





# Field Report: Autumn 2014 Bird Protection Camp, Republic of Cyprus,

14 September – 12 October 2014



Bonn / Bielefeld, Germany: Monday, 23 March 2015



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Autumn 2014 Bird Protection Camp

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# CONTENTS

1	SUM	MARY	.4
2	INTR	ODUCTION	.5
3	PART	1: FIELD REPORT	.6
	3.1	AUTUMN 2014 BIRD PROTECTION CAMP METHODOLOGY	.6
	3.1.1	PARTICIPANTS	.6
	3.1.2	WORKING SCHEDULE AND AREAS	.6
	3.2	RESULTS OF AUTUMN 2014 BIRD PROTECTION CAMP	.7
	3.2.1	MONITORING OF TRAPPING SITES	.9
	3.3	LAW ENFORCEMENT	.0
	3.3.1	LAW ENFORCEMENT AGAINST ILLEGAL BIRD TRAPPING IN THE LAST FEW YEARS1	.0
	3.3.2	PROPORTION BETWEEN TRAPPING ACTIVITY AND LAW ENFORCEMENT CAPACITY1	.1
	3.3.3	EFFECT OF PROSECUTIONS ON THE REACTIVATION OF THE TRAPPING SITES1	.2
	3.3.4	IMPLEMENTING EFFECTIVE ENFORCEMENT: EXAMPLE FROM NORTHERN ITALY1	.3
	3.4	INCIDENTS OF AGGRESSION AND VIOLENCE1	.5
	3.5	THE BRITISH EASTERN SOVEREIGN BASE AREA1	.5
	3.5.1	COINCIDENTAL ESTIMATION OF TRAPPING ACTIVITY IN THE NIGHT1	.5
	3.5.2	THE 'NO-GO' AREA IN AYIOS NIKOLAOS1	.6
	3.5.3	BIRD SLAUGHTER IN CAPE PYLA1	.7
4	PART	2: ECOLOGICAL, HISTORICAL, LEGAL, POLITICAL AND SOCIAL ANALYSIS1	.9
	4.1	BACKGROUND1	.9
	4.1.1	AN ECOLOGICAL ATROCITY1	.9
	4.1.2	THE HISTORICAL CONTEXT2	:0
	4.1.3	THE BIRD CRIME CHAIN2	4
	4.1.4	THE LEGAL ASPECT2	:5
	4.1.5	THE POLITICAL ASPECT2	:9
	4.1.6	THE SOCIAL ASPECT	1
5	CON	CLUSION AND RECOMMENDATIONS FOR THE FUTURE	4
6	ABBF	REVIATIONS AND ACRONYMS	6
7	NOT	ES AND REFERENCES	7

# 1 SUMMARY

Autumn season is the most dramatic for illegal, non-selective and large-scale bird trapping in Cyprus: trappers try to achieve the highest catch during the months of September and October and in most areas trapping sites can be easily detected.

The Committee Against Bird Slaughter (CABS - Komitee gegen den Vogelmord e.V. in German and Επιτροπή Ενάντια στη Σφαγή των Πουλιών στα Ελληνικά) and the Foundation Pro Biodiversity (SPA – Stiftung Pro Artenvielfalt in German and Ίδρυμα για την Προστασία της Βιοποικιλότητας in Greek) have conducted a Bird Protection Camp (BPC – Περιοδεία Προστασίας Πουλιών in Greek) for the fourth time in autumn season and for the second time in cooperation with the Cyprus Police Anti-Poaching Squad (APS).

Following the methodology settled down in spring 2014, CABS volunteers have avoided removing any traps in the field and have given priority to scouting work for later prosecution by the APS. This was considered as a comprehensive and effective strategy that matched the necessity of a proficient police work and a lower profile approach for volunteers. The presence of the APS on daily base, for the whole BPC, has proven to be extremely important, both in terms of trappers' prosecution and confiscation of trapping paraphernalia. **During 26 operational days, 3,950 limesticks, 116 mist nets, 35 decoys and 13 steel traps have been seized and 27 persons have been prosecuted by the APS for illegal bird trapping.** 

The APS has shown an increasing proficiency in their power of enforcing the law, through successful ambushes, searches of premises, either with the owners' authorisation or with search warrants, and in general by adopting a more proactive approach. Nevertheless, CABS and SPA cannot but underline once again the three major problems that are jeopardising the enormous efforts made by law enforcement agencies to tackle bird trapping:

- 1) The number of law enforcement patrols operating in the field is disproportionate to the number of bird trappers active on daily base. A single APS patrol has proven to be insufficient for prosecuting bird trappers on all active sites discovered by CABS volunteers in autumn 2014. Bird trappers were prosecuted in only 21.6 % of all detected and reported cases. In the same way, a lack of available patrols in the field, also applies for the Game Fund (GF). As we noted in our *Autumn 2013 Field Report* [<sup>1</sup>], a minimum of 6-8 patrols on daily base must be allocated in the major hotspots of Larnaca and Famagusta districts in Cyprus during autumn. In addition 4 patrols of the British *Sovereign Base Areas (SBAs)* Police and 1 patrol of the *United Nations Police (UNPOL)* should be allocated in the areas under the jurisdiction of the British *Eastern Sovereign Base Area (ESBA)* and the Sector 4 of the *United Nations Buffer Zone (UNBZ)* respectively, the 2 other major trapping hotspots on the island (Map 1 and Table 1).
- 2) Current extent of arrests and prosecutions made, as well as fines and penalties imposed doesn't deter people from trapping. Most of the sites, where people were prosecuted for illegal bird trapping in the past, are activated again and again, sometimes even twice within the same season, as we recorded this autumn. The illegal 'business' of ambelopoulia trade is too rewarding to be deterred with the extremely low fines and penalties currently imposed by the Courts in the Republic of Cyprus.
- 3) The 'Strategic Action Plan (STAP) for Combating Illegal Bird Trapping in Cyprus' has not been adopted and implemented yet by the Council of Ministers of the Republic of Cyprus. The draft STAP has been finalized a year ago, following the recommendations of the '1<sup>st</sup> and 2<sup>nd</sup> European Conferences on Illegal Killing of Birds', which were held in Larnaca in July 2011 and in Tunis in May 2013 respectively, as well as the 2 preparatory workshops organised by BirdLife Cyprus in April and November 2013. However, in contrast with the recommendations of the *European Union's (EU)* institutions including the Bern Convention Secretariat, the Council of Europe, the European Parliament and the Directorate General for the Environment (DG-ENVI) of the European Commission and national independent authorities mainly of the Commissioner of Administration and Human Rights (Ombudswoman) the STAP has not been adopted and implemented yet by the Government of the Republic of Cyprus.

If these three aspects are not urgently addressed by the competent authorities of the Republic of Cyprus, as well as the administrations of the British SBAs and the *United Nations Peacekeeping Force in Cyprus (UNFICYP)*, the efforts of the law enforcement agencies and environmental *non-governmental organisations (NGOs)* are condemned to failure.



#### Map 1: Major and other isolated trapping areas in Cyprus

#### Table 1: Trapping hotspots (areas, seasons and methods) in Cyprus

Trapping Hotspots	Trapping Area	Trapping Seasons	Prevalent Trapping Methods
1	Famagusta District (Xylophagou, Liopetri, Sotira, Ayia Napa and Cape Greco, Paralimni and Protaras, Deryneia, Frenaros, Vrysoulles, Dasaki Achnas and Avgorou)	Spring, autumn and winter	Limesticks, mist nets and electronic decoys
2	British Eastern Sovereign Base Area – ESBA in Dhekelia (Cape Pyla, Xylophagou, Xylotymbou, Ormideia, Pyla, Achna and Ayios Nikolaos)	Autumn and winter	Mist nets and electronic decoys
3	Sector 4 of the United Nations Buffer Zone – UNBZ (Paralimni, Deryneia and Vrysoulles)	Spring, autumn and winter	Limesticks, mist nets and electronic decoys
4	Southwest of Larnaca District (Zygi, Maroni, Psematismenos, Kalavasos, Tochni, Choirokitia, Kato and Pano Lefkara, Skarinou, Ayios Theodoros, Kofinou, Alaminos, Anafotia and Mazotos)	Spring, autumn and winter	Limesticks, mist nets and electronic decoys
5	Southwest of Larnaca Town (Meneou, Kiti and Pervolia)	Spring, autumn and winter	Limesticks, mist nets and electronic decoys
6	North of Larnaca Town (Aradippou, Kellia and Troulloi)	Spring, autumn and winter	Limesticks, mist nets and electronic decoys
7	<b>Other isolated areas</b> (Lythrodontas, Potamia and Kakopetria in Nicosia district, Polis Chrysochous and Kouklia in Paphos district)	Autumn and winter	Limesticks, mist nets and electronic decoys

# 2 INTRODUCTION

CABS has conducted BPCs in the poaching hotspots of the Mediterranean region for more than 20 years. On Cyprus, CABS has been active on a small scale since 2001; but regular BPCs began in spring 2008, in cooperation with SPA. In 2014, the 4<sup>th</sup>Autumn BPC was conducted over a period of four weeks, from 14 September to 12 October, to cover the most of the post-nuptial migration.

BPCs are major field surveys and anti-poaching campaigns organised during bird migration seasons in spring, autumn and winter, and have three main objectives:

- Committe Against Bird Slaughter - CABS
- To locate and report as many illegal trapping installations as possible to the competent law enforcement agencies, in order to arrest poachers red-handed, confiscate trapping paraphernalia and ensure a safe passage on migration for birds;
- The collection of data in order to evaluate the true impact of the massive use of non-selective trapping methods such as limesticks, mist nets and electronic decoys on wild bird populations and species;
- The collection of data in relation to the strategies and efforts implemented by the competent law enforcement agencies namely the APS and the GF in the territory of the Republic of Cyprus, as well as the British ESBA Police and the UNPOL in the areas under their jurisdiction to tackle bird trapping.

CABS and SPA are always seeking for the cooperation and support of the competent authorities and law enforcement agencies to assist them in combating illegal, non-selective and large-scale trapping, killing and trade of wild birds.

# **3** PART 1: FIELD REPORT

# 3.1 AUTUMN 2014 BIRD PROTECTION CAMP METHODOLOGY

# 3.1.1 PARTICIPANTS

A total of 14 volunteers from Cyprus, Germany, Italy, Hungary, Switzerland and Slovenia participated in the camp. All of these had previously participated in a CABS camp in Cyprus and had good knowledge of the area. 6-8 volunteers were active per week. As requested by the competent authorities of the Republic of Cyprus and in order to make the work of the police patrol easier, only one team was working together with the APS and left the field every time the APS was given a case for prosecution. In this way, the APS patrol did not have to look after the security of the volunteers, but could devote their time to catching trappers red-handed.

# 3.1.2 WORKING SCHEDULE AND AREAS

Teams started working around 11:00 p.m. in order to locate active trapping sites following the calls of tape lures by driving on public roads. The meeting with the APS was set before dawn, to allow the police to approach the trapping site spotted by volunteers in the night and to remain unseen in the proximity of it. The operations usually continued during the day, patrolling the area and checking for additional trapping sites.

Autumn season is the most dramatic for bird trapping in Cyprus: trappers try to achieve the highest catch during the months of September and October and in most areas trapping sites can be easily detected. Consequently, operations were concentrated in the major trapping hotspots of the Republic of Cyprus in autumn: the Famagusta and Larnaca districts (Maps 2 and 3).

15 working days (57%) were dedicated to Famagusta district, 10 days (39%) to Larnaca district and 1 day (4%) was spent in Nicosia district. This was a justified approach, if we consider the density of autumn trapping sites in each district.



Map 2: Density of active trapping sites in spring (for comparison, estimated from spring trapping activity detected by CABS, MBCC and BirdLife Cyprus in years 2009 -2014)



Map 3: Density of active trapping sites in autumn (estimated from autumn trapping activity detected by CABS, MBCC and BirdLife Cyprus in years 2009 -2014)

# 3.2 RESULTS OF AUTUMN 2014 BIRD PROTECTION CAMP

From September 15 to October 12, CABS volunteers worked in cooperation with the APS officers for 26 working days with the following results:

#### Table 2: Detailed results of the joint APS / CABS operations

27 cases of prosecutions	37 confiscations without prosecutions
1771 limesticks	2179 limesticks
50 mist nets	66 mist nets
14 tape and MP3 players	21 tape and MP3 players
7 car batteries	10 car batteries
14 loud speakers, 34 CDs and tapes, 2 timers	24 loud speakers, 5 CDs, 21 tapes, 2 timers
1 audio transmitter and receiver	2 audio transmitters and receivers
2 baskets for limesticks	5 baskets for limesticks
13 steel traps for wild hares and birds	170 meters of cable
265 killed wild birds	
Approximately 310 wild birds released	
3 killed wild hares	
14 metal poles for mist nets	

In the same period, from September 15 to October 12, two working days were reserved for joint operations between the APS and the GF. The results are:

- 4 joint prosecutions by the APS and the GF, near Liopetri River, in the border between the territories of the Republic of Cyprus and the British ESBA, as well as in Avgorou, on October 7;
- 3 joint prosecutions by the APS and the GF, in the area between the villages of Ayios Theodoros and Maroni, in Larnaca district, on October 12.

