



UPDATE on illegal bird trapping activity in Cyprus

Covering the autumn 2021 findings of BirdLife Cyprus' continuing monitoring programme for illegal bird trapping in Cyprus and providing an overview of the latest developments regarding the problem

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Περίληψη

Τα αποτελέσματα του προγράμματος συστηματικής παρακολούθησης για την περίοδο παγίδευσης φθινοπώρου 2021 φανερώνουν αυξητική τάση παγίδευσης με δίχτυα τόσο στην Κυπριακή Δημοκρατία όσο και στις περιοχές των Βρετανικών Βάσεων Δεκέλειας. Η τάση αύξησης στην παράνομη παγίδευση που σημειώθηκε στην Κυπριακή Δημοκρατία πιστεύουμε ότι αποδίδεται σε μεγάλο βαθμό σε μια σειρά χαλαρώσεων στον «Περί Προστασίας και Διαχείρισης Αγρίων Πτηνών και Θηραμάτων Νόμος» που εγκρίθηκαν από την Κυπριακή Βουλή τον Δεκέμβριο του 2020. Η τάση αύξησης στην παράνομη παγίδευση που σημειώθηκε στις περιοχές των Βρετανικών Βάσεων Δεκέλειας, πιστεύουμε ότι αποδίδεται στη μείωση του μεγέθους της μονάδας καταπολέμησης της παράνομης παγίδευσης και λαθροθηρίας της αστυνομίας των Βάσεων λίγο πριν την αρχή της φθινοπωρινής σεζόν 2021.

Το συστηματικό πρόγραμμα παρακολούθησης του BirdLife Cyprus καλύπτει μια περιοχή έρευνας η οποία περιλαμβάνει δύο επικράτειες: την Κυπριακή Δημοκρατία και τις Βρετανικές Βάσεις (SBA) Δεκέλειας. Συγκεκριμένα, καλύπτει τις περιοχές Λάρνακας - Αμμοχώστου και Αγίου Θεοδώρου – Μαρώνι. Με βάση την ανάλυση των στοιχείων της έρευνας, εκτιμούμε ότι κατά τη διάρκεια του φθινοπώρου του 2021 υπήρχαν 6500 μέτρα ενεργών διαδρομών με δίχτυα εντός της περιοχής έρευνας. Με αυτά τα δεδομένα, εκτιμάται ότι μπορεί να θανατώθηκαν περίπου 605000 πουλιά εντός της περιοχής έρευνας.

Συνολικά, η χρήση δικτύων εντός της περιοχής έρευνας για το φθινόπωρο 2021 ήταν κατά 84% χαμηλότερη σε σύγκριση με τα επίπεδα του 2002 (όταν ξεκίνησε το πρόγραμμα παρακολούθησης του BirdLife Cyprus) σύμφωνα με την ανάλυση που έγινε στο πρόγραμμα TRIM. Ωστόσο σε σύγκριση με το 2020, η παγίδευση το φθινόπωρο του 2021 φαίνεται να αυξήθηκε κατά 100%. Σε επίπεδο επικράτειας, η παγίδευση με δίχτυα εντός των περιοχών των Βρετανικών Βάσεων φαίνεται να παρουσίασε αύξηση 46% σε σύγκριση με το φθινόπωρο του 2020, η πρώτη αύξηση που σημειώθηκε τα τελευταία τέσσερα χρόνια. Αυτή είναι μια απογοητευτική εξέλιξη, δεδομένου ότι το φθινόπωρο του 2020 καταγράψαμε τη χαμηλότερη δραστηριότητα παγίδευσης με δίχτυα από την αρχή του προγράμματος παρακολούθησης το 2002. Παρόλη την αύξηση της παγίδευσης με δίχτυα εντός των περιοχών των Βάσεων, είναι σημαντικό να σημειωθεί ότι τα επίπεδα που καταγράφηκαν το φθινόπωρο του 2021 (16) εξακολουθούν να απέχουν πολύ από τα επίπεδα που καταγράφηκαν το 2016 (280), όταν το BirdLife Cyprus κατέγραψε τα υψηλότερα επίπεδα παγίδευσης στην περιοχή των Βάσεων. Θα πρέπει επίσης να αναγνωριστεί ότι οι αρχές των Βάσεων ανταποκρίθηκαν στις ανησυχίες μας για αυξημένη παράνομη δραστηριότητα στην αρχή της σεζόν, αυξάνοντας την παρουσία της αστυνομίας στο πεδίο, γεγονός που είχε σαφή επίδραση στον περιορισμό της παγίδευσης στο δεύτερο μισό της σεζόν. Τα επίπεδα παγίδευσης στην Κυπριακή Δημοκρατία είχαν τάση αύξησης κατά 132%. Πρόκειται για εξαιρετικά ανησυχητικά νέα που αναιρούν τη μείωση που καταγράφηκε πέρυσι. Παρά αυτή την αύξηση στα επίπεδα παγίδευσης, οι προσπάθειες της Υπηρεσίας Θήρας και Πανίδας αναγνωρίζονται καθώς είχαν σημαντική αύξηση στις καταγγελίες παγιδευτών σε σύγκριση με το φθινόπωρο του 2020.

Αυτές οι ενδείξεις για μια αυξημένη τάση παγίδευσης με δίχτυα έρχεται μετά από μια σειρά αρνητικών πολιτικών εξελίξεων τα τελευταία χρόνια. Τον Δεκέμβριο του 2020, η Κυπριακή Βουλή ψήφισε χαλαρώσεις στον «Περί Προστασίας και Διαχείρισης Αγρίων Πτηνών και Θηραμάτων Νόμο». Μία από αυτές τις τροπολογίες ήταν η μείωση του πρόστιμου για τον παράνομο πυροβολισμό και παγίδευση

με ξόβεργα έως και 50 πτηνών από μια λίστα 14 ειδών, από 2000 ευρώ σε 200 ευρώ. Αυτά τα 14 είδη αποτελούν τα είδη-στόχο για την παράνομη κατανάλωση αποδημητικών πουλιών, γνωστά και ως «αμπελοπούλια».

Πρόκειται για μια ξεκάθαρη χαλάρωση του νόμου όπου ουσιαστικά αποποινικοποιεί τον πυροβολισμό και την παγίδευση αυτών των 14 ειδών, καθώς έχει δημιουργήσει μια ξεχωριστή κατηγορία με καθεστώς «λιγότερης προστασίας για αυτά τα είδη-στόχους». Όπως ορθά αναφέρεται και στην Οδηγία για το Περιβαλλοντικό Έγκλημα (2008/99/ΕΚ), πιστεύουμε ότι τα πρόστιμα ή τυχόν ποινικές κυρώσεις πρέπει ως γενική αρχή να διασφαλίζουν ότι είναι αποτελεσματικά, αναλογικά και αποτρεπτικά. Ο παραλογισμός αυτής της αλλαγής νόμου γίνεται ακόμη πιο εμφανής όταν αντιληφθεί κανείς ότι τα πρόστιμα για παραβάσεις που αφορούν θηρεύσιμα είδη έχουν διατηρηθεί υψηλά και αποτρεπτικά, στα 2000 ευρώ.

Θεωρούμε ότι η δημιουργία αυτής της «λιγότερο προστατευόμενης» κατηγορίας αποτελεί μεγάλη οπισθοδρόμηση στην προστασία των πουλιών στην Κύπρο, κάτι που έχει αρχίσει να διαφαίνεται ήδη με την αύξηση των επιπέδων παγίδευσης που καταγράφηκαν το Φθινόπωρο 2021. Εξίσου σημαντικό είναι το γεγονός ότι η αναγνώριση αυτών των 14 ειδών στο πεδίο είναι δύσκολη, καθώς αυτά τα 14 είδη μοιάζουν πολύ με άλλα είδη που δεν περιλαμβάνονται σε αυτή τη λίστα, με αποτέλεσμα πολύ περισσότερα είδη να καταλήγουν στην κατηγορία των '200 ευρώ μέχρι 50 πουλιά'. Θα πρέπει επίσης να σημειωθεί ότι η διοίκηση των Βρετανικών Βάσεων δεν αποδέχθηκε αυτή την αλλαγή του νόμου και κράτησε τα πρόστιμα για τον πυροβολισμό και την παγίδευση αυτών των 14 ειδών στο αρχικό πρόστιμο των 2000 ευρώ για ένα πουλί.

Παρόλο που το πρόγραμμα παρακολούθησης του BirdLife Cyprus επικεντρώνεται κυρίως στη δραστηριότητα της παράνομης παγίδευσης με δίχτυα, το φθινόπωρο του 2021 η ομάδα πεδίου κατέγραψε αυξημένα επίπεδα παγίδευσης με ξόβεργα, τόσο στον συνολικό αριθμό ξοβέργων όσο και στα σημεία παγίδευσης με ξόβεργα. Αυτή η αύξηση στη χρήση ξοβέργων ξεκίνησε πριν δυο χρόνια και είναι κάτι που υποστηρίζεται και από τα στοιχεία πάταξης της Υπηρεσίας Θήρας και Πανίδας. Πιστεύουμε ότι αυτή η αύξηση συνδέεται με τα πολύ χαμηλότερα πρόστιμα των 200 ευρώ για το αδίκημα της παγίδευσης με ξόβεργα.

Δυστυχώς, και όπως είχε προειδοποιήσει το BirdLife Cyprus, η επαίσχυντη μείωση στα πρόστιμα έχει στείλει ένα μήνυμα αποποινικοποίησης της παράνομης παγίδευσης και θανάτωσης των αποδημητικών πουλιών, ενθαρρύνοντας και προωθώντας έμμεσα την παραβίαση του σχετικού νόμου. Αυτή η χαλάρωση του νόμου, όπως ήταν αναμενόμενο, έχει δημιουργήσει την εντύπωση ότι η παράνομη θανάτωση και κατανάλωση των «αμπελοπουλιών» αποτελεί «δικαίωμα». Αυτό καταδεικνύεται έμπρακτα από τα πρόσφατα περιστατικά βίας και ξυλοδαρμού κατά ακτιβιστών της ομάδας CABS (Committee Against Bird Slaughter) τον Νοέμβριο και Δεκέμβριο 2021 και κατά αστυνομικού της Αστυνομίας Κύπρου, και την τοποθέτηση εκρηκτικού μηχανισμού αυτοσχέδιας βόμβας σε όχημα των μελών της CABS στις αρχές Ιανουαρίου 2022. Τέτοια βίαια και καταδικαστέα περιστατικά αποτελούν απόδειξη της άμεσης ανάγκης να αποκατασταθεί ο Ουλαμός Πάταξης Λαθροθηρίας της Αστυνομίας Κύπρου, ο οποίος καταργήθηκε τον Νοέμβριο 2019, για την αντιμετώπιση των μεγάλων, οργανωμένων παγιδευτών και λαθροθήρων που είναι δεν θα διστάσουν να ασκήσουν βία και να απειλήσουν προκειμένου να διασφαλίσουν την επικερδή «επιχείρησή» τους.

Τον Οκτώβριο του 2021, η Ευρωπαϊκή Επιτροπή απέστειλε επιστολή προς την Κυπριακή Κυβέρνηση όπου με αυστηρό και ξεκάθαρο ύφος εξέφρασε τις έντονες ανησυχίες της όσον αφορά την

τροποποίηση του νόμου περί «Περί Προστασίας και Διαχείρισης Αγρίων Πτηνών και Θηραμάτων». Σύμφωνα με δημοσιεύματα των ΜΜΕ, η Ευρωπαϊκή Επιτροπή, όπως και το BirdLife Cyprus, εξέφρασε ότι αυτές οι αλλαγές θα αυξάνουν την παράνομη παγίδευση και ότι τέτοια χαμηλά πρόστιμα δεν είναι αποτρεπτικά και ούτε τιμωρητικά. Η Ευρωπαϊκή Επιτροπή ζήτησε από την Κυπριακή Κυβέρνηση να παράσχει περαιτέρω λεπτομέρειες ως προς το πώς θα γίνεται αποτελεσματική παρακολούθηση και επιβολή του νόμου δεδομένων αυτών των αλλαγών και ζήτησε από την Κυπριακή Κυβέρνηση να ακυρωθούν οι τροποποιήσεις, ώστε όλα τα πρόστιμα να ξεκινούν από 2000 ευρώ.

Το BirdLife Cyprus περιμένει από την Κυπριακή Κυβέρνηση να συμμορφωθεί με τις υποδείξεις της Επιτροπής για κατάργηση των χαμηλότερων προστίμων που έχουν ψηφιστεί από την Κυπριακή Βουλή και καλεί την Ευρωπαϊκή Επιτροπή να λάβει όλα τα απαραίτητα μέτρα για να διασφαλιστεί ότι αυτές οι χαλαρώσεις θα ανατραπούν.

Τον Νοέμβριο του 2021, το BirdLife Cyprus υπέβαλε ηλεκτρονικό αίτημα στην Πρόεδρο της Κυπριακής Βουλής ζητώντας να ανατραπεί η πρόσφατη χαλάρωση του νόμου. Το αίτημα υπέγραψαν περίπου 13700 πολίτες και 22 ευρωπαίοι εταίροι του BirdLife.

