12 parany operators, filed by the environmental association GECEN, has been referred to the courts by the Castellon Public Prosecutor's Office. The prosecution has alleged that they are guilty of offences against the environment by permitting or conducting an illegal means of hunting since 2002 [7] [8].

STANDPOINT OF THE INSTITUTIONS

Politicians in Valencia have continually expressed their public support of parany trapping and have occasionally opposed volunteers who report this illegal activity [9] [10] [11] [12].

Public administrations, municipalities, the Federation of Municipalities and the Diputación de Castelló have all publicly defended the operation of paranyes [13] [14] [15]. For instance the Vice President of the Diputación de Castelló with responsibility for the environment, Vicent Aparici, stated on 26 October 2008 that *“the start of hunting season [is] more than alarming due to actions by the Public Prosecutor’s Office against practitioners of the thrush hunt using paranyes (...) we have begun to prepare a legal instrument for which we hope to have the support of all Valencian parliamentary parties, and to translate this effort into an active defence of our paranyers (...)”*[15].

Conversely, there is no evidence that institutions in Valencia have either declared publicly that their goal is the eradication of illegal paranyes, or that they have discouraged continuance of the practice.

In the course of 2009 both the Diputación de Castelló as well as several city councils passed motions urging the legalization of paranyes [14]. On 4 June 2009, in advance of the elections to European Parliament, the Popular Party, as head of the Generalitat Valencia and with an absolute majority in the Valencian courts promised a timely legalisation of this hunting method by an amendment to Law 13/2004 [16]. **On 16 June, 2009, the Bureau of Justices declared admissible a legal proposal to reform Articles 7 and 10 of Law 13/2004. Parany trapping is declared to be a Valencian traditional hunting technique, and now no longer considered to be a non-selective and mass trapping method. It is claimed therefore that paranyes no longer violate the Bird Directive 79/409/EEC, or the Law 42/2007 on State Heritage Nature and Biodiversity.** The detailed terms and conditions for this practice will be defined in a future regulation.

CONCLUSIONS

The study conducted in the period 2007-2008 shows that **81% of controlled paranyes remain active**, while 19% were inactive in recent years. New parany installations have been created. Meanwhile, the number of offenders penalised has declined substantially since 2003. Even though an effective prosecution of this illegal hunting method is possible and easy to execute due to the high visibility and known, fixed locations of the installations, **the authorities do not provide adequate resources to ensure that the statutory prohibition is enforced.** There are no known public statements of institutions cautioning that parany trapping is an illegal method contrary to the law. **Finally, the political party with the majority of seats in the Cortes Valencianas has proposed an amendment to Law 13/2004 to legitimise this trapping practice.** With this amendment parany trapping is finally acknowledged as a Valencian tradition and considered to be a selective and non-massive bird hunting practice.

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