If we count all together the results of CABS and APS operations on the one hand and APS and GF operation on the other, within 28 days (from September 15 to October 12) 34 prosecutions have been made and 4,135 limesticks and 129 mist nets have been confiscated in total. Moreover, according to the press releases of the Press Office of the Cyprus Police Headquarters and the MJPO, between October and November, the APS in cooperation with other units of the Cyprus Police and the Game Fund conducted at least 7 more operations against illegal bird trapping, targeting big professional trappers.



Figure 1: Mist nets and limesticks seized during autumn Bird Protection Camps organised by CABS since 2011

Committe Against Bird Slaughter - CABS

The number of seized limesticks is on the same level for the past four years, with only a small decrease in 2014. This decrease is not connected with a real reduction of traps in the field, but rather with the different methodology implemented by CABS, with less daily activity and more night scouting work. Conversely, the number of mist nets appears to be significantly depending on our cooperation with the competent law enforcement agencies: in autumn 2011 and 2013, when we didn't have the escort of the APS, we located 35 and 68 mist nets respectively; in autumn 2012 and 2014, when we had the escort of the APS, we located 113 and 116 mist nets respectively. Due to the fact that mist-netting sites are often well-guarded by criminal gangs of professional trappers, we avoided approaching them without the support of the police. The number of mist nets located and confiscated in autumn 2014 would be much higher, if we had also the cooperation of the British ESBA Police and consequently the opportunity to monitor the territory of the British ESBA as well.

# 3.2.1 MONITORING OF TRAPPING SITES

Over the past six years, from spring 2008 to autumn 2014, CABS and SPA (together with the other environmental NGOs that are monitoring illegal bird trapping in the field, namely BirdLife Cyprus and Migratory Birds Conservation in Cyprus – MBCC) located and listed 971 trapping sites:

- 773 trapping sites are in the territory of the Republic of Cyprus,
- 176 sites are in the territory of the British ESBA and
- 22 sites are in the Sector 4 of the UNBZ.

During the 28 days of the camp, the teams monitored 193 of these sites (19.9%). Many sites which were particularly important, were checked more than once on different dates and times of day.

Of the 193 sites checked, 56 sites had no signs of recent trapping and 137 sites were found active i.e. with traps or with signs of recent trapping, such as fresh lime on branches and/or feathers on the ground. Out of 137 active trapping sites, 66 sites were new, with no records of trapping in the past, and 71 sites were known to us, as we already found traps or signs of trapping on them in previous seasons.

The high percentage of new active sites (34% of all checked sites) can be only partially explained with the expansion of CABS monitoring range. Much more it shows that trapping is still extremely vital and new trappers are occupying new areas but also old trappers are looking for new sites to use alternatively to those already detected by law enforcement agencies in the previous seasons. Further evidence of high trapping activity is the low percentage of inactive trapping sites (29% of all checked sites). This percentage could be a bit higher, if we checked more trapping sites during the day. But every night we detected many sites with sound lures calling (Table 6) and most of the time in the day was spent to check these active sites.

Table 3 shows comparison of autumn trapping activity detected during autumn BPCs since 2011. Results from this autumn are included. In Figure 2 results are presented with chart.

Autumn season	2011	2012	2013	2014
Duration of Bird Protection Camp (days)	9	17	24	28
No. of all sites checked	143	228	253	193
Inactive trapping sites found	44 (31%)	95 (41%)	83 (33%)	56 (29%)
New trapping sites found	66 (46%)	86 (38%)	84 (33%)	66 (34%)
Reactivated trapping sites found	33 (23%)	47 (21%)	86 (34%)	71 (37%)

#### Table 3: Monitoring of trapping sites in autumn migration seasons since 2011





Figure 2: Autumn trapping activity of monitored sites since 2011

# 3.3 LAW ENFORCEMENT

# 3.3.1 LAW ENFORCEMENT AGAINST ILLEGAL BIRD TRAPPING IN THE LAST FEW YEARS

Even with our short presence in Cyprus each year, lasting only few weeks, we have detected (together with BirdLife Cyprus and MBCC) almost 1000 trapping sites over the past six years. We have reported most of these trapping sites to the competent law enforcement agencies of the Republic of Cyprus, the British SBAs and UNFICYP.

The response of the competent law enforcement agencies to our reports was inadequate in the past years. Lack of enforcement was especially evident in the period when CABS had no support on the field. This was from spring 2008 to spring 2012, as well as in autumn 2013. In this time, most reported cases were solved only with confiscation of trapping equipment, but without prosecuting trappers.

Limited action against widespread trapping activities is evident from our database, where we keep statistics about trapping sites. For only 120 out of 971 trapping sites known to CABS, we have records of prosecutions being implemented for illegal trapping. Low number of prosecutions can also be observed from law enforcement data gathered by Birdlife Cyprus (Table 4).

	La	Game Irnaca &	Fund Famagus	ta		British ES Anti-Poac		-	Ļ		Police hing Uni	t
Years	2011	2012	2013	2014	2011	2012	2013	2014	2011	2012	2013	2014
No of prosecutions	54	58	76	57	23	21	22	28	NA	22	NA	27
No of trappers arrested	57	70	78	64	23	22	22	30	NA	NA	NA	27

Table 4: Summary of the enforcement data from competent authorities for the months of August, September and October in years 2011 – 2014 (Source: BirdLife Cyprus) [<sup>2</sup>]

Nevertheless, when we had operational support and mostly the daily escort of the APS in the Republic of Cyprus significant results have been achieved, particularly between spring 2012 and spring 2013, as well as from spring to autumn 2014.



Audacious level of illegal bird trapping activity in Cyprus can only be hindered with a permanent, comprehensive and effective law enforcement strategy against it. Being aware of the problem, we have strengthened our cooperation with the Cyprus Police APS. Since 2012, we have gradually improved the tactics of our joint work and consequently we have managed to arrest red-handed more trappers, confiscate their trapping paraphernalia and disrupt the 'business-as-usual' operations of the bird trapping mafia. This year we recorded the highest number of prosecutions so far, 42 all-together. This is still a relatively low number, if we compare it to the level of trapping activity observed, but it is definitely an important step in the right direction (Table 5).

# Table 5: Overall results of CABS & SPA Bird Protection Camps in Cyprus: Spring 2008 – Autumn 2014

Year	Confiscated Limesticks	Confiscated Mist Nets	Confiscated Tape Lures	Prosecuted Poachers
2008	227	12	4	2
2009	2,136	33	15	1
2010	2,911	20	21	2
2011	7,367	36	36	3
2012	8,942	115	76	27
2013	7,691	104	101	22
2014	6,323	143	53	42
Total	35,597	463	306	99

# 3.3.2 PROPORTION BETWEEN TRAPPING ACTIVITY AND LAW ENFORCEMENT CAPACITY

Trapping in autumn was again extremely widespread and blatant. Every night dozens of decoys start calling everywhere in the main trapping areas, blatantly showing the location of the active trapping site. To avoid disruption during the night, most of the trappers in the Republic of Cyprus [<sup>A</sup>] now set limesticks and mist nets only at dawn, catching in the first hours of the morning. Each law enforcement agency can consequently expect to catch red-handed only one trapper (or more, if the same trapping site is managed by a criminal gang) per day and this is well-known by trappers, who enjoy the impunity given by their large numbers and the shortage of available field patrols from the law enforcement agencies: it is more rewarding to catch blatantly (with decoys) every day in the same place and hope that the law enforcement agencies will be kept busy by the mass of the other trappers, rather than try to hide and avoid the detection.

CABS and SPA had asked for <u>2 independent APS patrols</u> for the whole camp and organized 2 independent teams to serve both patrols with enough trapping sites on a daily base. Unfortunately, the APS with only 6 experienced officers available for field work (who had a 12-hours shift every second day) could not but employ again only one patrol per day; actually two patrols that acted as one, with 2-3 experienced APS officers and 2 unexperienced officers provided by the *Cyprus Police Emergency Response Unit (ERU)* for back up.

Even if the results in terms of prosecutions were significantly improved in comparison with the previous years, they were nevertheless insufficient if compared with the numbers of detected active trapping sites.

The following table shows the number of trapping sites detected within 3-4 hours in the night by 2 CABS teams, compared with the number of prosecutions made by 1 APS patrol within 8 hours. A single APS patrol could only prosecute a small percentage of the cases that we have reported, on average 21.6%.

Overall, approximately 1 out of 4 cases ended with prosecution, 1 case with confiscation of trapping paraphernalia and 2 cases with no results, either because we arrived too late to the trapping site and there was no trapping activity taking place anymore, or because the APS was unable to check them due to administration work related with the

<sup>[&</sup>lt;sup>A</sup>] From our short survey in the British ESBA, mist nets were again left over during the night by bird trappers in autumn 2014, meaning that the British ESBA Police has not been conducting anti-trapping operations during night time (particularly from 23:00 to 04:00).

prosecution of trappers from earlier cases on that day. This implies that if we had 2 instead of 1 independent patrol, our results could be doubled and we could reach the rate of approximately 50% prosecutions and 50% confiscations.

Day	Area	Active sites detected in the night	Prosecutions (by the APS)	Confiscations (by the APS)	Percentage of prosecutions (%)
15/09	Ayia Napa / Paralimni	5	0	0	0
16/09	Ayia Napa	3	1	1	33
17/09	Paralimni	5	2	0	40
18/09	Nicosia district	1	1	0	100
19/09	Liopetri	4	1	0	25
20/09	Mazotos / Choirokitia	6	1	4	17
21/09	Achna Dam / Paralimni	4	0	1	0
22/09	Ayios Theodoros / Kalavasos	5	0	1	0
23/09	Paralimni	6	1	2	17
24/09	Paralimni	3	0	0	0
25/09	Paralimni	2	1	0	50
26/09	Ayios Theodoros	4	0	5	0
27/09	Aradippou	7	1	0	14
28/09	Aradippou	3	1	0	33
30/09	Paralimni / Deryneia	3	0	1	0
01/10	Liopetri	2	1	1	50
02/10	Paralimni / Vrysoulles	2	1	1	50
03/10	Ayios Theodoros / Maroni	3	1	0	33
04/10	Oroklini / Aradippou	4	1	2	25
05/10	Kiti	1	1	0	100
06/10	Paralimni / Liopetri	5	2	0	40
07/10	Paralimni / Sotira	5	0	1	0
08/10	Tersefanou / Mazotos	3	0	1	0
09/10	Kalavasos	4	2	1	50
10/10	Liopetri	3	1	0	25
11/10	Frenaros / Sotira	4	1	2	25
Average		3.7	0.8	0.9	21.6

Table 6 shows the inadequacy of the operational capacity of the law enforcement agencies, which have reached their limits, as well as the limited priority given to the effort of combating illegal bird trapping by the competent authorities of the Republic of Cyprus.

In a similar context, with rampant bird trapping, the competent authorities of the Italian Republic allocated in 1991 a special squad of 6-9 patrols, which conducted a targeted one-month operation in the major trapping hotspots and managed to reduce trapping by 28% in 10 years and then clamped it down to zero, thanks to the establishment of a permanent and comprehensive cooperation with CABS in the following 14 years. The Republic of Cyprus with one single APS patrol active on daily base (and additionally 2 GF patrols available, in Larnaca and Famagusta districts) is still by far under the minimum effort required to tackle bird trapping.

# 3.3.3 EFFECT OF PROSECUTIONS ON THE REACTIVATION OF THE TRAPPING SITES

Even prosecutions might not be sufficient to hinder people from trapping. People can continue trapping, if their trapping sites are not systematically monitored after prosecution and/or if fines and penalties for offenses are too low. Repeated offenses should be treated with fines and penalties that are sufficiently higher and deterrent compared to those imposed on the first conviction.