Καταληκτικά το BirdLife Cyprus καλεί τις αρχές να λάβουν υπόψη τα εξής:

1. Η Κυπριακή Βουλή να επανεξετάσει τις τροποποιήσεις του νόμου «Περί Προστασίας και Διαχείρισης Αγρίων Πτηνών και Θηραμάτων» και να επαναφέρει το πρόστιμο για τα αδικήματα κατοχής και χρήσης ξοβέργων και του κυνηγιού των 14 προστατευόμενων, μη θηρεύσιμων ειδών από τα 200 στα 2000 ευρώ. Σε περίπτωση μη κατάργησης των χαμηλότερων αυτών προστίμων, η Κύπρος θα είναι αντιμέτωπη με την πιθανότητα έναρξης της διαδικασίας επί παραβάσει όπως αναφέρεται στην αυστηρή επιστολή της Ευρωπαϊκής Επιτροπής προς την Κυπριακή Κυβέρνηση για αυτό το θέμα.
2. Οι αρμόδιες αρχές της Κυπριακής Δημοκρατίας να ενισχύσουν τη συνεργασία με περιβαλλοντικές ΜΚΟ, υιοθετώντας παρόμοια προσέγγιση με αυτή της Αστυνομίας των Βρετανικών Βάσεων, προκειμένου να καταστεί πιο αποτελεσματική η πάταξη στο πεδίο.
3. Η Υπηρεσία Θήρας και Πανίδας να καταρτίσει ένα σχέδιο δράσης με έμφαση στους μεγάλους, οργανωμένους παγιδευτές και να ζητήσει την στήριξη της κυπριακής αστυνομίας για την εφαρμογή του. Επιπλέον, οι Κυπριακές αρχές πρέπει να αυξήσουν την πάταξη κατά των εστιατορίων που παράνομα σερβίρουν αμπελοπούλια (για αντιμετώπιση της ζήτησης).
4. Καλούμε την Αστυνομία Κύπρου να επαναφέρει τον Ουλαμό Πάταξης Λαθροθηρίας, για να επικεντρωθεί σε στοχευμένες ενέργειες, ιδιαίτερα κατά οργανωμένων, παγιδευτών μεγάλης κλίμακας.
5. Να γίνει ενημέρωση στο δικαστικό σώμα (δικαστές, κατηγορούς) σχετικά με την εξώδικη ρύθμιση και ότι η παράνομη παγίδευση πουλιών αποτελεί σοβαρό έγκλημα κατά της άγριας ζωής, προκειμένου να αντιμετωπιστεί η μεγάλη διαφορά που παρατηρείται μεταξύ των εξώδικων που εκδίδονται και των δικαστικών ποινών που τελικά επιβάλλονται. Θεωρούμε ότι η Υπηρεσία Θήρας και Πανίδας, ως αρμόδια αρχή για την εφαρμογή της νομοθεσίας για τα πτηνά, είναι η πιο κατάλληλη για την υλοποίηση αυτής της δράσης.

6. Η Διοίκηση και η Αστυνομία των Βρετανικών Βάσεων να συνεχίσει τη συνεργασία με τις περιβαλλοντικές ΜΚΟ, καθώς και την εφαρμογή και την αναθεώρηση του σχεδίου δράσης της.
7. Η Αστυνομία των Βρετανικών Βάσεων να διατηρήσει επαρκώς στελεχωμένη την ομάδα καταπολέμησης της παγίδευσης και λαθροθηρίας. Αυτό είναι εξαιρετικά σημαντικό για να συνεχίσει να αποτελεί μια αποτρεπτική και αποτελεσματική μονάδα, διατηρώντας έτσι τα χαμηλά επίπεδα παγίδευσης που καταγράφονται τα τελευταία χρόνια.

Συνάμα, το BirdLife Cyprus καλεί την Ευρωπαϊκή Επιτροπή να συνεχίσει να ασκεί τη δέουσα πίεση προς την Κυπριακή Κυβέρνηση για κατάργηση των χαμηλότερων προστίμων για την παράνομη παγίδευση κα θήρευση αποδημητικών πουλιών, σε συνέχεια της επιστολής που απέστειλε τον περασμένο Οκτώβριο για αυτό το θέμα.

Η αναφορά χωρίζεται στα ακόλουθα κεφάλαια:

- Το κεφάλαιο 1 παρουσιάζει μια σύνοψη της παγίδευσης πουλιών στην Κύπρο, δίνει μια ιστορική αναδρομή αυτής της δραστηριότητας, κάνει αναφορά στην εθνική νομοθεσία όσον αφορά την προστασία των πτηνών και παρουσιάζει την τρέχουσα κατάσταση,
- Το κεφάλαιο 2 παρουσιάζει το πρόγραμμα παρακολούθησης του BirdLife Cyprus,
- Το κεφάλαιο 3 παρουσιάζει τα αποτελέσματα της έρευνας πεδίου και την ανάλυση από το πρόγραμμα TRIM, τα στοιχεία από τις προσπάθειες των αρμοδίων αρχών για πάταξη και το πολιτικό και κοινωνικό κλίμα που επικρατεί,
- Το κεφάλαιο 0 είναι η συζήτηση και εισηγήσεις, όπου γίνεται μια σύνοψη της κατάστασης της παράνομης παγίδευσης πουλιών, ενώ επίσης γίνονται συστάσεις προς την Κυπριακή Κυβέρνηση και τη Διοίκηση των Βρετανικών Βάσεων, καθώς επίσης και προς την Ευρωπαϊκή Επιτροπή.

Τα έξοδα για την εργασία πεδίου του BirdLife Cyprus (καύσιμα), καθώς και τα έξοδα των εκάστοτε εθελοντών, καλύφθηκαν από τη NABU (BirdLife στη Γερμανία), ενώ το RSPB (BirdLife στο Ηνωμένο Βασίλειο) κάλυψε τους μισθούς.

Summary

The results of the systematic monitoring programme for the autumn 2021 trapping season show worrying signs of an apparent increase in trapping with mistnets in both the Republic of Cyprus and the Eastern Sovereign Base Areas (ESBA). The apparent increase in trapping noted in the Republic of Cyprus we believe can be attributed largely to the amalgamation of relaxations to the “Protection and Management of Wild Birds and Game Species law” approved by the Cyprus Parliament, the latest of which was voted in December 2020. The apparent increase in trapping noted in the SBA areas, we believe is attributed to the reduction in the size of the SBA Police Anti-poaching unit leading into the Autumn 2021 season.

The BirdLife systematic monitoring programme is based upon a survey coverage that encompasses two jurisdictional areas: The Republic of Cyprus and the Eastern Sovereign Base Areas). It specifically covers the Larnaka - Famagusta and the Ayios Theodoros – Maroni areas. Based on analysis of the survey data, we estimate that about 6,500m of mist net rides were active during the autumn of 2021 within the survey area. Trapping activity recorded suggests that an estimated 605,000 birds may have been killed within the survey area.

Overall, mist netting activity for autumn 2021 was 84% lower compared to the 2002 (baseline) levels within the survey area (based on analysis using the TRIM model). However, compared to 2020, trapping in Autumn 2021 showed an apparent increase of up to 100%. On a jurisdiction level, mistnet trapping within the SBA areas showed an apparent increase of 46% compared to autumn 2020, the first increase in four years. This is a disappointing result considering that in autumn 2020 we recorded the lowest ever mistnetting activity, since the start of the survey in 2002. Despite the apparent increase in mistnet trapping within the SBA areas, it is important to note that the levels recorded in Autumn 2021 (index value 16) are still very far away from the levels recorded in 2016 (index value 280) when BirdLife Cyprus recorded the highest ever levels of trapping in the SBA area. It should also be acknowledged that the SBA authorities did respond to our concerns about increased illegal activity at the start of the season by upping their officers’ presence on the ground, which had a clear effect on limiting trapping in the latter half of the season. Trapping activity levels within the Republic of Cyprus areas showed an apparent increase of up to 132%, extremely concerning news which undoes the reduction recorded last year. Despite this increase in trapping levels the enforcement efforts of the Game and Fauna Service wardens are acknowledged as they had a substantial increase in prosecutions compared to Autumn 2020.

These signs of an increasing trend in trapping activity with mist nets comes after a series of negative developments at the political level in recent years. In December 2020, the Cyprus Parliament voted in relaxations to the “Protection and Management of Wild Birds and Game Species law”. One of these amendments was to reduce the on-the-spot fine for the illegal shooting and trapping with limesticks for up to 50 birds from a list of 14 species, from €2000 to €200. These 14 species are the target species which make up the illegal “ambelopoulia” songbird dish.

This is a clear relaxation of the law, and it essentially decriminalizes the shooting and trapping of these 14 species, since it has created a ‘less protected’, separate category for these target species. We believe, as is correctly stipulated in the Environmental Crime Directive (2008/99/EC) that fines or any criminal sanctions, as a general principle, need to demonstrate and ensure that they are effective, proportionate

and dissuasive. The absurdity of this law change is even more evident when one realizes that the fines for offences in relation to game species have been kept high and deterrent, at €2000.

We consider that the creation of this 'less protected' category is a major setback for bird protection in Cyprus, something which is directly linked with the apparent increase in trapping levels recorded in 2021. Equally important is the fact that on a practical level, identifying these species is difficult to, as species on this list are very similar to species not on the list, resulting in many other species also being placed in the "200 euro for up to 50 birds" category. It should also be noted that the SBA Administration, did not accept this change to the law and kept fines for shooting and trapping these 14 species at the original fine of 2000 euro for one bird.

Although BirdLife Cyprus's monitoring program focuses primarily on illegal trapping with mistnets, during autumn 2021 our field team identified increased limestick trapping, both in the total number of limesticks set but also in the number of sites which showed evidence of limestick trapping taking place. This is something which has been happening for the last two years and which is supported by the Game and Fauna service enforcement data. We believe that this increase is associated with the much lower fines of 200 euros for offences relating to trapping with limesticks.

Unfortunately, the dangerous reduction in fines has passed, as BirdLife Cyprus warned, a message of decriminalization of illegal trapping and killing of migratory birds, encouraging and indirectly promoting the violation of the relevant law. This relaxation of the law, as expected, has created the impression that it is "acceptable" to illegally kill and consume "ampelopoulia". This is evidenced by the recent incidents of violence against activists of the CABS group in November and December 2021 and against a Cypriot police officer and the placement of an improvised explosive device on a CABS vehicle in early January 2022. Such violent and reprehensible incidents are proof of the urgent need to reinstate the Cyprus Police anti-Poaching Unit, which was abolished in November 2019, to deal with large, organized trappers and poachers who will not hesitate to resort to violent action to secure their profitable "business".

In October 2021, the European Commission sent a letter to the Government of Cyprus in which it expressed its strong concerns regarding the amendment of the "Protection and Management of Wild Birds and Game Species law". According to media channels, the European Commission believes, like BirdLife Cyprus, that these changes will increase illegal trapping and that such low fines are not only non-deterrent but also non-punitive. The European Commission has asked the Cypriot Government to provide further details on how these changes will be made, effectively monitored and enforced and has called upon the Cyprus Government for these law changes to be annulled, and to have all fines start at 2000 euros.

BirdLife Cyprus expects the Cypriot Government to comply with the Commission's recommendations for the abolition of the lower fines voted by the Cypriot Parliament and calls on the European Commission to take all necessary measures to ensure that these relaxations are overturned.

In November 2021, Birdlife Cyprus submitted an electronic petition to the president of the Cyprus Parliament calling for the recent amendment of the law to be overturned. This petition was signed by approximately 13,700 citizens and 22 BirdLife partners.

BirdLife Cyprus calls upon the Government of Cyprus and the SBA Administration to implement the following recommendations:

- 1) The Cyprus Parliament to reverse amendments to the law "Protection and Management of Wild Birds and Game Species" and to restore the fine for the offenses of possession and use of limesticks and hunting of 14 protected, non-game species from 200 to 2000 euros. Unless this happens, Cyprus will be faced with the possibility of infringement proceedings from the European Commission.
- 2) The Cyprus competent authorities to strengthen the collaboration with environmental NGOs on the ground, adopting a similar approach to that taken by the SBA Police, in order to make enforcement action more effective.
- 3) The Game and Fauna Service needs to draw up an action plan with a focus on the big, organized trappers with the support of the Cyprus police, for its implementation. Furthermore, the Cyprus authorities need to undertake increased and consistent enforcement action against law-breaking restaurants serving illegal ampelopoulia "delicacies" (to address demand).
- 4) The Cyprus Police to re-instate the Cyprus Police Anti-poaching unit, to focus on targeted enforcement action, particularly against large scale, organised, trappers.
- 5) Training to be provided to the Judiciary and Prosecutors regarding the on-the-spot fine system and the seriousness of trapping as a wildlife crime, in order to address the large discrepancy observed between on-the-spot fines issued and court sentences handed out. We consider that the Game and Fauna Service, as the responsible authority for the implementation of the Birds legislation, is best placed to do this.
- 6) The SBA Administration and Police to continue with the collaborative partnership approach adopted with environmental NGOs and the implementation and review of its action plan.
- 7) The SBA Police to maintain a well-staffed anti-trapping team, in order to continue to be a deterrent and effective unit, thus maintaining the low trapping levels recorded in recent years.