With relatively low number of sites prosecuted in the past, we were interested to study effect of those prosecutions on reactivation of the trapping sites. For the analysis we used data from 971 trapping sites in our database. 749 of these sites were checked more than once in the period 2011-2014. Out of those, 387 sites were found active at least



twice (reactivated). We have separated these sites to the ones where trappers were prosecuted at least once for trapping (41 cases) and to those where trappers were never arrested red-handed and prosecuted according to our data (346 sites). Percentage of reactivated sites and the average time of reactivation was calculated for both groups. Results are shown in Table 7 and Figure 3.

Table 7: Reactivation of	prosecuted vs. un	prosecuted trapping sites
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	U	Unprosecuted sites			Prosecuted sites [1]			
	2011	2012	2013	2014	2011	2012	2013	2014
No. of sites, active in past seasons, checked	60	153	218	252	2	5	22	37
No. of sites found active again (reactivated)	29	77	118	122	2	3	12	24
Percentage of reactivated sites	48.3	50.3	54.1	48.4	100	60	54.5	64.9
Average reactivation times (in years)	1.3	1.4	1.3	1.5	1.5	3.0	1.2	1.5

Note 1: Sites with at least one prosecution in the past



Figure 3: Reactivation of trapping sites (unprosecuted vs. prosecuted)

Results of the study clearly show no or very little difference between reactivation of prosecuted and unprosecuted sites. Surprisingly, slightly larger proportion of prosecuted sites was found active after prosecution compared to proportion of unprosecuted sites (Figure 3). Prosecutions should have an opposite effect and less prosecuted sites should be reactivated. Moreover, reactivation times are very similar for both groups of trapping sites. Results indicate insufficient law enforcement actions against illegal bird trapping and they clearly show the fact that fines and penalties imposed by the Courts are in no way deterrent.

# 3.3.4 IMPLEMENTING EFFECTIVE ENFORCEMENT: EXAMPLE FROM NORTHERN ITALY

According to our experience in the similar context of Lombardy, in the Province of Brescia, where CABS has been cooperating with the *Anti-Poaching Unit (Nucleo Operativo Antibracconaggio – NOA) of the Italian Republic Forest Police* for the last 14 years, it certainly takes time for trappers to realize that trapping is not rewarding anymore. Still the effort made by the competent authorities must be proportionate to the size of trapping.

As written above (Chapter 3.3.2), the Italian Republic employed a special squad of 6-9 patrols to tackle bird trapping, covering the whole of the passerine migration in the core trapping area. After 24 years the phenomenon is under control (Figure 4).





Figure 4: Decrease of trapping in Lombardy in the last 20 years

In the Republic of Cyprus, only 3 independent patrols are active on daily base against bird trapping and not for the whole of the autumn trapping season, whereas we believe that <u>6 independent patrols on daily base for the entire</u> <u>season is the minimum required</u>, to be allocated in the major trapping hotspots located in the territory of the Republic of Cyprus, in Famagusta and Larnaca districts. At the same time <u>at least 4 SBAs Police patrols and 1 UNPOL</u> <u>patrol</u> should be allocated in the areas under the jurisdiction of the British ESBA and the Sector 4 of the UNBZ respectively.

In addition, the fines and penalties that are currently imposed by the Courts are not deterrent. There is no doubt that fines and penalties cannot simply be set at an average level for all European Member States. At least two factors should be taken in account: on the one hand, the position of the illegal bird trapping activity on the migration route and the scale of the illegal bird trapping 'business' in the Member State, on the other.

In Cyprus, because of the large amount of birds crossing the country and the dry countryside, which transforms every green area (much more if equipped with a high volume tape lure) into an important step-stone for passerines, and because of the high demand of ambelopoulia for consumption, trapping is extremely rewarding: many birds can easily be trapped and the income is very high.

In Italy, even if the demand for passerines is high, the average catch is very low, due to the forested countryside and the broad front of migration. The following example (Table 8) taken by the two biggest cases CABS witnessed in autumn 2014 is indicative:

Table 8: The cases of large professional trappers from Cyprus and Lombardy compared (IMPEL workshop, 28/11/2014 Utrecht) [<sup>3</sup>]

	Case 1: Cyprus	Case 2: Northern Italy
Date of intervention by the police	October 2014	October 2014
Trapping equipment used	12 mist nets	3 mist nets
	133 limesticks	150 bow traps
	tape lure	
No of fresh caught birds in the traps	200	5
Potential income from caught birds	around 600 €	around 15 €
Average or minimum fine for wildlife crime	833€ (average) [4]	600 € (minimum) [⁵]

In Cyprus, a professional trapper catches some 100-200 birds per day (with a daily income up to  $300-600 \in$ ) and can pay back a fine with the profit made within only two to three (2-3) days of trapping (according to the average fine imposed by the Courts of the Republic of Cyprus in 2013), whereas in Italy even the minimum fine is a deterrent, considering that a professional trapper can hope to get 5-20 birds per day.



With current fines in Cyprus a professional trapper has to be caught more than once in the season to be effectively deterred, which is impossible due to the high number of trappers to follow up and the low number of law enforcement patrols.

# 3.4 INCIDENTS OF AGGRESSION AND VIOLENCE

Thanks to the new strategy employed with less visibility of the volunteers in the field and no physical involvement in prosecutions, there was neither incident of aggression, nor verbal threats against CABS' members.

# 3.5 THE BRITISH EASTERN SOVEREIGN BASE AREA

CABS has not conducted any operation in the British ESBA during the BPC in autumn 2014. Despite previous contacts and agreements, it seemed that there was no interest for joint operations with the pretext of the workload of the *Anti-Poaching Unit (APU)* of the *Operations and Crimes Unit (OCU) of the British ESBA Police*. We did not insist further to collaborate, as CABS teams were busy by the high amount of work to be done in cooperation with the APS in the territory of the Republic of Cyprus.

As the British ESBA Police in previous seasons repeatedly asked CABS not to monitor any area in the British ESBA without the escort of the police, we understood that the Administration and/or Police of the British ESBA did not want CABS teams to work in the area under their jurisdiction. This was even more evident by the fact that the British ESBA Police seemed unwilling until now to establish a long-term, systematic and comprehensive cooperation with CABS. As we were not informed until December 2014 about their workload on anti-trapping operations, we are still not ruling out the possibility that the British ESBA Police didn't have the operational capacity for joint monitoring this autumn [<sup>6</sup>].

This lack of political will, mostly in terms of allocating the necessary human and financial resources for combating illegal bird trapping, can be proven as well by the very poor response given to reports made by BirdLife Cyprus in autumn 2014. In detail, "around 30% of the BirdLife Cyprus reports resulted in prosecutions (15%) or confiscations (15%). This total success rate of 30% is lower than previous years, when the total success rate, i.e. prosecutions and confiscation, was 68% for 2013 and 59% for 2012. The noticeable drop in confiscations during 2014 is also worth noting. It is apparent that the British ESBA Police has put more focus on making arrests [...] this season and BirdLife Cyprus acknowledges that it is more time consuming to make an arrest than to confiscate trapping paraphernalia. However, it is disappointing that only one clearance operation was undertaken in the mist netting hotspot area of Cape Pyla (early September), while last year a total of four were undertaken between August to October. The response time of the British ESBA Police (based on the feedback provided) varied from one week to one month": specifically, the trapping places reported by BirdLife Cyprus in September, were visited in October, in average approximately 1 month later; the trapping places reported in early-October were visited in late-October, on average 2-3 weeks later. Seemingly, the British ESBA Police checked trapping sites after the main migration season was finished and when the trappers had already caught many birds.

As BirdLife Cyprus rightly observes, this is "a clear indication that resources are stretched" and for this reason the APU of the British ESBA Police "must not be burdened with other tasks and should focus solely on this issue, at least during the main trapping seasons [...], if a serious decrease in trapping activity levels is to be achieved" [<sup>7</sup>]. It is our belief that the Administration of the British SBAs has not yet got the political will to demonstrate a zero tolerance policy and allocate the appropriate resources for combating illegal bird trapping in the territory of the British ESBA. This should imply a significant increase of the operational capacity of the APU of the British ESBA Police from 1 to <u>at least 4</u> *independent patrols, responsible only for disrupting illegal bird trapping and prosecuting songbird poachers, on daily base in each autumn migration season*.

# 3.5.1 COINCIDENTAL ESTIMATION OF TRAPPING ACTIVITY IN THE NIGHT

CABS had the chance to get an overview of the situation of trapping during night operations. By the end of September, in the night of the 28th, a short visit to Ayios Nikolaos was planned to show mist netting levels in the area to a British TV crew [<sup>8</sup>]. In addition, in different nights, namely on the 17th, 29th and 30th, between midnight and 04:00 a.m. our teams stopped the cars within or beside the British ESBA.

From these spot-checks we realized that the trapping situation in the British ESBA was probably worse than ever before. Certainly, no systematic check was done, but these checks confirmed once again the total impunity for trappers, since tape lures were heard virtually everywhere, louder than usual, and in larger numbers than usual. In the only trapping site checked, 5 mist nets and 3 decoys were found.

We quote the following cases:

- 1) <u>September 17</u>: Whilst sitting at <u>Xylophagou Police Station</u> and waiting for the APS patrols, at around 03:45, we could clearly hear a number of decoys calling as usual from the well-known area <u>south-east of Ormideia</u>.
- 2) September 28: Stopping in front of the main gate of Avios Nikolaos military area, a minimum of 5 decoys could be heard from west, south west and south. Driving through the residential areas more decoys could be heard from north east. The TV crew that was escorting our teams could record and witness this shameful situation [<sup>9</sup>]. We checked a small group of gardens in the northern agricultural area of Avios Nikolaos and we detected the exact location of 5 decoys, with 2-3 loudspeakers each, up to 20 net rides and 5 mist nets in situ. In the same area during the previous years we had detected only 3 decoys. The increase was about by 66%.
- September 29-30: At midnight and while we were driving eastbound on the highway, a loud decoy was audible just outside the <u>highway exit in Ormideia</u>. This trapping site is well known and it is active every year. It can be even heard from the highway.
- September 30: At around 04:30, 3 decoys were audible while parked for a few minutes in the gas station south of Ormideia. 2 of these trapping sites were known from the past. There might be a new third one very close to the gas station.

The presence of mist nets in situ during the night, the steady reactivation of sites where numerous confiscations and prosecutions have been taken place in the past, the activation of even new trapping sites were once again a proof of the incapacity and unwillingness of the British ESBA Administration and Police to tackle the problem until now [<sup>10</sup>].

# 3.5.2 THE 'NO-GO' AREA IN AYIOS NIKOLAOS

The low profile kept by the British ESBA Administration and Police in regard to illegal bird trapping was also shown publicly in another occasion during the autumn. On October 3, the daily newspaper 'O Politis' reported that an officer of the British ESBA Police was assaulted by poachers in Ayios Nikolaos, near Vrysoulles. He was hit, robbed and his car keys stolen. Poachers drove to the car park of Ayios Nikolaos Police Station and took his car with his keys. Among others, the article mentioned that "the incident is considered as extremely serious, as it is not the first time that poaching is related with other serious offences of the Criminal Code. At the same time, a campaign for the prevention of ambelopoulia trapping is conducted in Famagusta District. Foreign activists are also participating in the campaign of the Cyprus Police, while measures are also taken by the British SBAs Police. The situation is characterized as extremely strained and there are incidents almost on a daily basis, as many residents of the area believe that the restriction of the activity of ambelopoulia trapping aims to the prohibition of a long tradition, which has deep roots in the past for many centuries" [<sup>11</sup>].

Although there has been no cooperation on the ground with the British ESBA Police and even if CABS teams *did not* undertake any action that could be considered as *'confrontational'*, either by the competent political authorities and the law enforcement agencies or by the bird trappers themselves, unfortunately CABS volunteers once again turned into the scapegoats of the pro-trapping lobby and part of the mass media. Unfortunately, the Press Office of the British SBAs Police did not clarify in public that this extremely serious incident, which clearly demonstrates the impunity of songbird poachers in the territory of the British ESBA that is turning into a real *'no-go area'*, was not related in any possible way with our Autumn 2014 BPC [<sup>12</sup>]. Even worse, as far as we know, there has not been any prosecution/s regarding this incident and/or any large-scale anti-trapping operation by the British ESBA Police in the area of Ayios Nikolaos, as a response to the impunity of the bird trapping mafia.



#### 3.5.3 BIRD SLAUGHTER IN CAPE PYLA

Between late-November and mid-December 2014, the British ESBA Police justified the removal of some acacia groves in the firing range of Cape Pyla, because the groves "*reduce the Bases ability to train their soldiers effectively*". The fact that this invasive alien species has been illegally planted and irrigated by criminal gangs of big professional trappers, who will not be able to trap in the place anymore is – according to the spokesperson of the British ESBA Police – only a secondary benefit of the removal of the plants, which – as he stressed out – will be removed only in a "*modest amount*" [<sup>13</sup>] (Map 4).

Although that the removal of some acacia groves is an extremely positive development, CABS and SPA believe that the competent authorities of the British ESBA are failing to raise the appropriate arguments in order to legitimize their environmental protection and wildlife conservation policies. Specifically, CABS and SPA believe that the overall eradication of the invasive alien species of acacia in Cape Pyla is more than necessary *for a series of ecological and legal reasons*, which have to be underlined and explained in order to be accepted and legitimized by all stakeholders, including local communities and civil society:

- a) Invasive alien species, such as artificial acacia groves, are rapidly changing the ecosystem and have a great impact on the flora diversity of Cape Pyla, which is proposed and declared as a Special Area of Conservation (SAC).
- b) Acacia plantations need a lot of water resources and they are actually irrigated using illegal irrigation systems.
- c) Acacia plantations are used only as artificial "green areas" for setting mist nets and electronic decoys to trap wild birds.
- d) There are several international legally binding instruments declaring that invasive alien species and pathways should be identified and prioritised, priority species (such as artificial acacia groves) should be controlled and eradicated, and nature conservation and wildlife management measures should be undertaken, in order to manage pathways and prevent the introduction and/or expansion of invasive alien species. These instruments include:
  - Article 11, paragraph 2.b of the Bern Convention on the Conservation of European Wildlife and Natural Habitats [<sup>14</sup>];
  - Recommendation No. 99 (2003) on the European Strategy on Invasive Alien Species of the Bern Convention on the Conservation of European Wildlife and Natural Habitats [<sup>15</sup>];
  - Recommendation No. 128 (2007) on the European Charter on Hunting and Biodiversity of the Bern Convention on the Conservation of European Wildlife and Natural Habitats [<sup>16</sup>];
  - Decision VI/23 (2006) of the 6th Conference of the Parties of the United Nations Convention on Biological Diversity (UNCBD), on Invasive Alien Species that Threaten Ecosystems, Habitats and / or Species [<sup>17</sup>];
  - Strategic Plan for Biodiversity 2011-2020 with its 20 headline Aichi targets for 2020 and in particular Target 9 devoted to invasive alien species of the 10<sup>th</sup> Conference of the Parties of the UNCBD (2010) [<sup>18</sup>];
  - EU Biodiversity Strategy to 2020, endorsed by the Council of the EU in June 2011, and its Target 5 [<sup>19</sup>];
  - Recommendation No. 166 (2013) on the European Code of Conduct on Hunting and Invasive Alien Species of the Bern Convention on the Conservation of European Wildlife and Natural Habitats [<sup>20</sup>] and
  - Regulation (EU) No.1143 (2014) of the European Parliament and of the Council on the Prevention and Management of the Introduction and Spread of Invasive Alien Species [<sup>21</sup>].
- e) The policy of the eradication of invasive alien species and particularly artificial acacia groves from SACs and protected areas of the Natura 2000 Network is one of the measures that have been already undertaken and implemented by the Environment and Forest Departments of the *Ministry of Agriculture, Natural Resources and Environment (MANRE)* of the Republic of Cyprus, in the framework of the aforementioned international legally binding instruments, most importantly in the case of the National Forest Park of Cape Greco [<sup>22</sup>].
- f) By moving the debate from ecological and legal grounds to "*military safety*", the competent authorities of the British ESBA are failing to enhance social learning and foster social legitimization of their environmental protection and wildlife conservation policies.



# Comparison Between 2003 & 2012



Map 4: Comparison of the expansion of artificial acacia groves in Cape Pyla between 2003 and 2013 (Source: Environment Department, British SBAs Administration) [<sup>23</sup>]



Map 5: 80 active net rides (marked red) were detected in the monitored blue areas only, during a field survey conducted by BirdLife Cyprus in autumn 2014 in Cape Pyla [<sup>24</sup>]

Map 5 shows acacia groves as dark green spots. These areas were used extensively to trap birds in this autumn. Just in the areas marked with blue, 80 active net rides were observed by BirdLife Cyprus during its monitoring survey to estimate the size of illegal bird trapping activity. Active net rides are those, where signs of recent use, such as feathers and/or blood, were found on the ground. If we consider that Birdlife Cyprus surveyed only a small area of Cape Pyla in autumn 2014 and CABS has records for more than 50 other trapping sites in this area, then we can estimate that 300-400 mist nets for bird trapping have been used this autumn in Cape Pyla.

Until now, the position of the British SBAs Administration was extremely mild towards bird trappers. As a result, not only there have not been any significant achievements in the effort to combat illegal bird trapping during the past decade, but instead it seems that **the area of Cape Pyla has turned into the worst hotspot for illegal bird trapping in Europe**.

Committe Against Bird Slaughter - CABS

As the Co-Chair of the United Kingdom Partnership Against Wildlife Crime stated between 2003-4, "the main single centre of illegal activity at present seems to be Cape Pyla, an area wholly contained within the ESBA. The blatant nature of the organised illegal activity at this site needs to be seen to be believed. Despite real success by the SBAs Police (whose performance in this regard would put any UK police force to shame) there remains a great deal to be done. This whole issue has already caused the UK Government significant embarrassment at international level, and is very likely to do so again unless further steps are taken by the SBAs Authorities. Further embarrassment would probably be very unwelcome given the extraordinarily sensitive nature of the political situation on the island. Although the SBAs Administration has an Action Plan it needs further development, if it is to be fully effective. A Conservation Management Plan for the ESBA is urgently required, and future enforcement action should be based upon it. In our opinion, it is entirely realistic to expect the virtual elimination of the bird trapping problem in the SBAs within three years. The tactics suggested would **not** require any significant expenditure by the SBAs Authorities and could readily be carried out by resources already available to the SBAs Administration" [<sup>25</sup>].

CABS welcome the increase of bird trappers' prosecutions in 2014 compared to previous years. In 2014, the APU of the British ESBA Police had 38 cases of prosecution, which is by far more than the average of 22 prosecutions per year in the period 2011-2013. In more detail: 1 prosecution was made in May (spring trapping); 5 in August, 10 in September and 15 in October (autumn trapping); 2 in November and 5 in December (winter trapping). In contrast with the increase of prosecutions, the British ESBA Police conducted less clearance operations of trapping paraphernalia in 2014, in comparison with 2013. Specifically, in 2014, the APU of the British ESBA Police conducted 7 clearance operations (3 between April, May and June; 2 between September and November; and 2 in December), while in 2013 it has conducted 13 (2 in May, 5 in June, 1 in July, 3 in August, 1 in October and 1 in November) [<sup>26</sup>]. In this context, if we compare these recent positive results with the professional, large-scale and well-organised bird trapping in the British ESBA, unfortunately these are still far from sufficient to combat illegal bird trapping.

Nevertheless, we believe that after a meeting, which was held in the British ESBA Police Station of Dhekelia on October 9 – with the participation of the Commander of the British ESBA Police, the Head of the APU of the British ESBA Police, the Campaigns Manager and the Illegal Bird Trapping Officer of BirdLife Cyprus, as well as CABS and SPA Policy Advisor on Bird Poaching in Cyprus [<sup>27</sup>] – there is common ground for a long-term, comprehensive and effective cooperation between the competent authorities and environmental NGOs. The fact that, between November and December 2014, the British ESBA Administration and Police removed some acacia groves in the firing range of Cape Pyla, increased bird trappers' prosecutions, kept comparative data on anti-poaching operations for the whole period between 2012-14, sent anti-poaching/anti-trapping statistics to all relevant stakeholders including environmental NGOs and expressed their willingness to provide police escort to CABS teams in the field on a more systematic base are considered to be small but steady steps in the right direction.

# 4 PART 2: ECOLOGICAL, HISTORICAL, LEGAL, SOCIAL AND POLITICAL ANALYSIS

# 4.1 BACKGROUND

# 4.1.1 AN ECOLOGICAL ATROCITY

Trapping with limesticks, mist nets and electronic decoys on Cyprus is widespread and blatant, which characterises the island as one the major hotspots for songbird trapping, killing and trading in the whole of Europe. Due to its location in the north-east corner of the Mediterranean, Cyprus is a crossroad between 3 continents (Europe, Asia and Africa) and the island hosts millions of migrant birds during spring and autumn migration. Several hundreds of thousands of those birds are harvested annually by trappers using illegal and non-selective traps on a massive scale.

Although Cyprus is considered a "biodiversity hotspot area" [<sup>28</sup>] with a "particularly rich bird fauna" [<sup>29</sup>] (Map 6), more than one third (152/385) of the bird species found on the island are, to a lesser or greater extent, affected by the massive use of illegal and non-selective trapping and killing methods, such as limesticks, mist nets and electronic decoys. Moreover, more than half of the species affected are listed as threatened (78/152), by the *Directive on the Conservation of Wild Birds* [2009/147/EC (codified version of 79/409/ECC)] of the EU and / or BirdLife International [<sup>30</sup>]. Apart from birds, trapping with limesticks affects some several reptile species as well, not least three species of lizards and one snake species [<sup>31</sup>].



Map 6: Global biodiversity hotspots – 12. Mediterranean Basin (Source: Critical Ecosystems Partnership Fund) [<sup>32</sup>]



Map 7: Migratory routes of some wild bird species in the Mediterranean Basin (Source: Kourtellarides Louis) [<sup>33</sup>]

# 4.1.2 THE HISTORICAL CONTEXT

Despite the introduction of national legislation, the harmonisation with EU Directives and the ratification of international conventions, the history of law enforcement efforts in the Republic of Cyprus is characterized by long periods of *"laissez faire"* activities, interrupted by seasonal raids, followed by protests from the poachers' lobby and restoration of the tolerance by the competent authorities.

As BirdLife Cyprus notes, "bird trapping in Cyprus became illegal in <u>1974</u>, when legislation of hunting was introduced with Law 39/1974 ['on the Protection and Development of Wild Birds and Game Species'] [<sup>34</sup>], when a number of bird

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species were listed as protected, including water birds, birds of prey, endemic species, such as the Cyprus wheatear and the Cyprus warbler. In accordance with this law, the game species were the hare, the chukar and the black francolin and non-selective methods, such as mist nets, limesticks and traps were prohibited" [<sup>35</sup>].

In **<u>1979</u>**, the Republic of Cyprus signed two extremely important international conventions: the 'Bern Convention on the Conservation of European Wildlife and Natural Habitats' [<sup>36</sup>] and the 'Bonn Convention on the Conservation of Migratory Species of Wild Animals' [<sup>37</sup>].

However, at least until **<u>1984</u>**, the national legislation was blatantly violated, as in the major trapping hotspots of Famagusta and Larnaca districts (such as the villages of Paralimni and Ayios Theodoros respectively), '*Festivals of Ambelopoulia*' were organized in local coffee-shops / sport clubs and no effort was made by the competent authorities to implement the law [<sup>38</sup>].

According to an earlier study of the International Council for Bird Preservation (ICBP) – now called BirdLife International, despite the fact that the Republic of Cyprus introduced a national law and signed two international agreements prohibiting non-selective and large-scale trapping, killing and trading in wild birds, the first effort to combat illegal bird trapping was made **between 1984-5**, when "after years of protests the Government of the Republic of Cyprus decided in December 1984 to improve the situation for migratory birds in Cyprus". In 1985, trappers using mist nets were prosecuted, but huge tolerance was shown towards limesticks trappers: "especially in the south-east of Cyprus, where the authorities proved to be completely complacent about applying the law concerning limesticks" [<sup>39</sup>].

In **1986**, the Standing Committee of the Bern Convention issued the '*Recommendation No. 5* (1986) on the Prosecution of Persons Illegally Catching, Killing or Trading in Protected Birds', according to which "the Contracting Parties to the convention should ensure without delay, by the appropriate legal and administrative measures, the prosecution of persons illegally catching or killing birds or establishments commercialising live or dead protected birds", as well as "the promotion of education of hunters and the general public and the dissemination of information on the need to conserve wild birds and their habitats" [<sup>40</sup>].