At the same time, BirdLife Cyprus calls on the European Commission to continue to press the Cypriot Government for the abolition of lower fines for illegal trapping and hunting of migratory birds, following a letter sent last October on this issue.

The report is separated into the following sections:

- Section 1 provides an overview of the bird trapping in Cyprus, gives some historical background to this activity, refers to the national legislation regarding bird protection and presents the current situation,
- Section 2 describes the historical outline of the surveillance programme of BirdLife Cyprus,
- Section 3 presents the survey data from the monitoring programme and the analysis from the TRIM software, summarises the enforcement data of the competent authorities and gives an outline of the political and social attitudes regarding this issue,
- Section 0 is the discussion, giving an overview of the illegal bird trapping situation, while also providing recommendations to the Cyprus Government and the SBA Administration.

All the running costs for the field work (car fuel), as well as all the volunteer costs were covered by NABU (BirdLife in Germany), while the RSPB (BirdLife in the UK) covered salaries.

1. Overview of bird trapping in Cyprus

Trapping with non-selective methods (mist nets and limesticks) and the trade of wild birds sited since 1974 under Cyprus legislation, when the law 'Protection and Development of Game and Wild Birds Law of 1974 (39/1974)' was introduced¹. Moreover, in 1988 Cyprus ratified the 1979 Bern Convention on the Conservation of European Wildlife and Natural Habitats, adopting a long list of birds as protected, including the Blackcap (*Sylvia atricapilla*), hence prohibiting the killing (hunting) and consumption of Blackcaps (Blackcaps are the main target species of illegal bird trapping in autumn in Cyprus). With Cyprus joining the EU, the EU Birds Directive (2009/147/EC, formerly 79/409/EEC) was transposed into Cyprus Law N. 152(I)/2003, prohibiting anew the use of non-selective methods including mist nets, limesticks and calling devices, as well as the possession of trapping equipment, trapped birds and the trading and eating of trapped birds.

Historically, trapped birds – mostly Blackcaps - were a food supplement for the mostly poor island inhabitants living off the land. The practice of bird trapping in Cyprus has been recorded in historical documents from the Middle Ages and even earlier times. However, trapping as practiced in Cyprus today bears no relation to historical 'tradition'.

Nowadays, bird trapping in Cyprus is widespread and extensive, contributing to the large scale killing of hundreds of thousands of migratory and wintering birds. Survey records show that 157 bird species have been found trapped in mist nets or on limesticks, of which 82 are listed as conservation priority species under the EU Birds Directive and/or by BirdLife International². This is a clear indication of the non-selective nature of these methods. Thanks to the high price of the banned 'ambelopoulia' delicacy trapped birds end up as, this illegal activity has become a profitable business, which is controlled to a large extent by the 'big' trappers who are also involved in organised crime. The Cyprus Game & Fauna Service estimated this illegal business to be valued in the order of 15 million euros per year³.

Apart from the extensive use of non-selective methods for illegal bird trapping in Cyprus, trappers nowadays use illegal electronic calling devices that imitate the calls of migratory birds (song playback). These calling devices are normally operated during night-time, luring the birds into the trapping sites and hence increasing the illegal catch. A recent academic study undertaken in Cyprus has shown that the use of electronic calling devices is highly effective in luring birds towards trapping sites (Sebastianelli M. *et al*, 2020⁴). The findings of this study showed that playback not only increased the number of individuals of target species captured by around 11 times, but also significantly increased bycatch. The study authors concluded that: *'Our findings thus show that in contrast to popular belief that tape lures are a selective trapping method, they also lead to increased captures of non-target species, which can include species of conservation concern'*.

¹ The specific articles of Law 39/1974 that prohibited the trapping and trade of wild birds include: Article 10 ('prohibition of hunting etc. of certain bird species', without including the blackcap either in the protected or the game species), Article 14 ('prohibition of offering game or wild birds in restaurants etc.') and Article 15 ('prohibition of the use of light projectors, traps, luring methods, limesticks and flushing of birds).

² BirdLife Cyprus 'List of birds recorded trapped in mist nets and on limesticks' found [here](#).

³ Game and Fauna Service (17th March 2010), Position paper presented at the Committee of Environment of the Cyprus House of Parliament during a discussion to change the legislation on the protection and management of wild birds and game species

⁴ The study can be found [here](#).

These calling devices can often be heard easily from hundreds of metres away from trapping sites during the night, highlighting the extensive use of calling devices and their intensity within the trapping areas.

This report presents the latest survey results, for the 2021 autumn season, when trappers target migratory birds, and especially Blackcaps and other migrant songbirds. Trapped birds are either served as expensive *ambelopoulia* 'delicacies' in local restaurants or are sold and used for home consumption.

2. Surveillance programme of BirdLife Cyprus

BirdLife Cyprus is a non-profit NGO working for the protection and conservation of birds, their habitats and wider biodiversity, and is the partner of BirdLife International in Cyprus. With support from the RSPB (BirdLife partner in the UK), BirdLife Cyprus has undertaken a systematic surveillance programme of illegal bird trapping in Cyprus since autumn 2002, providing a long record of trapping activity and giving the NGO a very good measure of expertise on the issue. The surveillance programme follows a 'Bird Trapping Monitoring Protocol' that was developed by BirdLife Cyprus and the RSPB, in consultation with the Game and Fauna Service (GFS) and Sovereign Base Area (SBA) police at the start of the programme. Figure 1 shows the main areas of bird trapping; monitoring is concentrated in the two areas (numbered 1 and 2) where extensive trapping takes place:

1. Kokkinochoria area (Eastern Larnaca/Famagusta area) – this area also includes the Dhekelia Eastern Sovereign Base (ESBA) area), and
2. Ayios Theodoros and Maroni area (Western Larnaca).

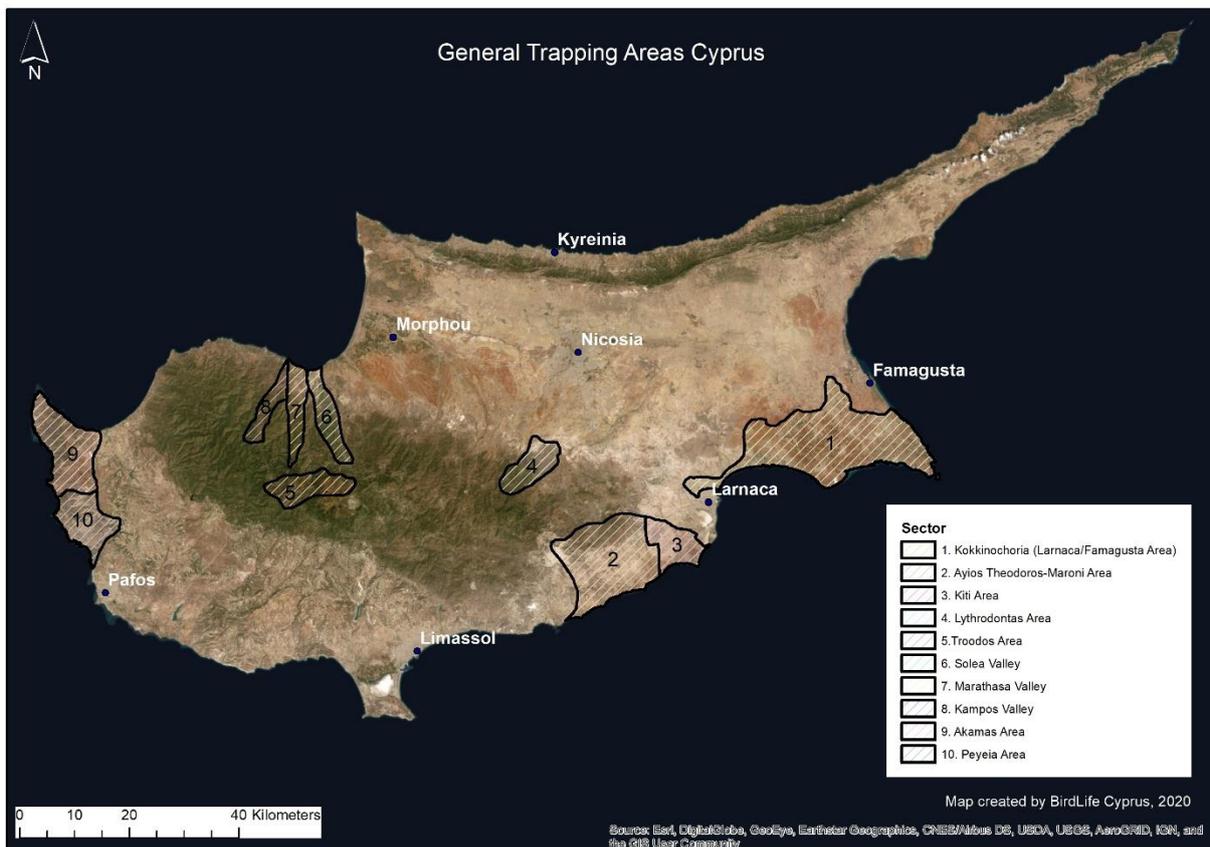


Figure 1: Map of Cyprus showing the main trapping areas

Although trapping is also an issue in other areas of Cyprus, the survey efforts focus on these two main areas due to resource limitations and because they hold the highest trapping activity. The monitoring is undertaken by visiting a random selection of sample squares (1 km²) during daytime hours, with a focus on detecting mist netting activity. Limesticks are recorded if they are found while searching for mist nets. The squares selected are stratified to ensure a representative coverage of areas under SBA

administration and the Republic of Cyprus. For more details on the methodology of BirdLife Cyprus see Appendix 1.

The project is undertaken in close co-operation with the Game & Fauna Service and the SBA Police. When trapping paraphernalia is detected, the BirdLife Cyprus team contacts the relevant enforcement authorities. It should be noted that the BirdLife Cyprus observers never confront suspected trappers and never remove trapping paraphernalia.

BirdLife Cyprus would like to express its particular thanks to the RSPB for supporting the project financially since its inception in 2002 and for covering relevant salaries of staff members. Furthermore, BirdLife Cyprus would like to thank NABU (BirdLife in Germany) for their financial support from 2013 onwards and for covering the running costs and volunteer costs of the surveillance programme.

Regarding the analysis of the field data, BirdLife Cyprus uses the TRIM (Trends & Indices for Monitoring data) program for trend analysis. The organisation has been gathering field data in a systematic manner since 2002 as part of its surveillance programme, which makes it possible to use such programs for the analysis. TRIM is a program for the analysis of time series of counts with 'missing' observations. The program can be used to estimate indices and trends and to assess the effects of covariates on these indices and trends. TRIM analyses time series of counts, using Poisson regression and produces estimates of yearly indices and trends (Panneloek & van Strien 2005). If observations are missing, TRIM estimates the missing values on the basis of changes observed on plots that were monitored.

In other words, TRIM enables us to use the data from all the trapping survey squares ever surveyed under the BirdLife Cyprus surveillance programme during the autumn period, in total 185 squares, even though these squares were not all covered every autumn season. The programme 'fills in' missing values for squares that were not covered in a particular year on the basis of the general trend derived from the data as a whole. The TRIM software (freely available from [here](#)) is very widely used for analysis of field data from ecological or biological studies. It works as an index, setting the first year of a time series of data (in this case year 2002) the value of 100 and then showing changes up or down in subsequent years relative to this value of 100.

3. Results

Survey results and data analysis

Field survey data

The field survey for autumn 2021 was carried out in September and October 2021 following the standard survey protocol. In total, 60 squares were surveyed during this period and BirdLife Cyprus reported all trapping finds to the relevant enforcement authorities, either the SBA Police Anti-Poaching Unit or the Game & Fauna Service, depending on the location of the finds.

Additional squares within the SBA area have been added to the sample since 2015, following the July 2015 workshop recommendation of independent science expert Alison Johnston (British Trust for Ornithology - BTO), to improve the precision of the trend within the SBA over time. Moreover, the survey area was expanded during autumn 2018 to cover the Ayios Nikolaos Garrison area of the Dhekelia SBA, where high levels of trapping activity have been recorded in the previous years. This survey area expansion was arrived at after consultation with Simon Wotton, RSPB science expert, in order to ensure that the robustness of the methodology is maintained.

A summary of the survey data for autumn 2021 is presented in Appendix 2. In total, the field team recorded 54 active net rides (these are cleared “runs” in acacia plantations or other habitats e.g. orchards, olive groves, either holding nets or where there was clear evidence of preparation for the setting and/or use of nets), which sum up to a length of 964 metres of net rides used for mist netting. 14 mist nets were found *in situ* (either classified as Active Set Nets or Active Unset Nets⁵). **The total length of active mist net rides** within the 405 km² survey area (Larnaka - Famagusta and Ayios Theodoros – Maroni areas) can be extrapolated to 6,507m (964m x 405/ 60)⁶.