However, **between 1986 and 1988**, the founder and curator of the Museum of Natural History in Paphos stated about blackcaps: "unfortunately, I mention with great grief that these useful little birds pay a heavy toll for the privilege of resting awhile on our island. Nearly all are captured in many ways, especially with limesticks at Paralimni and other villages which practice the limning business" [<sup>41</sup>]. In the same study on protected birds in Cyprus, the Assistant Director of the Royal Society for the Protection of Birds (RSPB) at that time noted: "migratory birds are a common heritage for the people of the countries they pass over. [...] They cannot be considered the property of any single country. Indiscriminate hunting, however, violates this principle. The bird becomes the possession of the country in which it is shot or trapped and other countries are denied it and its progenies' presence" [<sup>42</sup>].

As BirdLife Cyprus observes, "in **1988**, the Republic of Cyprus ratified the 1979 Bern Convention on the Conservation of European Wildlife and Natural Habitats [<sup>43</sup>], enlisting more bird species as protected, including also the Blackcap (Sylvia atricapilla) for the first time. Blackcaps are the main target species of illegal bird trapping in Cyprus and with this important legislative amendment blackcaps obtained a protected species status in Cyprus, in addition to the previous prohibition for the use of non-selective methods for the killing of birds" [<sup>44</sup>].

In **<u>1999</u>**, the Standing Committee of the Bern Convention issued the '*Recommendation No. 76 (1999) on the Effective Implementation of the Bern Convention within Domestic Legal Systems*', according to which the Contracting Parties should:

"1. Promote dissemination of and access to information on the Bern Convention, on national legislation and regulations connected with its application, as well as on national case law;

2. Facilitate the monitoring of the application of the Bern Convention's provisions and of legislative national measures including ordinances and decrees in the perspective of an integrated evaluation system, in particular by consolidating texts concerning the application of the Convention and by compiling case law decisions; and inform the Standing Committee of steps taken for this purpose in the general reports submitted to it by the Contracting Parties;

3. Promote – in particular to the administrations and legal professionals – education and training on the various issues involved with the consideration of wildlife and natural habitats, including legal aspects;

4. Promote participation by the public and NGOs in decision-making processes, and where appropriate, in the enforcement of the law including possibilities of going to court for the implementation of the Bern Convention;

5. Involve local and regional authorities in the conservation of the wildlife and natural habitats;

6. Help the set-up of an informal network of partners and experts on legal aspects relating to the application of the Bern Convention and of relevant domestic laws;

7. Ratify or accede to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus, 25 June 1998)" [<sup>45</sup>].

Among others, this milestone recommendation set-up the framework for data collection and evaluation of the law enforcement efforts, as well as for the access to information and participation to decision making processes of all relevant stakeholders, including environmental NGOs.

Nevertheless, the situation became worse again in the following years, until the final procedure for the accession of the Republic of Cyprus into the EU. In **2001**, the Republic of Cyprus also ratified the 1979 *Bonn Convention on the Conservation of Migratory Species of Wild Animals* [<sup>46</sup>]. A few months later, the Standing Committee of the Bern Convention issued the '*Recommendation No. 90 (2001) on the catching, killing or trading of protected birds in Cyprus*', which noted "with regret that, although Cyprus and the United Kingdom SBAs took some initiatives in that respect, enforcement of the legislation on killing and trading of protected birds is still poor, and sale and offering for sale of protected birds is still common, recommends Cyprus and the United Kingdom to:

- 1. Fully implement without delay the obligations of Article 6 concerning protected birds;
- 2. Put into practise, as a matter of urgency, the actions suggested in Recommendation No. 5 (1986) of the Standing Committee, paying particular attention to the following items:
  - Increase of the penalties for these offences, so that they may become dissuasive;
  - Increase of wardening in areas where birds are illegally caught;
  - Regular and frequent control of restaurants selling protected birds, ensuring prosecution of owners;
  - Prevention of importation of mist nets and prohibition of their possession without license, imposing heavy fines for their illegal possession and use;
  - Strict control of illegal capture, killing, possession, trade, sale and offering for sale of protected birds;
- 3. Launch a wide information campaign to the general public on the illegal catching, killing and trade of protected birds, as well as on the need to conserve birds and their habitats" [47].

It wasn't until this point that the competent authorities of the Republic of Cyprus were seriously committed to combat songbird poaching. Indeed, according to the RSPB, in **2002** levels of poaching remained very low [<sup>48</sup>]. However, in October 2002, trappers responded to the new wave of raids and prosecutions, by returning as a form of protest, 7,000 vote ballots, stating that because of repression they were losing income for the missing sale of birds [<sup>49</sup>].

In the context of the accession of the Republic of Cyprus to the EU in <u>2004</u>, the competent authorities pledged their commitment to tackle songbird poaching, in order to ensure effective conservation and protection of wild birds, in accordance with both existing national legislation [*Law N. 51(I)/2003 on the Protection and Management of Wild Birds and Game Species*] [<sup>50</sup>] and the EU Birds Directive [<sup>51</sup>].

**Between 2001 and 2013**, the number of poaching and trapping cases of prosecution by the GF significantly decreased in period 2003-2005 and it seemed that the competent authorities of the Republic of Cyprus once again gave up, with trapping increasing exponentially in the following years, to the point that BirdLife Cyprus in **2010** described the situation as "an environmental emergency" [<sup>52</sup>] (Figure 5). In the major trapping hotspots of Famagusta and Larnaca districts the sharpest decrease and the lowest levels of bird trappers' prosecutions were observed between 2003-2005 and 2009-2011.



Figure 5: Poaching and trapping cases prosecuted by the GF per year, 2001-2014 [53]



Figure 6: Percentage of trapping cases prosecuted by the GF per district office, 2001-2014 [54]

In the meantime, the APS of the Cyprus Police was formed in **2007**, with the aim to prevent and combat poaching, raise awareness on hunting and anti-poaching legislation, as well as to expand and strengthen the cooperation of the Cyprus Police with all relevant stakeholders, including hunting associations and environmental NGOs [<sup>55</sup>]. However, **between 2008 and 2011**, there was a steady and sharp decrease of bird trapping cases prosecuted by the APS, mostly due to the lack of the appropriate political will to conduct anti-trapping operations in the field (Figure 5).

Year	2008	2009	2010	2011
Illegal trapping cases	25	18	7	2
Restaurants	1	2	17	8

Table 9: Total prosecuted cases by the Cyprus Police APS (Source: GF) [56]

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The third wave of prosecutions against bird trappers begun in <u>autumn 2011</u>, after the 'Larnaca Declaration', which declared a "zero tolerance policy against illegal bird trapping, killing and trade" [<sup>57</sup>]. This was the result of the "1<sup>st</sup> European Conference on Illegal Killing of Birds", which was co-organised by the Bern Convention Secretariat, the Council of Europe, the GF and the Ministry of Interior (MoI), in Larnaca, on July 2011 [<sup>58</sup>]. Following the adoption of the 'Larnaca Declaration', the Standing Committee of the Bern Convention Secretariat issued the 'Recommendation No. 155 (2011) on the Illegal Killing, Trapping and Trade of Wild Birds', which defined the communication, enforcement, biological and institutional aspects of the problem, while it also recommended a series of measures for combating illegal bird trapping [<sup>59</sup>].

In this context, **between autumn 2011 and spring 2013**, a better cooperation between environmental NGOs and the competent law enforcement agencies (APS and GF) of the Republic of Cyprus led to increased numbers of prosecutions and managed to finally target the main trapping hotspot of Famagusta district [<sup>60</sup>].

In **spring 2013**, bird trapping with both mist nets and limesticks was at its lowest level. However, trappers again claimed their right to trap; on 27 April, a group of 25-50 trappers gathered in the central square of Paralimni to demonstrate against anti-poaching activists and for the legalisation of limestick trapping. The following day, the *Ministry of Justice and Public Order (MJPO)* withdrew the APS and suspended the anti-poaching campaign [<sup>61</sup>].

**Between spring 2013 and spring 2014**, the draft *'STAP for Combating Illegal Bird Trapping in Cyprus'* has been finalized, following the recommendations of the *'1<sup>st</sup> and 2<sup>nd</sup> European Conferences on Illegal Killing of Birds'*, which were held in Larnaca in July 2011 [<sup>62</sup>] and in Tunis in May 2013 [<sup>63</sup>] respectively, as well as the 2 preparatory workshops organised by BirdLife Cyprus in April [<sup>64</sup>] and November 2013 [<sup>65</sup>]. However, in contrast with the recommendations of the EU institutions – most importantly of the Bern Convention Secretariat and the Council of Europe [<sup>66</sup>], as well as the European Parliament and the DG-ENVI of the European Commission [<sup>67</sup>] – and national independent authorities – particularly the Ombudswoman [<sup>68</sup>] – the STAP has not been adopted and implemented yet by the Council of Ministers of the Republic of Cyprus. It has to be noted that "BirdLife Cyprus sent the STAP document for adoption to all the key stakeholders at the end of April 2014, but to this date there has been no official answer. Hence the lack of political will is still evident", despite the fact that "the adoption and implementation of the STAP is something that the authorities have also promised to the EU Commission" [<sup>69</sup>]. As BirdLife Cyprus aptly puts it, "**if Nicosia and London are serious about tackling this problem at its root, then it is necessary to adopt and to start implementing this strategy against illegal bird trapping, which has been stagnant since May 2014 awaiting an official reply from the Republic of Cyprus competent authorities", while the British SBAs Administration "has already adopted the STAP Final document" [<sup>70</sup>].** 

<u>Also from spring 2013 until spring 2014</u>, the APS has not been systematically engaged in the effort to combat illegal, non-selective and large-scale trapping, killing and trade of protected wild birds. Since <u>spring 2014</u>, our cooperation with the MJPO and the Cyprus Police has been restored; as a result, the APS escorts CABS teams in the field and significantly improved its operational results.

Despite the several positive developments that took place in 2014, on which a 'zero tolerance policy' could and should be based in the future [<sup>71</sup>], the operational capacity of the law enforcement agencies remains limited, the fines and penalties imposed by the Courts are not deterrent and the 'STAP for Combating Illegal Bird Trapping in Cyprus' has not been adopted and implemented yet, although it has been finalized by all stakeholders – except the competent ministries – a year ago.

# 4.1.3 THE BIRD CRIME CHAIN

According to the GF, "trapping of wild birds (blackcaps and song thrushes – ambelopoulia and tzikles in Greek) with the use of mist nets and limesticks, with the aim of trade [...] it is extremely profitable, as currently it is estimated that the price of a dozen of ambelopoulia in specific restaurants is sold between 50-70 Euro, while <u>the overall annual budget of</u> <u>this illegal activity is estimated that is above 15 million Euro</u>" [<sup>72</sup>].

Currently, the bird crime chain is comprised by 4 categories of offenders (Figure 7):

- 1. <u>Suppliers of trapping paraphernalia</u> namely, the manufacturers of limesticks and the importers of mist nets and electronic decoys;
- 2. <u>**Trappers**</u> from small and amateur to medium and semi-professional, who act as a lobbying group, and from medium and semi-professional to big and professional trappers, who are organized as a criminal network;



- 3. <u>**Traders**</u> including restaurateurs, kazanti [<sup>B</sup>] owners, butchers and dealers;
- <u>Consumers</u> the vast majority of which are men, between 30 and 70 years old, mostly but not exclusively from Famagusta and Larnaca districts [<sup>73</sup>].



# 4.1.4 THE LEGAL ASPECT

The investigation and prosecution work of the competent law enforcement agencies of the Republic of Cyprus is unfortunately undermined by the Courts, which tend to impose extremely low fines and penalties on songbird poachers, often the minimum permissible fine. The perception by many Cypriots with respect to illegal, non-selective and large-scale trapping, killing and trade of wild birds is not that of a severe environmental crime and ecological atrocity, but a so-called *"traditional hunting practice"*, which is unjustly persecuted. The same perception seems to be shared by the Judges and Prosecutors, mainly in Famagusta district.

It should be noted that the penalties can in theory be severe. According to the "Law N.51(I)/2003 on the Protection and Management of Wild Birds and Game Species", offences related to the illegal trapping, killing, possessing of and / or trading in of wild birds can be punished with very strict penalties of up to 17,000 Euros fine and / or 3 years imprisonment.

However, according to data gathered by the GF, and presented in 2011 during the "1<sup>st</sup> European Conference on Illegal *Killing of Birds*", the average fines imposed by the courts in the Republic of Cyprus do not exceed 100-600 Euros for a single offence and the penalty of imprisonment, particularly in relation to big and professional trappers with criminal records, who are making thousands of Euros per year by supplying the black market of restaurants, kazanti and butchers, is never imposed. In addition, the fines imposed on restaurateurs serving or butchers selling ambelopoulia comes nowhere near the profits they make through the illegal trade in protected wild birds (Figure 8).