In terms of limesticks, BirdLife Cyprus detected 195 limesticks in the autumn of 2021 (see Appendix 2). However, as already explained, BirdLife Cyprus does not focus its field survey effort on the detection of limesticks, as other organisations do. For example, during the autumn 2021 survey by the Committee Against Bird Slaughter (CABS / SPA Foundation), a total of 1,893 limesticks, 110 mist nets and 57 electronic bird callers were detected and/or seized⁷. It is important to highlight that the majority of the limesticks detected by CABS / SPA Foundation were in areas controlled by the Republic of Cyprus, indicating that limestick use is still widespread and remains a problem that the enforcement agencies need to address effectively and with zero tolerance.

⁵ Active Set Net (ASN) is a net ride where the mist net is *in situ* and is set and ready for catching birds. Active Unset Net (AUN) is a net ride where the mist net is *in situ* but is furled i.e. the mist net is not stretched up for catching birds but lowered down.

⁶ There are 405, 1 km² squares within the survey area that are classified as suitable for trapping activity (on the basis of vegetation characteristics) and 60 of these squares were surveyed in Autumn 2021. Out of these 405, 1 km² squares, 291 squares are found in the Republic areas, 83 are found in the Dhekelia SBA and 31 squares are in “Joint” areas. Those areas are either joint between SBA and Republic, SBA and buffer zone, or SBA, Republic, and Buffer zone.

⁷ Information received from CABS on 7/12/21

Based on the data gathered in the field this autumn, BirdLife Cyprus estimates that just over 604,000 **birds could have been illegally killed within the survey area** and nearly 806,000 birds could have been killed across the island of Cyprus⁸ (read Appendix 3 for more details).

If one were to split the potential death toll estimate (604,000 birds) between jurisdictions within the survey area, based on the trapping activity detected, then just under 357,000 birds would be the potential number killed in the Republic and just over 160,000 the potential number killed in the Dhekelia SBA⁹. The 'joint' squares (overlap of the two jurisdictions) are not included in these death estimates at the jurisdiction level. Note however, that the limestick toll is not fully accounted for in this estimate (as the methodology of BirdLife Cyprus focuses more on detecting mist netting activity), which would make the potential kill estimate higher, especially in the Republic. The total estimate of birds killed is derived using field-gathered data in combination with expert judgement for some variables (such as the number of birds caught per net) that are too dangerous to measure in the field.

Trends in autumn mist netting activity

The TRIM program was used to analyse the survey data and to produce trends in autumn bird trapping from 2002 to 2021. The metres of net rides that are recorded as active¹⁰ for bird trapping with mist nets within each survey square are used as the response variable, with autocorrelation and over dispersion accounted for as well. The TRIM changepoint model is used with a changepoint in every year, which returns the same result as a fully time-dependent model¹¹ (for more details on TRIM approaches read Appendix 4). The TRIM program is a good way of analysing these data and will produce a model of the change in bird trapping activity (with mist nets) between a base year (i.e. 2002) and each subsequent year of sampling.

A key conclusion from the BTO assessment report on the monitoring methodology of BirdLife Cyprus¹² is regarding possible observer bias deriving from how net rides are classified by different observers: *'It is important to note that even if there are some differences in how certain rides would be categorised by different observers, the trend relies on consistency over time. For this reason, even if there are differences in categorisation between observers, providing that the same observer consistently applies the criteria for classifying rides over time, the trend for illegal bird trapping activity will not be compromised'*. For more details on net categorisation read Appendix 1.

⁸ The estimate does not include any illegal bird trapping possibly taking place in the Turkish occupied parts of Cyprus.

⁹ From the 964 metres of active net rides detected within the survey area, 462 metres were in the Republic of Cyprus (from the 37 squares surveyed), 448 metres were in the SBAs (from the 20 squares surveyed) 54 meters were in Joint squares between the Republic and SBA areas. For the calculated death estimates at a jurisdiction level, the trapping finds (excluding the 'Prepared' rides) in each jurisdiction are extrapolated to the total number of squares that are classified as suitable for trapping activity (see footnote 6 above).

¹⁰ This includes all 4 categories of net ride classification: P – Prepared, ANN – Active No Net, AUN – Active Unset Net and ASN – Active Set Net. Read Appendix 1 for details on net ride classification.

¹¹ This is a linear trend model using the stepwise approach and with all years selected as changepoints.

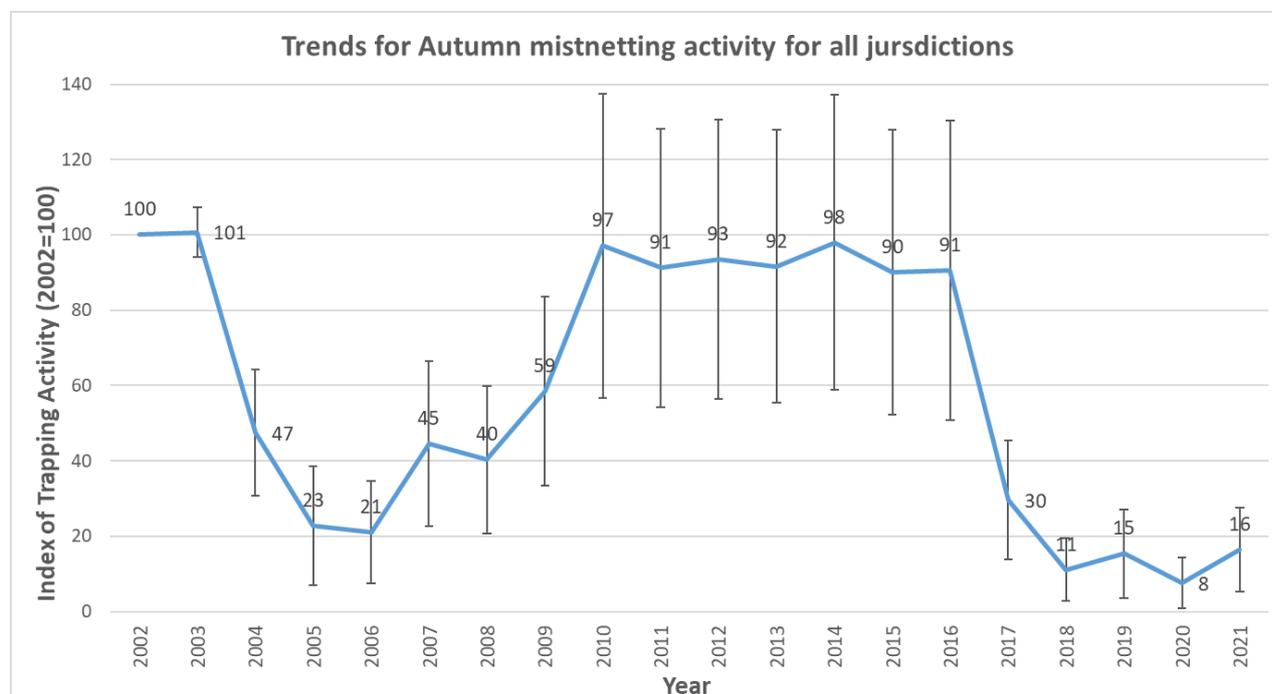
¹² BirdLife Cyprus organised a workshop with title 'Methodology of surveying illegal bird trapping in Cyprus' in July 2015. Independent science experts from the British Trust Ornithology (BTO) were invited to review the monitoring methodology of BirdLife Cyprus and to provide a report of their assessment and recommendations.

It is also noted that the BirdLife Cyprus monitoring methodology is different from the non-systematic field surveys undertaken by other organisations such as CABS, which are targeted at known trapping areas and are not controlled and consistent regarding the survey effort. Therefore, the findings and results of the two surveys are not directly comparable. However, both surveys provide invaluable field data and are supportive and complementary to each other, provided the differences in methodology are considered.

Figure 2 shows the trapping activity levels since 2002 across a sample size of 185 squares within the survey area, with standard error margins. Additional square coverage has been included in the last few years, particularly within the SBA, following a recommendation in the BTO assessment report (July 2015) to increase the sample size within this stratum¹³. In keeping with our standard methodology, a stratified random sample of 60 of the 185 squares was surveyed in autumn 2021 (while ensuring balanced coverage between republic and SBA areas).

It is important to highlight that the additional squares surveyed have slightly expanded the total square coverage to 185 (185 in 2020 and 2019, 157 squares in 2018, 129 squares in 2017 and 104 squares in previous years), hence the TRIM program has imputed missing values for these extra squares as well. As a result, if one were to compare the index values presented in Figure 2 below with the trend analysis results reported in the previous autumn trapping reports¹⁴, the index values may vary slightly for the previous autumn seasons (i.e. for autumn 2020 and earlier).

Figure 2. Trends for autumn bird trapping activity with the use of mist nets in Cyprus, for all jurisdictions in the survey area



¹³ BirdLife Cyprus organised a workshop with title ‘Methodology of surveying illegal bird trapping in Cyprus’ in July 2015. Independent science experts from the British Trust Ornithology (BTO) were invited to review the monitoring methodology of BirdLife Cyprus and to provide a report of their assessment and recommendations

¹⁴ Earlier BirdLife Cyprus trapping reports can be found [here](#).

Table 1. Statistics for trend for autumn trapping levels 2002-2021 based on Figure 2

	Multiplicative trend	Standard error	95% confidence interval	Trend direction
All squares	0.9370	0.0131	0.025676	Moderate Decline

Note 1: The multiplicative trend reflects the changes in terms of the average percentage change per year i.e. if the trend is equal to 1 then there is no change. Hence, value 0.9370 calculated above indicates an overall decrease in mist netting activity of around 6% per year.

Mist netting activity for autumn 2021 appears to be 84% lower compared to the baseline year of 2002 within the survey area (index value is 16 for autumn 2021). The overall trend is a statistically significant ‘moderate decline’. Compared to Autumn 2020, trapping increased by 100% in autumn 2021 (index values from 8 to 16).

Figure 3 summarises autumn mist netting activity in the Republic of Cyprus (RoC) applying the same ‘Linear trend model using the stepwise approach’ in the TRIM program – with all years initially selected as changepoints in the TRIM analysis.

Figure 4 summarises autumn mist netting activity in the Sovereign Base Area (SBA) applying the same ‘Linear trend model using the stepwise approach’ in the TRIM program. Note, however, that for the SBA analysis, TRIM would not run with the year 2003 as a changepoint.

The sample of 185 squares surveyed in various seasons during the surveillance programme includes 115 squares within the RoC, 57 within the SBA and 13 squares that cover areas in both jurisdictions (referred to as ‘joint’ squares, including also areas that cover the SBA and UN buffer). For autumn 2021, the breakdown of the squares randomly selected and surveyed at a jurisdiction level were as follows:

- 37 squares within the Republic of Cyprus,
- 20 squares within the Dhekelia SBA, and
- 3 ‘joint’ squares.

Figure 3. Trends for trapping activity for autumn mist netting within the Republic of Cyprus

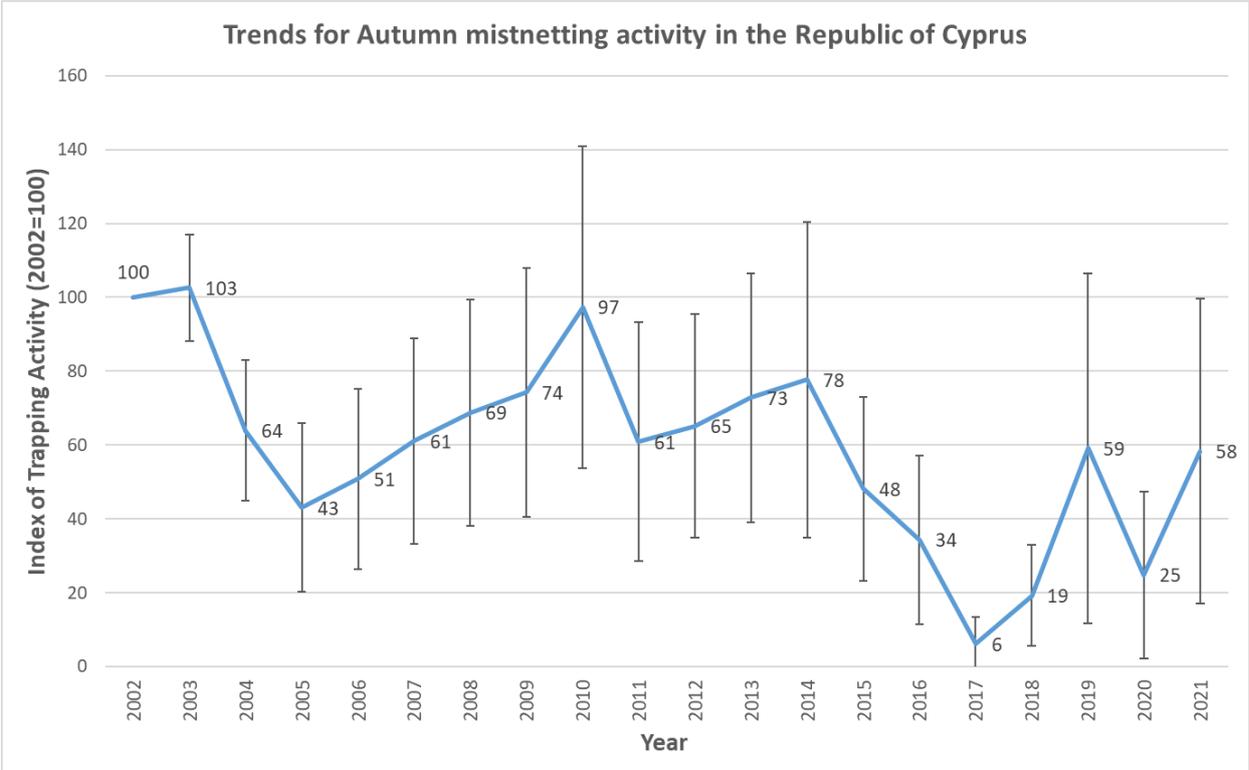


Figure 4. Trends for trapping activity for autumn mist netting within the ESBA area

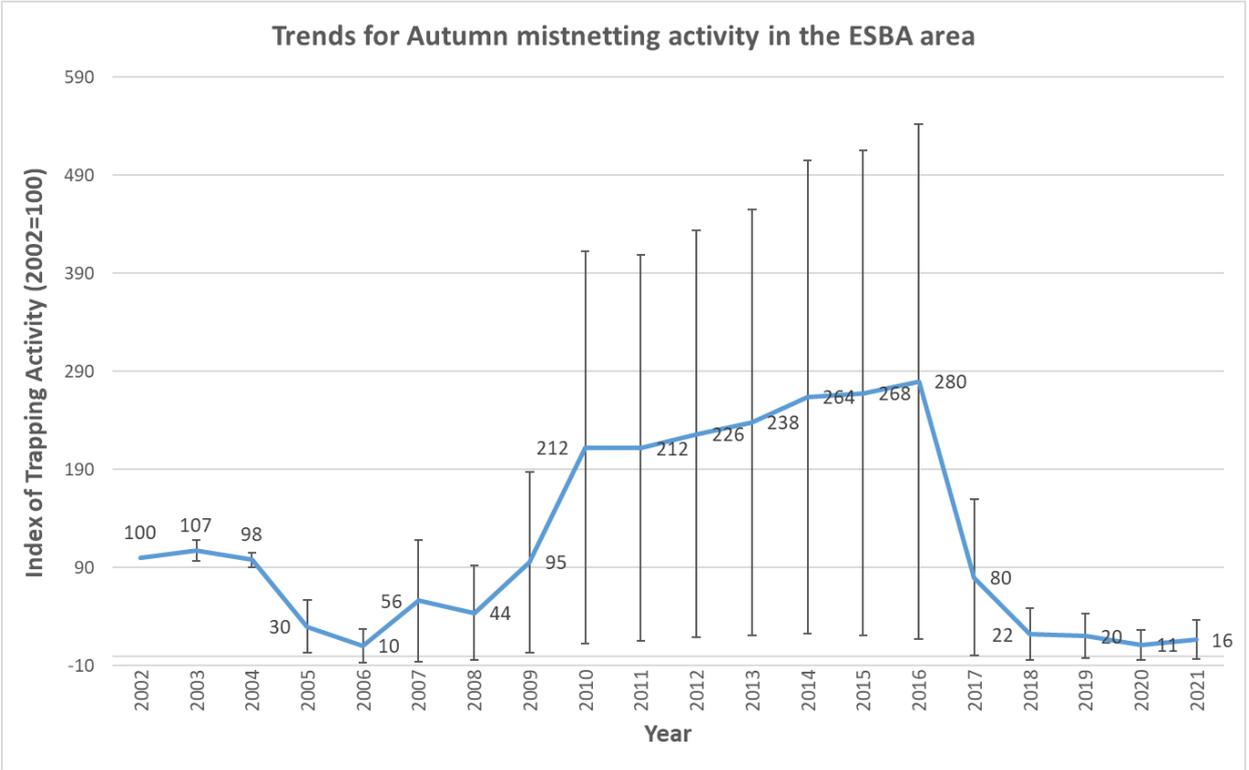


Table 2. Statistics for trends for autumn trapping activity levels 2002-2021 based on Figure 3 and Figure 4

	Multiplicative trend	Standard error	95% confidence interval	Trend direction
RoC squares	0.9434	0.0131	0.025676	Moderate Decline
SBA squares	0.9668	0.0255	0.04998	Uncertain

At a jurisdiction level, the trapping activity trends indicate that:

- **For the Republic areas, autumn 2021 mist netting activity (index value 58) was 132% higher compared to autumn 2020 (index value 25). In comparison to 2002, the autumn 2021 levels were 42% lower. After what was a welcome decrease in the mistnetting levels in 2020, this year’s large increase, is a worrying result (despite the wide error margin – see error bars in Figure 3).**
 - For the 37 squares covered within the Republic, the average within the Republic was twelve metres of active net rides per square surveyed (462/ 37 squares surveyed within the Republic = 12). The range of counts was from 0 to 108 metres of active net rides, while no mist net trapping at all was recorded in 33 squares.
- **For the SBA areas, autumn 2021 mist netting activity (index value 16) showed an apparent increase of 46% compared to 2020 (index value of 11). In comparison to 2002, the autumn 2021 levels were 84% lower.** The increase noted this year is of concern, although it should be noted that levels are of similar magnitude for the last four years, and significantly lower than the peak 2016 trapping season.
 - As seen in Figure 4, the standard error bars for the SBA trend between the years 2010 and 2016 are noticeably wide, suggesting there may be no statistically significant difference between those years. This is due to the following factors: the relatively small sample size (20 squares surveyed in autumn 2010-2016), the large number of zero counts. It is anticipated that the new larger sample size in the SBA will only start to have an impact on the confidence limits in a few years’ time.

For the period 2002-2021, the trend direction for the SBA areas is assessed as “uncertain” (see Table 2), similarly to autumn 2020.

As for the Republic, the trend direction is assessed as ‘moderate decline’, similarly to Autumn 2020. The observed increase compared to autumn 2020 highlights that there needs to be more effective, deterrent and coordinated effort to tackle illegal bird trapping. Effective enforcement action against the big, organised trappers could make a significant contribution in this respect. Additionally, all the restaurants serving *ambelopoulia*, are found exclusively in the Republic, and still constitute the main economic incentive for organised trappers. Therefore, the Cyprus authorities have a major role to play in clamping down on the supply – demand business chain.

Illegal bird trapping with mist nets showed worrying signs of an apparent increase during autumn 2021, based on the survey data from BirdLife Cyprus. This is a reason for concern, as there was a significant reduction during autumn 2020. An increase noted in the SBA areas at the start of the season was met with a swift response from the SBA police, which is acknowledged. However, resources must be maintained in order to ensure that there is deterrent enforcement action on the ground. Any relaxation, even in prevention, can undo great reduction noted over the last few seasons.

It should be noted here that many of the active sites found by our field team during autumn 2021 were in areas known to be operated by organized trappers. This emphasizes the need for more enforcement against these big trappers by the Game and Fauna Service, as well as the need for more support in the enforcement effort from the Cyprus Police, who have a particular role to play when it comes to big, organised trappers. It has been two years since the dismantlement of the Cyprus Police Anti-Poaching unit, and it is very clear at this stage that there is a great need for this unit to be reinstated. As well as the increase in trapping with mistnets, the BirdLife Cyprus field team has noted an increase in trapping with limesticks, both in terms of the total number detected set and the number of sites found active.

Enforcement

Overview of enforcement for autumn 2021

There are two competent authorities that are responsible for enforcement against illegal bird trapping in Cyprus: The Game & Fauna Service for areas controlled under the Republic of Cyprus, and the SBA Police Anti-Poaching Unit for areas within the UK Sovereign Base Areas. Prior to 2020, the Cyprus Police Anti-Poaching unit was also responsible for enforcement against illegal bird trapping in the Republic. However, in November 2019¹⁵ the unit was dismantled. Enforcement data from this competent authority can be found in Appendix 5.

The resources of the above-mentioned enforcement bodies are as follows:

- Game & Fauna Service, the responsible body for the implementation of the Birds Directive and the equivalent bird national legislation, has around 210 game wardens in total across the whole of island. The Larnaca & Famagusta district, where most of the bird trapping takes place in Cyprus and where the survey area of BirdLife Cyprus is focused, has around 50 game wardens.
- SBA Police Anti-Poaching Unit was comprised of five officers at the Eastern Dhekelia Sovereign Base Area at the start of the autumn trapping period (September to October). After a notable increase in trapping within the SBAs was recorded at the start of the season, the unit increased their patrol shifts within their jurisdiction. The unit was also reinforced with an additional officer. BirdLife Cyprus would like to thank the SBA Administration and SBA Police APU team for its willingness and support in undertaking joint field monitoring of illegal bird trapping with the BirdLife Cyprus team, and for their quick reaction to tackle the apparent increase in trapping noted at the beginning of the season

Table 3 summarizes the enforcement data of the two competent authorities regarding illegal bird trapping for the months of August, September and October, the main period for bird trapping in Cyprus, for years 2011 - 2021.

¹⁵ See our report from 2019 [here](#)

Table 3 Summary of illegal bird trapping statistics of the competent authorities for the months of August, September and October for years 2011 - 2021

	Game & Fauna Service – Larnaca & Famagusta district ²											Dhekelia SBA Police Anti- Poaching Unit ³										
<i>Years</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>
No of trappers arrested / cases	57	70	78	64	54	35	19	21	25	26	57	23	22	22	30	17	29	6	12	8	4	9
No of mist nets¹	204	311	287	235	230	195	39	34	21	34	83	361	275	227	184	181	496	154	51	20	13	26
No of limesticks¹	2,550	5,372	3,830	1,577	1,740	1,291	521	1,186	903	1,876	1,883	290	314	516	256	234	295	259	116	97	29	105

N/A: Not available

Note 1: The total number includes both trapping paraphernalia (mist nets and limesticks) collected as court evidence when an arrest takes place and from confiscations.

Note 2: Data for 2021 provided from Game & Fauna Larnaca & Famagusta district officer via email on 14th December 2021 and via text on 17th December 2022

Note 3: Data for 2021 provided from SBA police Anti-Poaching Unit sergeant after visit to SBA police station (24th January 2022).

- Game & Fauna Service – Larnaca & Famagusta district: The enforcement data for autumn 2021 show an increase in prosecutions (57) compared to autumn 2020 (26), suggesting significantly improved enforcement action by this agency which is acknowledged. Two years ago, an increase in trapping with limesticks was noted, and this high level of limestick trapping has continued into 2021. This increase recorded in BirdLife Cyprus’ field findings is also supported by the Game and Fauna Service enforcement data. We believe it is attributed to the reduction of on-the-spot fines for limestick trapping offences.
- SBA Police Anti-Poaching Unit (APU) – Dhekelia Sovereign Base: The enforcement data for autumn 2021 show that nine people were arrested for trapping, compared to four during autumn 2020. The higher number of arrests and higher number of confiscated mist nets are indicative of the increased trapping activity within the SBAs, in support of our field survey findings (see Figure 4).

Illegal bird trapping has become a demand-driven wildlife crime, with the trading of trapped birds in lawbreaking restaurants being the key economic driver for organised trappers, who, as is generally acknowledged, make thousands of euros of illegal profit every year. These restaurants selling *ambelopoulia* are almost exclusively located within the Republic. Data provided from the Game and Fauna Service indicate that restaurant checks in 2021 were less than in 2020 (see Table 4). BirdLife Cyprus believes that more enforcement is needed, particularly on the big, organised trappers and on restaurants, in order to stop this illegal demand-supply profitable business.

Table 4 Summary of restaurant checks and prosecutions in Cyprus

	2010 ¹	2011 ¹	2012 ¹	2013 ¹	2014 ²	2015 ³	2016 ^{3,4}	2017 ⁴	2018 ⁵	2019 ⁶	2020 ⁷	2021 ⁸
Restaurant checks	20	31	18	7	14	8	12	21	20	7	10	5
Restaurant prosecutions	13	15	8	3	1	1	1	7	5	0	1	1

Note 1: Data source for years 2010-2013: Ombudswoman report dated 27/5/2014

(http://www.ombudsman.gov.cy/ombudsman/ombudsman.nsf/index_new/index_new?OpenForm).

Note 2: Data source: Reply from Ministry of Interior to question of Member of the Parliament Mr Perdikes (question dated 15/6/2015, ref no 23.06.010.04.629) regarding restaurant prosecutions by the Game and Fauna Service for year 2014 available [here](#).

Note 3: Data source: Reply letter from Game Service dated 11/8/2017.

Note 4: Data source: Letter from Cyprus Police headquarters dated 25th January 2018.