<sup>[&</sup>lt;sup>B</sup>] The game of "*Kazanti*" is a primitive version of pinball and street roulette. After choosing a card with a few numbers, you strike the ball and if it falls on a winning number, then you win the corresponding prize, usually cigarettes, alcohol drinks and pickles, as well as toys and teddy bears.

#### Committe Against Bird Slaughter - CABS

# Typical trapping / poaching case

# The legislation is very strict (Probably the stricter in Europe).

		Legislation	Fine
1st Accusation	Pursuing of wildlife	Up to17,000	100 - 600
2nd Accusation	Trapping / killing	Up to17,000	100 - 600
3rd Accusation	Possession	Up to17,000	100 - 600
4th Accusation	Use of Illegal methods	Up to17,000	100 - 600
5th Accusation	Use of sound-device	Up to17,000	100 - 600
6th Accusation	Protected Species	Up to17,000	100 - 600
7th Accusation	Game reserve area	Up to17,000	100 - 600
		119,000 euros and / or 3 years of prison	

# Figure 8: Typical Trapping / Poaching Case – Accusations, Legislation and Fines (€) (Source: GF) [<sup>74</sup>]

For example, the highest fine imposed until now on a restaurant owner in Larnaca district, who illegally served ambelopoulia was  $\leq 10,000$ , which might seem as a severe fine. However, if we take into account the fact that the APS found 2,515 ambelopoulia in the refrigerators of this restaurant and calculate that the selling price of this quantity approached 12,575 Euros (2,515 ambelopoulia divided in dozens per plate multiplied by  $\leq 60$  which is the lowest price per plate), then it is more than obvious that even the highest fine imposed for illegal trade in ambelopoulia is far from being a deterrent [<sup>75</sup>].

According to the Ombudswoman's '*Report on the Phenomenon of Illegal Bird Trapping in Cyprus*', which was published on May 2014 after a complaint filed by CABS and SPA on July 2013, between 2010 and 2012, 35 restaurants were prosecuted by the GF and/or the APS for trading wild birds. Until the publication of the Ombudswoman's report, 14 out of the 35 restaurateurs who have been prosecuted were convicted, while until May 2014 the court trials for the other 21 were still pending. The fines imposed are also indicating that the fines imposed for illegal trade in ambelopoulia are not deterrent:

- In 2010, the total fines imposed on 2 restaurateurs who illegally served ambelopoulia in Nicosia district was €1,940, while the selling price of the quantity of killed birds approached 2,580 Euros (515 wild birds divided in dozens per plate multiplied by €60);
- In 2011, the total fines imposed on 11 restaurateurs who illegally served ambelopoulia in Nicosia, Limassol and Larnaca districts was €8,450, while the selling price of the quantity of killed birds approached 8,820 Euros (1,760 wild birds divided in dozens per plate multiplied by €60);
- In 2012, the fine imposed on a restaurateur who illegally served ambelopoulia in Nicosia was €450, while the selling price of the quantity of killed birds approached €1,140 Euros (234 wild birds divided in dozens per plate multiplied by €60);
- > Overall, between 2010 and 2012, the total fines imposed on 14 restaurateurs who illegally served ambelopoulia in Nicosia, Limassol and Larnaca districts was €10,840 Euros, while the selling price of the quantity of killed birds approached €12,540 (2,509 wild birds divided in dozens per plate multiplied by €60) [<sup>76</sup>].

Finally, to this date no restaurant license has been revoked from a restaurateur convicted for illegally offering birds, although that the GF has estimated that the illegal bird trapping "business" is of the order of 15 million Euros per year! Untaxed of course!

According to data gathered by the GF and presented during the "1<sup>st</sup> Workshop for the Development of a Strategic Action Plan for Tackling Illegal Bird Trapping in Cyprus", since 2010 and particularly after the official adoption of a 'zero tolerance policy' against illegal bird trapping by the Republic of Cyprus in July 2011, it seems that the average fine for a single offence marginally increased from 567 Euros to 833 Euros (Figure 9).





A more detailed analysis of the fines imposed in each district reveals one of the major discrepancies in tackling the problem in the Famagusta area. Based again on the data presented recently by the GF, it is more than clear that the number of bird trapping and killing cases with a prosecution which are taken to courts have significantly increased from 564 Euros in 2010 to 833 Euros in 2012. This development is undoubtedly a result of the (partial) adoption and implementation of a *'zero tolerance policy'*, as well as the determined efforts made by the competent law enforcement agencies, the GF and the APS. Nevertheless, while the average fine for bird trapping and killing cases in Larnaca district almost tripled during the past two years, from 458 Euros in 2010 to 1,210 Euros in 2012, the exact opposite is happening in the Famagusta District (Figure 10).



# Average fine / case: trapping and nontrapping cases 2003-2012

Figure 9: Average Fine (€) / Case – Trapping and Non-Trapping Cases, 2003-2012 (Source: GF) [<sup>77</sup>]

# Average trapping fines imposed / case (Total, Larnaca and Ammochostos).



Figure 10: Average Trapping Fines Imposed (€) / Case (Total, Larnaca and Ammochostos) (Source: GF) [<sup>78</sup>]



The trend in the Famagusta district demonstrates that, in comparison with the period of the accession of the Republic of Cyprus to the EU, the current average fine is almost 3 times lower. For instance, the average fine for a single offence decreased from 1417 Euros in 2005 in 337 Euros in 2011 and subsequently increased slightly to 508 Euros in 2012, after the adoption and implementation of the *'zero tolerance policy'*. Nevertheless, this is still less than half of the corresponding fine imposed by the courts in Larnaca district (Figure 11).



#### Figure 11: Average Trapping Fines Imposed (€) / Case (Ammochostos) (Source: GF) [<sup>79</sup>]

At this point it is also important to note that between September and December 2014, the only developments regarding the issue of imposing extremely low fines and penalties on poachers by the Courts of the Republic of Cyprus were two public statements made by the Minister of Interior, Mr Socrates Hasikos. The first statement was made on October 24, after a meeting held between the Minister of Interior and representatives of the GF and the Cyprus Federation for Hunting and Wildlife Conservation (CFHWC). When the Minister of Interior was asked to comment on the fact that "poaching is rampant", Mr Hasikos stated: "I would like to make an appeal to the honourable Judges. The Law provides for severe penalties on the offense of poaching. I wonder why the penalties and fines imposed – and I have the right to judge this – in relation to poaching are so low. For example, when for a case of illegal bird trapping (ambelopoulia) we are talking about a fine of a few hundred Euros? If we want to act preventively, then the penalties imposed by the Courts should be much stricter" [<sup>80</sup>]. The second statement was made on November 7. In his welcoming speech at the annual festival of the CFHWC, Mr Hasikos made another "public appeal to the Judges for imposing stricter fines and penalties on cases of poaching", for the reasons he had already explained [<sup>81</sup>].

CABS and SPA firmly believe that the statements of the Minister of Interior are inaccurate and misleading, as they are based on ill-founded arguments and wrong facts. It seems that these statements aimed to soften the reaction of the CFHWC and the so-called 'Group of Indignant Hunters', which immediately announced that they were going to organize massive protests against the proposed measure of reducing hunting days for wild hares and song thrushes, due to the large decline of game species' populations during the past few years. Eventually, the 'indignant hunters' succeeded in revoking this measure in the period between these two statements were made, after a protest that they organized outside of the Presidential Palace, on October 28 [<sup>82</sup>].

CABS and SPA also believe that although the legislation of the Republic of Cyprus foresees sufficiently strict penalties, the competent judicial authorities must undertake all necessary initiatives to sensitise judges and prosecutors, in order to facilitate the imposition of higher fines and deterrent penalties on songbird poaching. Furthermore, the competent judicial authorities must critically review the scale of penalties imposed for songbird poaching and implement more rigidly existing national legislation to assist in stamping out this serious environmental criminal activity and ensure that environmental justice is meted out. This could be promoted through training seminars for judges and prosecutors, co-organised by the Ornis Committee of the DG-ENVI of the European Commission, the Bern Convention Secretariat, the European Institute of Public Administration (EIPA), the European Centre for Judges and Lawyers (ECJL) and the European Union Forum of Judges for the Environment (EUFJE), in

cooperation with the Law Office of the Republic of Cyprus, the MJPO, the Mol, the Cyprus Bar Association (CBA), as well as the British SBAs Administration and Courts of Justice.

As the "Recommendation No.155 (2011) on the Illegal Killing, Trapping and Trade of Wild Birds" states in relation to the institutional aspects of the problem, the competent authorities should: "strengthen the capacity, human resources, competencies and the level of cooperation between the relevant enforcement and judicial authorities, as well as to make the best use of available budgetary resources to effectively prevent and punish wildlife/bird crimes where internal judicial processes allow, and encourage the creation of special units of judges and prosecutors, provided with specialist training on combating wildlife/bird crime, and ensure all relevant cases are assigned to them" [<sup>83</sup>].

# 4.1.5 THE POLITICAL ASPECT

On June 11 and on August 19, CABS and SPA sent two letters to the Minister of Justice and Public Order, Mr Ionas Nikolaou, as well as the Director General of the MJPO, the Chief of the Cyprus Police, the Commander of the ERU and the Head of the APS, in which we expressed "our gratitude for the continuing support provided to our organisations by the APS during our BPC in spring 2014". Moreover, through these letters we informed the competent authorities about the dates of our forthcoming BPC in autumn 2014 and we requested "2 independent patrols with 6 APS officers". As we noted, "this would allow 2 CABS teams with 3 volunteers each to keep up the patrol momentum from 04:00 to 14:00 on a daily basis" [<sup>84</sup>].

On September 5, the Minister of Justice and Public Order replied and informed us that our "*letter was forwarded to the Chief of the Cyprus Police with instructions to schedule a meeting with representatives of CABS and SPA, in order to prepare all the necessary planning for carrying out mutual operations all over Cyprus"*. Mr Nikolaou also ensured us that the competent authorities of the Republic of Cyprus "*are doing the utmost to prevent and fight any illegal activity of trapping and killing birds. For achieving these purposes, most times, Cyprus Police is acting together with activists. All such activities are of course within the boundaries of the law"*. In conclusion, the Minister of Justice and Public Order stated that "*on his behalf, he would like to stress his determination to continue and further police operations to this effect*" [<sup>85</sup>].

Indeed, on September 10, CABS and SPA Policy Advisor on Bird Poaching in Cyprus had a meeting with the Head of the Operations Unit of the Cyprus Police and the Head of the APS at the Cyprus Police Headquarters. During the meeting, we were informed that from September 15 to October 12, CABS teams would have the escort of 2 police patrols with 2-3 officers each. Due to the fact that the APS had only 6 experienced officers at that time, it was agreed that the one patrol would consist of 2-3 experienced APS officers, while the other patrol would consist of 2-3 unexperienced ERU officers. This implied that the 2 patrols would not be independent, but they would move together, in order to have continuous support. Moreover, in case of an emergency incident or a large-scale operation, the 2 APS and ERU patrols would have the back-up of 1-2 more ERU patrols that would be in service in the Famagusta and Larnaca districts, especially during early-morning hours. Although we have asked for 2 independent APS patrols, we considered this as a necessary compromise, based on the limited operational capacity of the APS.

Moreover, on September 22, CABS and SPA sent another letter to the Minister of Justice and Public Order with which we informed Mr Nikolaou about the launching of a protest card campaign demanding the implementation of a zero tolerance policy against illegal, non-selective and large-scale trapping, killing and trade of protected wild birds in the Republic of Cyprus. The campaign was organized within the framework of our *"Stop Bird Slaughter!"* (*"Stop dem Vogelmord!"*) project [<sup>86</sup>]. In this letter, we asked to have a meeting with the Minister of Justice and Public Order, in order to present him the approximately 24,000 protest cards that were signed by citizens from Germany and Switzerland and were collected between September 2013 and August 2014 [<sup>87</sup>].

Indeed, on November 11, CABS and SPA Policy Advisor on Bird Poaching in Cyprus had a meeting with the Minister of Justice and Public Order, during which he expressed our gratitude for the support of the APS during our spring and autumn 2014 BPCs, he presented to Mr Nikolaou the protest cards and submitted our joint position paper on a 'zero tolerance policy against songbird poaching' (Figure 12). This position paper included CABS and SPA recommendations on the adoption and implementation of the 'STAP for Combating Illegal Bird Trapping in Cyprus', which should be publicized by the end of 2014 [<sup>88</sup>].