Restaurant check breakdown: Nicosia – 10, Limassol – 3, Larnaca – 8, Famagusta – none, Paphos – none

Restaurant prosecution breakdown: Nicosia – 5, Limassol – 1, Larnaca – 1, Famagusta – none, Paphos – none

Note 5: Data source: Letters from both GFS headquarters and Cyprus police Headquarters (Information received on 11/1/19 and 11/2/19 respectively)

Restaurant check breakdown from Cyprus police for 2018: Nicosia -3, Limassol-none, Larnaca – 6, Famagusta – 7none, Paphos – none.

Restaurant checks from GFS for 2018: 11 checks in total

Restaurant prosecution breakdown from both agencies: Nicosia - 4, Limassol – none, Larnaca – 1, Famagusta – none, Paphos – none.

Note 6: Data source: Email sent to BirdLife Cyprus by Game and Fauna Service official (13/1/20).

Note 7: Data source: Email sent to BirdLife Cyprus by Game and Fauna Service official (12/1/21).

Note 8: Data source: Email sent to BirdLife Cyprus by Game and Fauna Service official (24/1/22)

Feedback from competent authorities to BirdLife Cyprus reports

Table 5 summarises the number of reports that BirdLife Cyprus provided to the competent authorities regarding active trapping sites and the overall feedback given by the competent authorities. The information presented in the table below refers to active trapping sites as recorded by the survey team (this includes all net codes, P, ANN, AUN and ASN – see Appendix 1 for net ride classification - and sites where limesticks were found) and were reported to the competent authorities for further action.

With regards to the Game and Fauna Service, 24 locations were reported to this agency (23 for illegal trapping and one for illegal hunting). At one site confiscation of limesticks occurred, at another site 3 mistnets were confiscated, and at a third site a man was prosecuted for illegal hunting. There was no official feedback regarding the locations reported. The aforementioned information was obtained from speaking with wardens directly from the patrols. Wardens responded the same day or at most the next day and provided feedback within the same day of visiting the locations reported to them.

With regards to the Dhekelia SBA Police Anti-Poaching Unit, 18 locations were reported to this agency. At three sites confiscation of mistnets occurred, while at another site limesticks found were confiscated by SBA police, and confiscations of poles and pole bases occurred at two locations. At four locations covert surveillance was undertaken with help from RSPB investigations who placed cameras at these sites. Three men were arrested and charged for offences linked to illegal trapping at one location thanks to footage obtained by the cameras installed on site. Feedback and response time from SBA Police about locations visited and found active was the same day, or next day at most.

Table 5 Summary of trapping reports provided to competent authorities from BirdLife Cyprus during autumns 2012-2021

	Game and Fauna Service – Larnaca & Famagusta										SBA Anti-Poaching Police Unit									
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Number of reports¹	50	43	33	23	21	8	17	11	17 ⁸	23 ¹²	52	38	40	51	34	26	12	14	9	18
Arrests²	17 (34%)	19 (44%)	8 (24%)	11 (48%)	10 (48%)	N/F ⁵	N/F	N/F	N/F	N/F	9 (17%)	8 (21%)	6 (15%)	4 (8%)	5 (15%)	0 (0%)	7 ⁶	0	2 ⁷	3 ⁹
Confiscations³	10 (20%)	8 (19%)	11 (33%)	None	1 (5%)	N/F	N/F	2	2	2	22 (42%)	18 (47%)	5 (15%)	10 (20%)	14 (41%)	3 (12%)	2	6	4	4 ¹⁰
Clearance⁴ / Nothing Found⁵	23 (46%)	16 (37%)	14 (42%)	12 (52%)	10 (48%)	N/F	N/F	N/F	N/F	N/F	21 (40%)	12 (32%)	29 (70%)	37 (72%)	15 (44%)	23 (88%)	8	8	6	14 ¹¹

N/R – Not relevant; N/A – Not available; N/F – No feedback provided

Note 1: Reports may also include reports from members of the public that were sent to the competent authority via BLCY.

Note 2: Arrests represent individual people and not specific sites. E.g. If 4 people are arrested at one trapping site that will count as 4 arrests.

Note 3: Confiscations of mist nets, limesticks and/or calling devices

Note 4: Clearance refers to collection of trapping paraphernalia such as pole bases, poles, loudspeakers, wires etc.

Note 5: 'Nothing found' refers to reports where the competent authority checked the trapping location but reported it inactive (no nets or limesticks were found) upon its visit, hence no prosecution or confiscation took place, or no feedback was provided.

Note 6: 7 people were arrested due to video evidence collected at 2 different trapping locations.

Note 7: 2 people were prosecuted for trapping at the same location

Note 8: No official feedback was provided. However, 2 locations were reported on the spot to Game wardens who responded to the reports and provided feedback to BirdLife Cyprus directly.

Note 9: All three people were arrested at the same location

Note 10: In total 9 mistnets and 13 limesticks were confiscated at 4 separate locations.

Note 11: Clearance occurred at two locations. Cameras were placed at four locations. The other locations were placed under observation with no results

Note 12: No official feedback was provided. However, 2 locations were reported on the spot to Game wardens who responded to the reports and provided feedback to Birdlife Cyprus directly.

Enforcement on the ground – on-the-spot fines in the Republic, four years later

In July 2017, an amendment to the ‘Protection and Management of Wild birds and Game species Law 152/2003’ regulated all bird trapping and poaching offences as on-the-spot fines (as opposed to court prosecution). At the time, BirdLife Cyprus expressed its opposition to this amendment, having serious reservations over how game wardens and police officers would be able to impose on-the-spot fines without risking their personal safety. In December 2020, the law was changed again. Fines for trapping with limesticks or shooting birds from a list of 14 specific species, was reduced from 2000 euro for one bird to 200 euro for up to 50 birds. It should also be noted that the SBA administration, did not accept this change to the law and kept fines for shooting and trapping these 14 species at the original fine of 2000 euro for one bird.

Our field team this season noted an increase in limestick trapping, both in terms of limesticks found set, and sites which showed evidence of limestick use. This increase was also noted last year and is supported by the enforcement data provided by the Game and Fauna Service (see Table 3). BirdLife believes that this increase in the use of limesticks for bird trapping can be attributed to the much lower fines for this offence of 200 euros compared to other similar offences (which are 2000-euro fines). This lower fine for limestick trapping was further reinforced in December 2020 when an amendment to the Protection and Management of Wild birds and Game species’ Law of 152/2003 was passed. This amendment created a list of 14 specific species of birds, which when trapped with limesticks or shot with shotguns, carry a lower fine of just 200 euro instead of 2000 euros. We believe this to be a setback regarding the conservation and protection of migratory birds in Cyprus, as explained in the following sections.

More generally, over the past five years, the Cyprus enforcement agencies, and particularly the Game and Fauna Service, have been issuing high fines, implementing the on-the-spot fine provisions adopted in July 2017. This has acted as a deterrent for most trappers, particularly when it was first implemented. However, now we are seeing an increase in trapping within the Republic.

That said, from the on-the-spot fine data provided to BirdLife Cyprus for the period of July 2017 to December 2020 by the Game and Fauna Service, it seems that the higher the fine, the less chance there is of it being paid by the offender. Table 6 below shows that even though more than half the fines handed out so far have been paid (413 from 692), the money these fines equate to (€850,251) only add up to around one third of the total money from all the fines (€2,250,109). It appears that fines of €4,000-€5,000 and higher are not paid (based on averages), with offenders being led to the courts for prosecution. It is important to highlight that unpaid fines led to court (264 in number) equate to 38% of all fines issued.

Table 6 Breakdown of on the spot fines handed out from July 2017 until the end of December 2021

	No. of Fines	Amount in Euro
Fines that have been paid	413	€ 850,251
Fines still pending payment	14	€71,884
Fines that haven't been paid and will/have gone to court	264	€ 1,243,026
Total	692	€ 2,250,109

Table 7. Average fines under different circumstances

Average fine given by courts prior to 2017 law amendment (€)	Average size of on-the-spot fine which is not paid and thus taken to court (€)	Average fine issued by courts to people who did not pay their on-the-spot fine (€) ¹⁶
780	4,700	1,656

BirdLife Cyprus has expressed concerns about the lack of information regarding the court sentencing and specifically the rulings made by judges regarding unpaid fines. The data in Table 7 shows some indicative values of fines under different circumstances, provided by the Game and Fauna Service, and confirms BirdLife Cyprus' fears that once a fine is not paid and goes to court, the offenders are handed out lower fines. Although there is still an improvement in comparison to the much lower fines given out by courts prior to 2017, this significant difference between the unpaid on-the-spot fines and the court sentences is very worrisome. We believe this difference in the much lower fines imposed by courts is starting to compromise the entire on-the-spot fine system, making it ineffective and losing its original deterrent impact, hence also explaining the increase in trapping activity recorded during autumn 2021.

¹⁶ Up to date Information provided from GFS official during telephone conversation on 1/2/2022

Social and political attitudes

Developments in the Republic of Cyprus

In July 2017, when the “Protection and Management of Wild Birds and Game Species” Law (152/2003) was amended and on-the-spot fines were introduced, we saw the on-the-spot the fines for limestick trapping specifically, reduced from 2000 euros to 200 euros. In December 2020, a further amendment in the same law was passed by the Cyprus Parliament. This change saw the fines for the killing of up to 50 birds from a list of 14 protected¹⁷, non-game species, being reduced to 200 euros with the use of limesticks or with shooting. Previously, the fine for killing even a single bird from this list was set at 2000 euros. Moreover, these specific species are the target species for trappers and poachers for the ‘ambelopoulia’ dish.

These two relaxations to the law represent a major step backwards regarding bird conservation in Cyprus, as they have created a subcategory of ‘less protected’ bird species. The combination of law changes in recent years, together with the dismantling of the Cyprus Police anti-poaching unit, has sent a message of decriminalisation of trapping. BirdLife Cyprus believes this to be the main reason for the worrying increase in trapping with both mistnets and limesticks seen in autumn 2021.

This series of law changes has boosted the confidence of trappers, who also used violence against competent authorities and organisations trying to clamp down on trapping in 2021. This became apparent in November 2021 when a CABS activist was assaulted while checking a mistnet trapping site around Avgorou village, by masked assailants, driving an unmarked vehicle. This is clear evidence that trapping is still a serious “business” for certain criminals, who are willing to resort to violence in order to continue to conduct their operations.

In the wake of the aggression against the CABS member, the issue of bird trapping in Cyprus received a lot of local media attention. BirdLife Cyprus was invited to speak about the incident and the state of bird trapping in Cyprus on several occasions, condemning the incident and calling on Cyprus Police to investigate the case thoroughly and to arrest and prosecute the law breakers. One such program was on the OMEGA TV channel where BirdLife Cyprus was invited together with the illegal organisation “Friends of the Limestick” to discuss the issue of illegal bird trapping and whether the use of limesticks could be permitted as a traditional hunting method. During the program, the representative of the “Friends of the Limestick” claimed that it is possible for a derogation to be granted for the use of limesticks for bird trapping in Cyprus under the Birds Directive, under the so called ‘alternative plan’ that the Cyprus Government had approved back in 2015. And which the EU Commission had stated clearly in December 2015, that such a derogation is not possible and cannot be granted. See our press release from the time [here](#).

¹⁷ The species in question are: Blackcap (*Sylvia atricapilla*), European Bee-eater (*Merops apiaster*), Common Chaffinch (*Fringilla coelebs*), Spanish Sparrow (*Passer hispaniolensis*), House Sparrow (*Passer domesticus*), European Robin (*Erithacus rubecula*), Common Whitethroat (*Sylvia communis*), Spotted Flycatcher (*Muscicapa striata*), Common Chiffchaff (*Phylloscopus collybita*), Willow Warbler (*Phylloscopus trochilus*), Eurasian Reed Warbler (*Acrocephalus scirpaceus*), Sedge Warbler (*Acrocephalus schoenobaenus*), Cetti’s Warbler (*Cettia cetti*), Golden Oriole (*Oriolus oriolus*).

On 24th of December 2021, while searching for winter trapping sites, CABS were involved in an altercation with one of the biggest and most notorious trappers in the Larnaca District. The trapper threatened CABS and the police officer who was accompanying them, and assaulted a CABS volunteer. See news article [here](#) and a video of the incident [here](#). Fortunately, the trapper and an accomplice also present at the time, was arrested the next day and we hope the court convictions will be appropriate and deterrent, setting a precedent that both wildlife crime and violence against officers and environmentalists will not be tolerated. On January 9th, someone placed a bomb on one of the CABS vehicles, in an apparent intimidation attempt. See news article [here](#). All these incidents highlight the importance and urgency of re-instating the Cyprus Police Anti-Poaching squad in order to deal with the big, organised trappers, who would not hesitate to safeguard their moneymaking business with threats, violence and intimidation tactics.

Following the serious December 2020 relaxation in the “Protection and Management of Wild Birds and Game Species” Law (152/2003), BirdLife Cyprus launched an online petition to gather signatures asking for a reversal of the reduction in fines for the killing of these 14 species with limesitcks and shotguns. In total, more than 13,700 citizens signed the petition, which was handed over to the President of the Parliament, Mrs Annita Demetriou, on 30th of November 2021 by a BirdLife Cyprus delegation. The petition was also accompanied by letter from BirdLife International endorsed by 22 BirdLife partners in Europe, expressing concern and calling on the President of the Parliament to act to protect our common natural heritage. The petition asked for the fines to be increased and so that Cyprus isn’t taken to the EU Court. More on this [here](#) while the letter can be seen in Appendix 6.

In October 2021, according to media articles which covered the matter, the European Commission sent a letter to the Government of Cyprus in which it expressed its strong concerns regarding the amendment of the “Protection and Management of Wild Birds and Game Species law”. According to these articles, the European Commission believes, like BirdLife Cyprus, that these changes will increase illegal trapping. and that such low fines are not only non-deterrent and non-punitive. The European Commission has asked the Cypriot Government to provide further details on how these changes will be made, effectively monitored and enforced. Furthermore, it has called upon the Cyprus Government to annul these law changes and to have all fines start at 2000 euros. BirdLife Cyprus expects the Cypriot Government to comply with the Commission's recommendations for the abolition of the lower fines voted in by the Cypriot Parliament and calls on the European Commission to take all necessary measures to ensure that these relaxations are overturned. More information [here](#) and [here](#).

One positive outcome of 2021 was the addition of the House Sparrow (*Passer domesticus*) to the list of protected species under the Cyprus law. The House Sparrow, previously a non-protected species, as it was considered to be a pest, was moved onto the list of protected species, where it should have been in the first place. This after the European Commission had identified that this was not in compliance with the Birds Directive, and called on Cyprus to correct this in its national law. BirdLife Cyprus would expect that similar pressure from the European Commission would be exerted in order to reverse the much worse relaxations to the “Protection and Management of Wild Birds and Game Species” Law (52/2003).

Developments in the Eastern (Dhekelia) Sovereign Base Area

For yet another year, the SBA Police and Administration have continued to apply the partnership approach adopted in 2017, strengthening their collaboration with NGOs. The joint field monitoring with BirdLife Cyprus continued, as did collaboration with CABS. The SBA police APU was however reduced in size for the Autumn 2021 season. This is something which BirdLife Cyprus raised concerns about, as despite the reduction in trapping levels in recent years, any reduction in enforcement or prevention would lead to an increase in trapping. The BirdLife Cyprus field team noted a significant amount of trapping at the start of the season in the SBA areas, and expressed concerns to the SBA police. The SBA Police responded to these concerns, increasing shifts and patrols, particularly on the weekends, strengthening the presence of their officers on the ground. This early response by the SBA police after our feedback is acknowledged and it is a showcase of collaboration between the SBA Police and NGOs in the fight against bird trapping. This, to a large extent, resulted in the containment of trapping in October within the SBA areas.

This autumn, members of the RSPB investigations team joined SBA police officers on the ground in order to resume covert surveillance actions against trapping sites located within the SBA areas. Cameras were placed at four different locations where illegal trapping with mistnets was noted. Unfortunately, of the 12 cameras which were placed at these four sites, five were stolen. Despite this setback, three men were identified from footage obtained by covert cameras and were charged for bird trapping offences. This shows that although trapping in the SBA areas has reduced dramatically over the last few years, there are still organised trappers who are willing to risk being caught in order to continue trapping within the SBA areas, and are not dissuaded by the presence of cameras at their trapping sites.

4. Discussion & Recommendations

2021 saw an apparent increase in trapping with mist nets for the first time since 2017 with trapping increasing by around 100% compared to Autumn 2020. However, overall, there has been an 84% reduction in mist netting activity between the baseline year of 2002 and 2021, within the survey area, which covers the worst trapping areas of Cyprus (see Figure 2).

With regards to the SBAs, trapping appeared to increase by around 46% compared to autumn 2020, however compared to the high levels of trapping recorded in 2016, the levels recorded this autumn are still low (see Figure 4). This season, the SBA police anti-poaching unit was reduced in size. BirdLife Cyprus has raised concerns with regards to a reduction in size of the unit, worrying that it might lead an increase in trapping levels within their jurisdiction. A high level of trapping with mistnets was recorded at the start of the season, and as a result the SBA police increased shifts, especially on weekends, and bolstered the unit with an additional officer. This led to a less trapping activity being recorded towards the end of the season.

BirdLife Cyprus acknowledges the success of the SBA Police and Administration in tackling the illegal trapping issue within their jurisdiction in recent years. It is evident that the established partnership approach and the internal anti-trapping action plan that the SBAs have put in place in the last few years, in conjunction with the close collaboration with NGOs, are having tangible results on the ground. This approach and associated measures must be continued into 2022 and beyond, to ensure this success is regained and maintained.

In the Republic of Cyprus, there was an apparent large increase in trapping with mistnets compared to 2020. Trapping with mistnets appeared to increase by 132%, which is a cause for concern (See Figure 3). As well as an increase in mistnetting, BirdLife Cyprus also recorded an increase in trapping with limesticks. Despite this increase in trapping levels, Birdlife Cyprus acknowledges the enforcement effort of the Game and Fauna Service wardens who had an increased number of prosecutions in autumn 2021 compared with autumn 2020.

This increase in limestick trapping and mistnetting, we believe, is a result of the amalgamation of various relaxations to the “Protection and Management of Wild Birds and Game Species law” over the past few years, the most recent change involving the reduction of fines for trapping with limesticks and shooting of up to 50 birds from a list of 14 species. In essence this has created a sub category of “less protected” birds. The absurdity of this law change is even more evident when one realizes that the fines for offences in relation to game species have been kept high and deterrent, at €2000. We consider that the creation of this ‘less protected’ category is a major setback for bird protection in Cyprus and it is not enforceable in practice as species on this list are very similar to species which are not on the list making them very difficult to identify (e.g. other warbler species). In practice it indirectly encourages the illegal killing of songbirds and BirdLife Cyprus believes this phenomenon will increase on the island over the coming years, unless the law relaxation is swiftly reversed.

Unfortunately, the dangerous reduction in fines has passed, as BirdLife Cyprus warned, a message of ‘decriminalization’ of illegal trapping and killing of migratory birds, encouraging and indirectly promoting the violation of the relevant law. This relaxation of the law, as expected, has created the

impression that it is "ok" to illegally kill and consume "ampelopoulia". This is evidenced by the recent incidents of violence against activists of the CABS group in November and December 2021 and against a Cypriot police officer. Such violent and reprehensible incidents are proof of the urgent need to reinstate the Cyprus Police Poaching Unit, which was abolished in November 2019, to deal with large, organized trappers and poachers who will not hesitate to secure their profitable "business".

Recommendations

In conclusion, BirdLife Cyprus stresses the following actions and measures as areas for action in 2022:

- 1) The Cyprus Parliament to reverse the relaxations to the law "Protection and Management of Wild Birds and Game Species" and to restore the fine for the offenses of possession and use of limesticks and hunting of all species from 200 to 2000 euros.
- 2) The Cyprus competent authorities to strengthen the collaboration with environmental NGOs on the ground, adopting a similar approach to that taken by the SBA Police, in order to make enforcement action more effective.
- 3) The Game and Fauna Service needs to draw up an action plan with a focus on the big, organized trappers with the support of the Cyprus police, for its implementation. Furthermore, the Cyprus authorities need to undertake increased and consistent enforcement action against law-breaking restaurants serving illegal ampelopoulia "delicacies" (to address demand), and to re-instate the Cyprus Police Anti-poaching unit.
- 4) The Cyprus Police to re-instate the Cyprus Police Anti-poaching unit, to focus on targeted enforcement action, particularly against large scale, organised, trappers
- 5) Training to be provided to the Judiciary and Prosecutors regarding the on-the-spot fine system and the seriousness of trapping as a wildlife crime, in order to address the large discrepancy observed between on-the-spot fines issued and court sentences handed out. We consider that the Game and Fauna Service, as the responsible authority for the implementation of the Birds legislation, is best placed to do this.
- 6) The SBA Administration and police to continue with the collaborative partnership approach adopted with environmental NGOs and the implementation and review of its action plan.
- 7) The SBA Police to maintain a well-staffed anti-trapping team, to enable it to continue to be a deterrent and effective unit, thus maintaining the low trapping levels recorded in recent years.

Bibliography

- BirdLife Cyprus (March 2021). '*UPDATE on illegal bird trapping activity in Cyprus – Autumn 2020 trapping report*'. Available [here](#).
- BirdLife International (March 2016). Scientific paper published on Bird Conservation International journal with title '*Preliminary assessment of the scope and scale of illegal killing and taking of birds in the Mediterranean*'. Authors: Brochet AL *et al*. Available [here](#).
- Sebastianelli, M., Moysi, M., Savva, G. and Kirschel, A. 2020. Tape Lures Swell Bycatch On A Mediterranean Island Harbouring Illegal Bird Trapping. p.2. Article available [here](#).
- Magnin G. 1987. 'An account of illegal catching and shooting of birds in Cyprus during 1986'.
- Migratory Birds Conservation in Cyprus – MBCC. 2014. 'Zero tolerance of illegal killing of wild birds. Cyprus Annual report 2014. Bee-eaters need help'.
- Mukhin A, Chernetsov N, Kishkinev D. 2008. 'Acoustic information as a distant cue for habitat recognition by nocturnally migrating passerines during landfall'. Behavioural Ecology 19: 716-723.
- Pannekoek, J. & van Strien, A. 2005. 'TRIM 3 Manual (TRENDS & INDICES FOR MONITORING DATA)'. Statistics Netherlands.
- Savva, G.A. 2016. 'The effect of playback of *Sylvia atricapilla* and *S. melanocephala* songs in attracting conspecific and heterospecific individuals'. MSc Thesis, University of Cyprus.
- Scientific paper preparation in progress. Schaub M, Schilch R, Jenni L. 1999. 'Does tape-luring of migrating Eurasian reed warblers increase number of recruits or capture probability?' The Auk 116(4): 1047-1053.

Appendix 1

Methodology of the trapping surveillance programme

Survey area and sampling strategy

The surveillance project began in 2002 with the coverage of 60 sample squares (each 1x1 km) chosen at random from within a 261 km² study area, which covered most of the Famagusta/Eastern Larnaca area and the Ayios Theodoros – Maroni area.

In 2005, the monitoring became more targeted, focusing on habitat suitable for trapping. Each 1 km square within the study area was classified as either a ‘possible bird trapping area’ or ‘unlikely bird trapping area’ based solely on the presence or absence of vegetation suitable for setting limesticks or nets. Surveillance subsequently took place in ‘possible’ squares only. Some 44 of the original 60 sample squares were ‘possible bird trapping area’ squares under the new classification. These 44 squares were kept, with another 16 new squares chosen randomly to bring the total sample to 60 again.

Then, in 2007, the survey area was expanded to cover 295 km² for Famagusta/Eastern Larnaca area and 111 km² for Ayios Theodoros – Maroni area, bringing the total survey area to 406 km². This was done after preliminary surveys in autumn 2006 found evidence of extensive trapping on the margins of the original (261 km²) survey area. The sample size was expanded to 100 squares (40 new squares were randomly chosen) to allow for this extension of the survey area. Out of the 406 1 km² squares of the expanded survey area, 301 have been classified as ‘possible bird trapping area’ squares.

In 2017, the Ayios Nikolaos Area of the ESBA was added into the survey after reports from CABS of extensive trapping taking place in this area. An additional 18 squares were added to the survey area bringing the new total to 405 squares adding up to 310 square kilometres.

The random selection of sample squares is stratified to ensure representative coverage of areas under SBA, Republic of Cyprus and “joint” jurisdiction (squares where the two jurisdictions meet). In terms of the analysis of the survey data BirdLife Cyprus is using the TRIM (TRends & Indices for Monitoring data) programme, which enables the analysis of time series of counts with missing observations (read more about TRIM in Appendix 4).

Surveying for trapping activity

Surveying consists of a two-man team systematically searching for evidence of illegal trapping activity in the randomly selected one by one kilometre squares. The time taken to survey each square is recorded, as are weather patterns and the presence or absence of large numbers of migrant birds.

For safety reasons (avoidance of possible confrontation with trappers) the BC observers do not go out in the field at dawn, which is the main period of trapping activity, but carry out surveys between 09:00 and 17:00. Each sample square is surveyed only once each season, partly for safety reasons (minimising the risk of the observers becoming known to trappers) and partly because repeat sampling of each square has no particular value when it comes to analysis of the collected data. Opportunistic observations are also made in the surroundings of squares where mist netting is suspected. Trapping activity includes:

- mistnetting activity, which is the main focus of the surveillance programme of BirdLife Cyprus. This is calculated using the total length of active net rides recorded within the survey area; and
- limesticks, using the total number of active limesticks found within the survey area.

Mist nets

The two observers carry out a thorough search of all habitat patches suitable for the setting of mist nets (i.e. all areas with bushes and/or trees) within each sample square. The observers record all direct and indirect evidence of mist net and tape lure use and of net ride preparation and use (e.g. cleared corridors within vegetation for putting up nets, presence of pole bases). The codes used for the various categories of mist netting activity and tape lure use are given below, as are the codes used for recording the type of habitat where trapping activity is detected. The surveyors note cases where they come across enclosed (fenced) areas that they cannot see into at all, or cannot see into well enough to survey fully.