Figure 12: CABS and SPA Policy Advisor on Bird Poaching in Cyprus presents approximately 24,000 signatures of EU citizens, which were collected between September 2013 and August 2014, to the Minister of Justice and Public Order, Mr Ionas Nikolaou (Maria Hadjimichael / CABS & SPA)

CABS and SPA sent three similar letters to the Minister of Interior on September 22, November 12 and December 1, in order to present to Mr Hasikos the approximately 24,000 signatures of EU citizens and submit to him our joint position paper on the adoption and implementation of the 'STAP for Combating Illegal Bird Trapping in Cyprus' [<sup>89</sup>].

At this point, it has to be noted that the Ombudswoman sent a letter to the Head of the GF on September 30, in which she requested to be informed about the measures that were taken in order to complete the work on the '*STAP for Combating Illegal Bird Trapping in Cyprus*' until the end of 2014. In this letter, the Ombudswoman reminded the Head of the GF that, according to one of the recommendations of the recently published '*Report of the Commissioner for Administration and Human Rights on the Phenomenon of Illegal Bird Trapping in Cyprus*', "*the GF should manage to complete the work on the National Strategy against illegal bird trapping, publicize it and start its implementation until the end of 2014*" [<sup>90</sup>]. As the Ombudswoman aptly noted, "*the National Strategy can be turned into a new beginning for broader activities of the competent authorities, structured and targeted, with the involvement of all stakeholders who can contribute, and would not be limited to law enforcement. It needs to be extended in the fields of prevention, educational programs, the broadest possible information that will be appropriate and accessible to the general public, in collaboration with the mass media, as well as to factors and measures that will contribute to public awareness, the advancement of scientific research, the documentation from the relevant government authorities of trapping levels per year and the evaluation of the effectiveness of these measures" [<sup>91</sup>].* 

Moreover, on December 1, CABS and SPA sent another letter to the Head of the GF, requesting to receive the updated statistics on poaching and trapping cases prosecuted by the GF per district office in 2014, in order to be able to offer a comprehensive overview of the efforts made by each competent law enforcement agency [<sup>92</sup>].

On February 16, the Head of the GF replied to us and stated that we can arrange a meeting to present to him, on behalf of the Minister of Interior, the approximately 24,000 signatures of EU citizens that we have collected. The letter also included the updated statistics on poaching and trapping cases prosecuted by the GF per district office in 2014, while in respect to the adoption of the STAP the Head of the Game Fund stated that this "is in its final stages to be approved and it is estimated that this will be adopted by the next month or so". Lastly, he stated that "the Ministry of Interior and the GF remain committed to effectively combat this illegal activity. Taking into consideration the personnel constraints", the Ministry of Interior and the GF are "doing the best they can with respect to law enforcement". Nevertheless, "law enforcement alone will not eradicate this illegal activity but many more aspects need to be addressed effectively, therefore [...] the adoption of a national strategy will help towards this direction" [<sup>93</sup>].

On March 2, CABS and SPA replied to the Head of the GF by stating that the improvement and strengthening of the cooperation between the competent authorities of the Republic of Cyprus and the civil society, including international non-governmental organisations such as CABS and SPA, will significantly contribute to combating illegal, non-selective and large-scale trapping, killing and trade of wild birds in Cyprus. In addition, regarding the STAP we stated that we



are glad to be officially informed that this is going to be approved and adopted in the near future. In our response, we also stated that we appreciate the fact that the GF sent us the full statistics on poaching and bird trapping for the year 2014 per district. Based on these updated figures, we noted that in 2014 we observe the lowest number of prosecuted cases of both poaching and bird trapping offences, after 2005. This decrease in 2014 seems to be the result of the decrease of prosecuted poaching and bird trapping cases in Larnaca and Famagusta districts, which are considered to be the major trapping hotspots in Cyprus. In this framework and by taking into consideration the financial constraints in an era of a deep economic crisis, we asked for the upgrade of the strategic planning and the escalation of the anti-trapping operations of the GF, particularly in Larnaca and Famagusta districts, where the problem is most severe [<sup>94</sup>].

Despite all of these developments, unfortunately the MoI and the MJPO have not submitted to the Council of Ministers the proposal for the adoption and implementation of the 'STAP for Combating Illegal Bird Trapping in Cyprus' until the end of 2014, in violation to the recommendations made by the Ombudswoman [<sup>95</sup>], the DG-ENVI of the European Commission [<sup>96</sup>], the Bern Convention Secretariat and the Council of Europe [<sup>97</sup>].

Lastly, CABS and SPA note that the UNPOL invited CABS and SPA Policy Advisor on Bird Poaching in Cyprus and BirdLife Cyprus Illegal Bird Trapping Officer four times – on September 25, October 23, November 13 and December 18 – to the training workshops for new UNPOL officers, in order to present to them the context and parameters of songbird poaching in Cyprus and help them to combat this severe wildlife crime in the UNBZ. **CABS and SPA believe that the Cyprus Police Academy should also include induction courses and training seminars on poaching and hunting issues, in order to adequately educate and train new police officers on combating illegal bird trapping and other forms of wildlife crime in Cyprus** [<sup>98</sup>]. This could be done in cooperation with the *EU Network for the Implementation and Enforcement of Environmental Law (IMPEL)*, in the context of the current project on '*Contributing to the Elimination of Illegal Killing of Birds*' [<sup>99</sup>], as well as the *Environmental Crime Network (EnviCrimeNet)* of the *European Police (Europol)*, in the context of the '*Intelligence Project on Environmental Crime'* (*IPEC*) [<sup>100</sup>].

# 4.1.6 THE SOCIAL ASPECT

As we stated in our Field Reports for Autumn 2012 [<sup>101</sup>], Spring 2013 [<sup>102</sup>] and Spring 2014 [<sup>103</sup>], changing attitudes to the consumption of ambelopoulia could go a long way towards curbing illegal bird trapping. However, there are currently no (and never have been) national communication strategies, public awareness campaigns and environmental education projects aiming at changing attitudes on this issue. Apart from the efforts of environmental NGOs (CABS and SPA, BirdLife Cyprus, Cyprus Conservation Foundation Terra Cypria and Friends of the Earth Cyprus), the loudest voices heard in the public debate on the problem are politicians from the major trapping areas (in Larnaca and Famagusta districts), speaking out in support of this serious criminal activity and ecological atrocity.

For example, in autumn 2014, a Member of the Council of Limassol Municipality publicly stated on his personal Facebook account that he celebrated the appointment of a new Member of the Parliament of the governing party, coming from Famagusta District, in a restaurant in Paralimni with "*a scandalous menu, which although it was illegal, it was thus so tasty*" [<sup>104</sup>].

Furthermore, between September and December 2014, the only communication initiatives aiming to raise public awareness on the ecological impact of illegal bird trapping were once again taken by environmental NGOs.

Following the release of the documentary 'Emptying the Skies' and "as part of its anti-trapping awareness campaign, BirdLife Cyprus organised a screening of the [...] documentary on 15<sup>th</sup> September 2014 in Nicosia, the first one in Cyprus. This documentary is directed by Douglas Kiss and Roger Kiss, based on a magazine essay written by noted best-selling novelist Jonathan Franzen for the 'New Yorker' in July 2010 and widely republished all over the world, chronicles the rampant poaching and bird trapping of migratory songbirds in Southern Europe and in particular Cyprus, Italy and France. The event was a great success, with more than 100 people coming to watch the film. After the screening a discussion took place with the following guests on the panel": Ms Ioanna Panayiotou, Environment Commissioner of the Republic of Cyprus, Ms Maria Tsotsi, Representative of the Ombudswoman's Office, Mr Petros Anayiotos, Representative of the GF, Mr Klitos Papastylianou, CABS and SPA Policy Advisor on Bird Poaching in Cyprus, and Ms Clairie Papazoglou, BirdLife Cyprus Executive Director. Interventions were also made by Mr George Perdikes, Deputy President of the Parliamentary Committee on the Environment, Mr Andreas Angelides, Press Officer of the Cyprus Police Headquarters, and Mr Andrea Rutigliano, CABS Field Investigation Officer. As BirdLife Cyprus rightly observes, "the discussion clearly confirmed that a consistent 'zero tolerance policy' and the implementation of the



Strategic Action Plan against illegal bird trapping are a perquisite for tackling the problem, as well as the continuation of monitoring and awareness raising actions" [<sup>105</sup>].

The Cyprus Conservation Foundation Terra Cypria, in the context of the BioForLife Project that is co-funded by the *'Life+ Programme'* of the DG-ENVI of the European Commssion [<sup>106</sup>], published a newspaper advertisement in October 2014. The ad, with photos by CABS, stated: *"Did you know... that mist nets and limesticks are prohibited in Cyprus since 1974 by the national legislation? They are prohibited as they are non-selective methods of bird trapping, meaning that in these traps many species, from common to extremely rare, can be trapped"* (Figure 14) [<sup>107</sup>].



Figure 14: Newspaper advertisement against illegal bird trapping (Source: BioForLife, Life+ Project / Photos by CABS)

Between November and December 2014, BirdLife Cyprus, with the support of the *Nature And Biodiversity Conservation Union (NABU) – BirdLife Germany* and the Heinz Sielmann Stiftung, produced an animation video, the main character of which is Ulysses (Odysseas) the Blackcap, in order to educate viewers on the migration of birds and the serious and persistent problem of illegal trapping of birds in Cyprus [<sup>108</sup>]. The video has already been shown in several primary schools in Nicosia, Larnaca and Famagusta districts and reached many children, who are now more sensitized to protect "*Ulysses the Blackcap*" [<sup>109</sup>].

Another positive development that took place during the last fourth months was the release of several press statements by the competent law enforcement agencies on anti-trapping operations and poachers' prosecutions. During our Autumn 2014 BPC, the Press Office of the Cyprus Police Headquarters issued many press releases on the most important cases of prosecutions [<sup>110</sup>], while after our last BPC it released several press statements on other anti-poaching operations [<sup>111</sup>].

At this point, it is important to note that – as it is shown by the most recent press releases of the Cyprus Police and as it is analysed in our 'Autumn 2011 Field Report' [<sup>112</sup>] – **illegal bird trapping in Cyprus is closely and directly related to other aspects of wildlife and organized crime**. Just to mention a few of examples that are illustrating this fact, between November and December 2014:

- The APS prosecuted 1 person and confiscated 174 steel traps for wild hares and birds, 13 mist nets, 4 silencers of hunting rifles, 163 killed wild birds and 8 killed wild hares, on November 1, in Limassol district [<sup>113</sup>];
- The APS prosecuted 2 persons and confiscated 14 mist nets, 14 metal poles, 48 killed wild birds and 2 killed wild hares, on November 6, in Famagusta district [<sup>114</sup>];
- The APS prosecuted 1 person and confiscated 1 hunting rifle with 35 cartridges, 1 electronic decoy, 2 doubleedged knifes, 1 air gun revolver with 11 cartridges, 4 prohibited hunting cartridges and 4 killed wild birds, on November 8, in Famagusta district [<sup>115</sup>];
- > The APS prosecuted 3 persons and confiscated 783 killed wild birds on November 20, in Famagusta district [<sup>116</sup>];

The Criminal Investigation Department (CID) of Larnaca Police Division located 1 revolver, 2 containers of gun powder, 3 detonators and 64 steel traps for wild hares and birds in an abandoned car, on November 30, in Larnaca district [<sup>117</sup>];

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- The CID of Famagusta District Police Division prosecuted 1 person and confiscated 5 hunting rifles with 14 cartridges, after he shot twice against a GF patrol on December 4, in Famagusta district [<sup>118</sup>];
- The ERU of the Cyprus Police prosecuted 1 person driving a car without a car licence and insurance, and confiscated an electronic decoy, a large number of prohibited hunting cartridges, a baton, a knife, an axe and brass knuckles on December 22, in Nicosia district [<sup>119</sup>].

In contrast with the Cyprus Police, the GF released only one press statement on illegal bird trapping, regarding the cases that were prosecuted from early to mid-September [<sup>120</sup>]. Between October and December 2014, all of the GF press releases were referring only to hunting regulation [<sup>121</sup>] and cases of illegal shooting of game species [<sup>122</sup>]. Nevertheless during this period it seems that the GF has solved most of the cases of songbird poaching.

The British ESBA Police released only three press statements on illegal bird trapping, from September to December 2014: the first was referring to a large-scale anti-trapping operation in Cape Pyla, organised on September 9 [<sup>123</sup>]; the second was also referring to clearance operations of trapping paraphernalia held on November 6, 7 and 10 [<sup>124</sup>]; and the third was referring to the removal of artificial acacia groves that were only used for bird trapping in Cape Pyla [<sup>125</sup>].

As a response to the first press statement of the British ESBA Police, BirdLife Cyprus issued a press release on September 11, in which it rightly observed that "in recent years, Cape Pyla has become a mist-netting hotspot and this early action taken at the start of the main trapping season by the SBA Police is very encouraging. However, in order to have a substantial impact on trapping activity, clearance operations should be undertaken on a very regular basis during the main trapping period, particularly in the Cape Pyla area" [<sup>126</sup>].

Despite the fact that the British ESBA Police kept a low communication profile on anti-trapping operations, it has to be noted that is the only competent law enforcement agency in Cyprus that kept systematic and comparative data on anti-poaching operations for the period between 2012 and 2014, *and sent them to all relevant stakeholders, including environmental NGOs* [<sup>127</sup>] (see also Chapter 3.5.3).

CABS and SPA urge the competent law enforcement agencies to release press statements on a weekly and monthly base during trapping seasons, as well as to publish systematic data on anti-poaching operations on a seasonal and annual base, as this is considered to be the first and most important step towards developing and encouraging national communication efforts and strategies to promote dialogue and foster a constructive debate between relevant stakeholders – most importantly the competent law enforcement agencies and environmental NGOs – and the wider public. In this context, the APS, the GF and the British ESBA Police should establish systematic monitoring and reporting systems for illegal activities using standardised methods for data collection, on a common reporting format. The publication of data on anti-poaching operations by the competent law enforcement agencies will also support a shift of culture towards shared values respectful of nature and promote active stewardship. At the same time, this measure will deter bird trappers, streamline law enforcement and raise public awareness on songbird poaching.

Furthermore, CABS and SPA urge the competent authorities to develop, adopt and implement national communication strategies, public awareness campaigns and environmental education projects. Unfortunately, all competent authorities, including the MJPO, the MoI and the MANRE, as well as CFHWC, generally display no interest in the prospect of changing public attitudes to ambelopoulia eating, and do little or nothing to promote all necessary public communication, awareness and education strategies needed to tackle the problem at its roots. CABS and SPA are ready and able, in terms of both knowledge and experience, to take on well-targeted national communication strategies, public awareness campaigns and environmental education projects (including the publication of press releases, leaflets, posters and handbooks, as well as the production of advertisements, spots, documentaries and other audio-vision material), in order to change public attitudes on this issue and contribute, as far as they can, towards the elimination of the demand for protected wild birds for consumption, in cooperation with the competent authorities of the Republic of Cyprus. The Press and Information Office (PIO) of the Republic of Cyprus and the mass media (newspapers, radio and TV stations, news agencies, etc.) should be also engaged in these national communication strategies, public awareness campaigns and environmental education projects.

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# 5 CONCLUSION AND RECOMMENDATIONS FOR THE FUTURE

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According to the findings of the monitoring programme of illegal bird trapping of BirdLife Cyprus, "**16 km of net rides** were active during the autumn of 2014. These trapping levels could have resulted in **over 1.5 million birds killed** within the survey area. **Mist netting activity for autumn 2014 has increased by 47% compared to 2002** [...] and sadly has been **the biggest trapping activity recorded** since the start of the surveillance programme" [<sup>128</sup>]. In more detail:

- **"For the Republic areas**, autumn 2014 mist netting activity showed a slight increase of 10% compared to autumn 2013", while "in comparison to 2002 there has been a decrease of 23% for autumn 2014";
- **"For the SBA areas**, autumn 2014 mist netting activity showed an increase of 68% compared to autumn 2013", while "in comparison to 2002 there has been an increase of 199% for autumn 2014";
- "Overall, it is clear [...] that mist netting activity has increased dramatically within the Dhekelia SBA and its much higher compared to the Republic, a pattern that has held in recent years, primarily due to the mist netting hotspot of Cape Pyla" [<sup>129</sup>].

CABS is not in the position to evaluate the trend of autumn trapping. Nevertheless, we agree with BirdLife Cyprus that the size of trapping is huge and still at its peak, while the competent law enforcement agencies are struggling in vain to reduce it. As long as the fines and penalties imposed will be so low, the business so profitable and the police patrols employed on the field so few, we will witness every year the same unequal struggle between the law enforcement agencies and illegal bird trappers.

**Republic of Cyprus**: CABS and SPA urge the competent authorities of the Republic of Cyprus to adopt and implement the recommendations made by the Ombudswoman [<sup>130</sup>], the DG-ENVI of the European Commission [<sup>131</sup>], the Bern Convention Secretariat and the Council of Europe [<sup>132</sup>]. Moreover, CABS and SPA are calling the competent authorities of the Republic of Cyprus to:

- Immediately adopt and implement the 'STAP for Combating Illegal Bird Trapping in Cyprus'.
- Increase the average fines and penalties imposed by the Courts in order to be deterrent.
- Increase the operational capacity of the APS, by doubling its staff. <u>2 independent patrols on daily base meaning</u> <u>a total of 14-16 experienced officers – are the absolute minimum required</u>. These 14-16 APS officers must be specifically trained to work on combating songbird poaching and wildlife crime, while they should also constitute a long-term permanent staff of the APS.
- Require that all law enforcement agencies keep an average number of prosecutions every year to avoid huge fluctuations in the law enforcement efforts, mainly dependent on political will and administrative decisions rather than real change in trapping trends.
- Require that the competent law enforcement agencies the APS and the GF regularly publish their results, in order for third parts to evaluate their efforts.
- Develop national communication strategies, public awareness campaigns and environmental education projects for changing attitudes to the consumption of ambelopoulia and the ecological impact of illegal, non-selective and large-scale bird trapping, killing and trade.

**British ESBA**: The approach of the APU of the British ESBA Police has been strongly criticized by environmental NGOs and even by other institutions that now look with scepticism at the very poor results achieved by the Administration and the Police of the British ESBA. The expected change of the situation in the British ESBA has not come yet; once again, in autumn environmental NGOs witnessed an unwillingness for or at least an insufficiency of cooperation with the APU of the British ESBA Police, a very low profile kept at the communication level by the British SBAs Administration and extremely high levels of illegal bird trapping in the territory of the British ESBA for the whole season.



CABS and SPA urge the British SBAs Administration and Police to adopt and implement a 'zero tolerance' policy, following the recommendations of the 'Larnaca Declaration' [<sup>133</sup>] and the United Kingdom Police Partnership Against Wildlife Crime [<sup>134</sup>]. In more detail, CABS and SPA ask for:

- The overall eradication of invasive alien species and particularly the artificial acacia groves in the SAC of Cape Pyla.
- An increase of the operational capacity of the APU of the British ESBA Police with <u>at least 4 independent patrols</u>, <u>responsible only for disrupting illegal bird trapping and prosecuting songbird poachers</u>, on daily base.
- Require that the APU of the British ESBA Police keeps an average number of prosecutions every year to avoid huge fluctuations in the law enforcement efforts, mainly dependent on political will and administrative decisions rather than real change in trapping trends.
- Organize joint patrols and anti-trapping operations in the so-called 'grey zones' the border areas between the territories of the British ESBA and the Republic of Cyprus between the British ESBA Police, the GF and the APS.
- Last but not least, conduct clearance operations once every couple of weeks between mid-August and late-October, in Cape Pyla and Ayios Nikolaos.



Figure 14: CABS volunteer releasing a blackcap trapped in a mist net, while the APS officers are dismantling a huge trapping installation with 12 mist nets and 133 limesticks in Tersefanou, Larnaca (Lloyd Scott / CABS & SPA)



# ABBREVIATIONS AND ACRONYMS

APS	Anti-Poaching Squad of the Cyprus Police
APU	Anti-Poaching Unit of the British Eastern Sovereign Base Area Police
BPC	Bird Protection Camp
CABS	Committee Against Bird Slaughter (Komitee gegen den Vogelmord e.v.)
CAP	Common Agriculture Policy of the European Union
СВА	Cyprus Bar Association
CFHWC	Cyprus Federation of Hunting and Wildlife Conservation
CID	Criminal Investigation Department of the Cyprus Police
DG-ENVI	Directorate General for the Environment of the European Commission
ECJL	European Centre for Judges and Lawyers
EIPA	European Institute of Public Administration
EnviCrimeNet	Environmental Crime Network of Europol
ERU	Emergency Response Unit of the Cyprus Police
ESBA	(British) Eastern Sovereign Base Area
EU	European Union
EUFJE	European Union Forum of Judges for the Environment
Europol	European Police
GF	Game Fund and Wildlife Management Service of the Republic of Cyprus
IBAs	Important Bird and Biodiversity Areas
ICBP	International Council for Bird Preservation (now called BirdLife International)
IMPEL	(European Union's) Network for the Implementation and Enforcement of Environmental Law
IPEC	Intelligence Project on Environmental Crime of the Environmental Crime Network of Europol
MANRE	Ministry of Agriculture, Natural Resources and Environment of the Republic of Cyprus
МВСС	Migratory Birds Conservation in Cyprus
МЈРО	Ministry of Justice and Public Order of the Republic of Cyprus
Mol	Ministry of Interior of the Republic of Cyprus
NABU	Nature And Biodiversity Conservation Union – BirdLife Germany
NGOs	Non-Governmental Organisations
NOA	Anti-Poaching Unit (Nucleo Operativo Antibracconaggio) of the Italian Republic Forest Police
OCU	Operations and Crimes Unit of the British Eastern Sovereign Base Area Police
Ombudswoman	Commissioner for Administration and Human Rights of the Republic of Cyprus
PIO	Press and Information Office of the Republic of Cyprus
RSPB	Royal Society for the Protection of Birds – BirdLife United Kingdom
SACs	Special Areas of Conservation
SBAs	(British) Sovereign Base Areas
SCIs	Sites of Community Interest
SPA	Foundation Pro Biodiversity (Stiftung Pro Artenfielfalt)
SPAs	Special Protection Areas
STAP	Strategic Action Plan for Combating Illegal Bird Trapping in Cyprus
UNBZ	United Nations Buffer Zone
UNCBD	United Nations Convention on Biological Diversity
UNFICYP	United Nations Peace Keeping Force in Cyprus
UNPOL	United Nations Police

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Committee Against Bird Slaughter

The Committee Against Bird Slaughter (CABS) – Komitee gegen den Vogelmord e.V in German and  $E\pi\iota\tau\rho\sigman\dot{\gamma}$  Ev $\dot{\alpha}v\tau\iota\alpha$  $\sigma\tau\eta \Sigma\varphi\alpha\gamma\dot{\gamma} \tau\omega\nu \Pi\sigma\nu\lambda\iota\dot{\omega}v$  in Greek – is an international activist and operational bird protection society, with its head office in Bonn in the Federal Republic of Germany. The society was founded in 1975 in Berlin and since then intervenes in particular where bird trappers, poachers and animal traders commit offences against current nature protection legislation in the European Union. The society is always concerned to harmonise its activities closely with the responsible police, forest or customs authorities. In addition, through initiatives at the parliamentary or judicial level, CABS attempt to achieve improvements in the policy and legal guidelines for wildlife, nature and species protection. Currently, the society has 485 members and 11,300 donors throughout the European Union.

CABS is a registered "Society" (Registration Number: VR 7095 – Date of Recognition as a Nature Protection Organization: 03.03.1989) by the authorities of the Federal Republic of Germany. Registration as a charity in the United Kingdom under new EU legislation is currently in progress.

# Committee Against Bird Slaughter (CABS): www.komitee.de/en/homepage

# Extending Our Frontiers – Birds Have No Boundaries!



The Foundation Pro Biodiversity (SPA) – Stiftung Pro Artenvielfalt in German and  $\delta \rho \mu \alpha \gamma \alpha \tau \eta \gamma \Pi \rho \sigma \tau \alpha \sigma (\alpha \tau \eta \gamma Bio \pi \sigma \kappa \lambda \delta \tau \eta \tau \alpha \zeta$  in Greek – concerns itself with the conservation of endangered wildlife species and species diversity. It defines its role as patrons of wildlife, with the statutory obligation to care for all aspects of the natural world in Germany and Europe.

SPA is an officially recognized "Foundation" (Date of Recognition: 26.11.2008) under the German civil law code and is registered with the German Tax authorities (Tax Registration Number: 305/5981/1222) and the Foundation Council of the State of North Rhine Westphalia, Germany.

# Foundation Pro Biodiversity (SPA): www.stiftung-pro-artenvielfalt.org