Box 1 Key to survey codes used for the field

<u>Net code</u>	<u>Habitat code</u>	<u>Tape lure code</u>
O – old ride	A – acacia	P – tape lure present, playing
P – ride recently prepared	C – citrus	L – loudspeakers present
ANN – active no nets present	E – eucalyptus	Y – tape lure present, not playing
AUN – active unset net present	F – fig	U – unknown
ASN – active set net present	J – mulberry	W – electrical wires associated with tape lures
IUN – inactive unset net present	O – olive	B – car battery present
	M – maquis	
	P – pomegranate	
	K – carob	
	Cy – cypress	
	L – lentisk	
	S – syrian plum	

The main net ride classifications are described below:

- Prepared (P): A net ride that is clearly ready to be used but there is no evidence e.g. bird feathers, blood stains, thrown pebbles, to suggest illegal activity was taking place the previous night / morning (see Figure 4),
- Active No Net (ANN): A net ride that from the evidence found e.g. bird feathers, blood stains, thrown pebbles, indicates that illegal activity was taking place the previous night / morning but no net is present (see Figure 5),
- Active Unset Net present (AUN): A net ride where the trapper has left the mist net on the poles but it is furled i.e. the mist net is not stretched up for catching birds but lowered down (or the net is placed e.g. under a tree) (see Figure 6), and
- Active Set Net present (ASN): A net ride where the trapper has left the mist net set on the poles and it is ready for catching birds (see Figure 7).



Figure 5: Prepared (P) net ride



Figure 6: Active No Net ride (ANN) with poles, bases, feathers & signs of trampling in an olive grove



Figure 7: Active Unset Net present (AUN) in an olive grove



Figure 8: Active Set Net present (ASN) –corridors in orchards are often used for mist netting

Limesticks

While the main effort of the observers is to locate evidence of mist netting, all evidence of limestick activity is also recorded. Limesticks are much harder to locate in the field than mist nets and are often set in a different habitat to mist nets. In addition, incidental evidence for limestick use is hard to detect (though trees pruned to hold limesticks are readily identifiable). It is impractical to search entire 1 km² sample squares for limesticks due to the time consuming nature of the task. The protocol is therefore for the observers to look out for limesticks while concentrating on surveying for mist netting activity.

Appendix 2

Survey data for autumn 2021

Confidential Information. Only provided upon approval of request.

Appendix 3

Estimation of numbers of birds caught during autumn 2021

It is important to note that the estimated death toll does not take into consideration any net rides that have been classified as 'Prepared' (previously this net ride classification was also considered for the death toll estimation), following the recommendation included in the BTO assessment report (July 2015) to revise slightly the calculation.

The following key assumptions are applied for the estimation of the birds killed:

- 12 metres is the assumed average length for a mist net
- 20 birds are caught per 12-m net per day (Magnin, 1986)
- 0.5 birds are caught per limestick per day
- 60 days is the duration of the trapping period for spring and autumn seasons
- 50% scaling factor – applied for spring estimates to account for a lower number of migrating birds passing via Cyprus compared to the autumn
- 405 are the possible bird trapping squares within the survey area as identified from the surveillance programme in 2007 (the random sample of squares surveyed by BirdLife Cyprus is taken from these 301 squares)
- 75% of illegal trapping activity for all of Cyprus takes place within the survey area (based on input from enforcement authorities and other experts)
- Net ride categories 'ANN' (Active No Nets), 'ASN' (Active Set Nets) and 'AUN' (Active Unset Nets) nets are assumed that they are active every day during the trapping season (read Appendix 1 for details on net ride classification).
 - Note: Net ride category 'P' (Prepared) is not taken into account for the estimation of numbers of birds killed anymore, following the recommendation of BTO science experts (BTO report, July 2015) to revise slightly the equation.

Using the above assumptions, the bird death toll is estimated as follows for autumn:

For nets = [(Total length of ANN+AUN+ASN rides)] / (average length of a net) x (20 birds per net per day) x (total number of 'possible bird trapping area' squares / number of squares surveyed) x (length of trapping season in days)

$$= [(597+0+240) / (12) \times (20) \times (405/60) \times (60)]$$

$$= \mathbf{564,975} \text{ birds could have been caught within the survey area in } \mathbf{mist \text{ nets}}.$$

For limesticks = (Total number of limesticks found) x (0.5 birds per limestick per day) x (total number of 'possible bird trapping area' squares / number of squares surveyed) x (length of trapping season in days)

$$= 195 \times 0.5 \times (405/60) \times 60$$

$$= \mathbf{39,488} \text{ birds caught within the survey area on } \mathbf{limesticks}$$

In total 604,463 birds could have been killed in mist nets and on limesticks within the survey area during autumn 2021. Assuming that the survey area accounts for 75% of the trapping activity in Cyprus, the bird death toll in Cyprus is:

$$= 604,463 / 75\%$$

$$= \mathbf{805,950} \text{ birds could have been killed in nets and on limesticks across all Cyprus during autumn 2021.}$$

Note: these death toll estimates do not take into consideration any illegal bird trapping taking place into the Turkish occupied part of Cyprus.

Appendix 4

TRIM model description

TRIM (TRENds & Indices for Monitoring data) is a program for the analysis of time series of counts with missing observations. The program can be used to estimate indices and trends and to assess the effects of covariates on these indices and trends. TRIM analyses time series of counts, using Poisson regression and produces estimates of yearly indices and trends (Panneloek & van Strien 2005). If observations are missing, TRIM estimates the missing values on the basis of changes observed on plots that were monitored.

In other words, TRIM enables us to use the data from all the trapping survey squares ever surveyed under the BirdLife Cyprus surveillance programme during the autumn period, in total 104 squares, even though these squares were not all covered each autumn season. The programme 'fills in' missing values for squares that were not covered in a particular year on the basis of the general trend derived from the data as a whole. The TRIM software (freely available from [here](#)) is very widely used for analysis of field data from ecological or biological studies. It works as an index, setting the first year of a time series of data the value of 100 (in this case year 2002) and showing up or down changes in subsequent years relative to this value of 100. TRIM program allows the user to select various models to undertake the analysis: a) Model 1: No time-effects, b) Model 2: Linear (switching) trend, and c) Model 3: Effects for each time-point. **For the analysis presented in this report BirdLife Cyprus has selected Model 2, following the advice of RSPB senior conservation scientist Mr Simon Wotton.** Below is an explanation of why.

Which model should one use: the time-effects model or the linear trend model? (Panneloek & van Strien 2005)

The time effects model (= year effects model in case the time points are years) estimates parameters for each separate year and should be chosen if one wants to assess indices for each year. The linear trend model should be chosen if one is interested in testing whether a trend has happened across a number of years, by selecting one or more years as changepoints. The linear trend model should also be chosen when the data are too sparse to run the time effects model. Using the linear trend model also allows testing trends before and after particular changepoints. Options are (1) to test trends before and after a priori selected changepoints or (2) **to let TRIM search for the substantial changepoints by using the stepwise procedure.** If all years are selected as changepoints, the linear trend model is equivalent to the time effects model (although it results in a description in terms of trend slope parameters rather than time point parameters). Note that the linear trend model also produces indices for each year, but not necessarily based on yearly parameters as in the time effects model. Instead of yearly parameters, the linear trend uses the trend across a number of years to approximate the indices.

BirdLife Cyprus has used the 'Linear trend model by using the stepwise procedure and with all years selected as changepoints' for the trend analysis presented in this report, following the recommendation of RSPB senior conservation scientist Mr Simon Wotton. The linear trend model can be run without any changepoints selected. Thereby it imputes missing counts based on the trend over the whole period studied. Be careful in using the model without any changepoints; the resulting indices might be unrealistic (this is the key point why this approach was not recommended and all years were selected as changepoints).

Appendix 5

Statistics of the Cyprus Police Anti-poaching unit.

Summary of illegal bird trapping statistics of the Cyprus Police APU for the months of August, September and October for years 2011 - 2019

Cyprus Police Anti- Poaching Unit ⁴									
<i>Years</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
No of trappers arrested / cases	N/A	N/A	N/A	27	28	36	13	4	N/A
No of mist nets¹	N/A	116	N/A	116	121	164	37	5	N/A
No of limesticks¹	N/A	4,799	N/A	3,950	3,359	1,915	811	213	N/A

Appendix 6

Copy of the letter which was handed to the President of the Cyprus Parliament on November 30th 2021



To: The President of the Cyprus House of Representatives,
Mrs Annita Demetriou

15 November 2021

Subject: Cyprus bird law relaxations severely threaten our migratory bird species,
a common heritage of all EU countries and beyond

Dear President of the Cyprus House of Representatives,

We would like to draw your attention to the change of legislation '152/2003 Protection and Management of Wild Bird and Game Species' that was passed at the Cyprus House of Representatives on 20th December 2020. Here we express our strong concerns on this serious relaxation, which poses a threat to our common heritage of migratory birds.

Last December, the Cyprus House of Representatives voted in favour of a series of amendments to the above-mentioned national law. One of these amendments included the setting of a 200 euro fine for the 'killing of up to 50 birds from a list of 14 protected, non-game species¹, either with the use of limesticks or by shooting'. Prior to this change, the fine for illegally killing even one individual of these protected species was 2,000 euros. For similar offences involving game species, the fines start from 2,000 euros.

BirdLife Cyprus, our partner in Cyprus, has pointed out that all 14 of the species on the list are target species of poachers for the *ambelopoulia* dish. We all know that bird trapping is a

¹ The species in question are: Blackcap (*Sylvia atricapilla*), European Bee-eater (*Merops apiaster*), Common Chaffinch (*Fringilla coelebs*), Spanish Sparrow (*Passer hispaniolensis*), House Sparrow (*Passer domesticus*), European Robin (*Erithacus rubecula*), Common Whitethroat (*Sylvia communis*), Spotted Flycatcher (*Muscicapa striata*), Common Chiffchaff (*Phylloscopus collybita*), Willow Warbler (*Phylloscopus trochilus*), Eurasian Reed Warbler (*Acrocephalus scirpaceus*), Sedge Warbler (*Acrocephalus schoenobaenus*), Cetti's Warbler (*Cettia cetti*), Golden Oriole (*Oriolus oriolus*).

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lucrative, illegal business in Cyprus where organized crime is involved. The decrease of the fines effectively decriminalizes illegal trapping with limesticks and illegal shooting of songbirds in Cyprus. In no way are these fines deterrent for the law breakers. On the contrary, we consider that this law change downgrades migrant and other songbird species into a 'less protected status' category, sadly approved by the Cyprus House of Representatives. It opens doors to more illegality and provides a legal foundation for broad tolerance towards the illegal trapping, shooting and consumption of migratory birds.

The [Rome Strategic Plan](#) on tackling illegal killing of birds was agreed upon by the Mediterranean countries, adopting a zero tolerance towards bird trapping and poaching². We believe that this law change is a clear relaxation of the national legislation and a violation of the EU Birds and Environmental Crime Directives, as well as a serious deviation from the Rome Strategic Plan. As a Member State of the European Union, Cyprus has a responsibility to respect EU laws and International Conventions, including the legislation for the protection of wild birds.

The majority of bird species in question are migratory. This means that they are a common heritage of all countries along their journey. We all have a joint responsibility to protect them. Years of conservation efforts have been invested in numerous countries to protect these migratory species and to maintain their populations at healthy levels. This is now all put at risk by the law change in Cyprus introducing much lower fines and this is a serious setback for the preservation of migratory species at flyway level. In times of continuous biodiversity decline, Cyprus has an important role to play as a key stopover for tens of millions of migratory birds twice a year, in spring and autumn.

We, BirdLife International, are the largest partnership of over 120 conservation organisations (NGOs) in the EU and globally. We strive to conserve birds, their habitats and global biodiversity, working with people towards sustainable use of natural resources. The BirdLife partnership is widely recognized as the world leader in bird conservation and we collectively have more than 10 million members and supporters.

Ensuring a safe passage for migratory species along their flyway routes between Europe, Africa and Asia is vital for their survival, and is a key priority of work for the BirdLife partnership and our national partners, including BirdLife Cyprus. We hope that you will take our concerns into serious consideration and that you will take action to reverse a dangerous law change that introduces low, non-deterrent fines for the trapping and poaching of

² The Bern Convention Standing Committee approved the Rome Strategic Plan 2020-2030 in December 2019.

migratory bird species in Cyprus. We trust that you have the power and commitment to do so.

We look forward to your timely intervention and remain at your disposal.

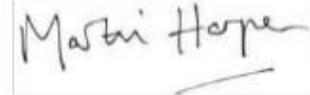
Regards,



Patricia Zurita
CEO
BirdLife International



Martin Helicar
Director
BirdLife Cyprus



Martin Harper
Director
BirdLife Europe & Central Asia



This letter is also endorsed by the following 22 organisations within the BirdLife Partnership.



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