



UPDATE on illegal bird trapping activity in Cyprus

Covering the autumn 2022 findings of BirdLife Cyprus' continuing monitoring programme for illegal bird trapping in Cyprus and providing an overview of the latest developments regarding the problem

Report put together by Tassos Shialis, Campaigns Coordinator, BirdLife Cyprus & Markos Charalambides, Campaigns & Monitoring Officer, BirdLife Cyprus

Date: February 2023

Contents

Περίληψη.....	3
Summary.....	6
1. Overview of bird trapping in Cyprus.....	9
2. Surveillance programme of BirdLife Cyprus	11
3. Results	13
Survey results and data analysis.....	13
<i>Field survey data</i>	13
<i>Trends in autumn mist netting activity</i>	14
Enforcement	20
<i>Overview of enforcement for autumn 2022</i>	20
<i>Feedback from competent authorities to BirdLife Cyprus reports</i>	23
<i>Enforcement on the ground – on-the-spot fines in the Republic, five years later</i>	25
Social and political attitudes	27
<i>Developments in the Republic of Cyprus</i>	27
<i>Developments in the Eastern (Dhekelia) Sovereign Base Area</i>	28
4. Discussion & Recommendations	29
5. Bibliography.....	31
Appendix 1.....	32
Appendix 2.....	36
Appendix 3.....	37
Appendix 4.....	38
Appendix 5.....	39
Appendix 6.....	40

Περίληψη

Τα αποτελέσματα του προγράμματος συστηματικής παρακολούθησης για την περίοδο παγίδευσης φθινοπώρου 2022 δείχνουν μείωση στα επίπεδα παγίδευσης με δίχτυα τόσο στην Κυπριακή Δημοκρατία όσο και στις περιοχές των Βρετανικών Βάσεων Δεκέλειας, σε σύγκριση με το φθινόπωρο 2021. Συνολικά, η τάση παγίδευσης με δίχτυα από το 2002 παρουσιάζει μέτρια μείωση.

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 – Μαρώνη. Με βάση την ανάλυση των στοιχείων της έρευνας, εκτιμούμε ότι κατά τη διάρκεια του φθινοπώρου του 2022 υπήρχαν 3564 μέτρα ενεργών διαδρομών με δίχτυα εντός της περιοχής έρευνας. Με αυτά τα δεδομένα, εκτιμάται ότι μπορεί να θανατώθηκαν περίπου 345 000 πουλιά εντός της περιοχής έρευνας.

Συνολικά, η χρήση διχτύων για το φθινόπωρο 2022 ήταν κατά 91% χαμηλότερη σε σύγκριση με τα επίπεδα του 2002 (όταν ξεκίνησε το πρόγραμμα παρακολούθησης του BirdLife Cyprus), εντός της περιοχής έρευνας (σύμφωνα με την ανάλυση που έγινε στο πρόγραμμα TRIM). Σε σύγκριση με το 2021, η παγίδευση το φθινόπωρο του 2022 φαίνεται να μειώθηκε κατά 49% εντός της περιοχής έρευνας. Αυτά τα αποτελέσματα είναι ενθαρρυντικά, και οι προσπάθειες των διωκτικών αρχών, τόσο της Υπηρεσίας Θήρας και Πανίδας όσο και της Αστυνομίας των Βρετανικών Βάσεων, αναγνωρίζονται. Σε επίπεδο επικράτειας, η παγίδευση με δίχτυα εντός των περιοχών των Βρετανικών Βάσεων φαίνεται να παρουσίασε μείωση 52% σε σύγκριση με το φθινόπωρο του 2021. Αυτή η μείωση που σημειώθηκε στις περιοχές των Βρετανικών Βάσεων πιστεύουμε ότι αποδίδεται στην αυξημένη παρουσία της αστυνομίας των Βάσεων εντός των περιοχών δικαιοδοσίας τους, η οποία θεωρούμε λειτούργησε αποτρεπτικά κατά των παγιδευτών. Εκτός από αυτό, η αστυνομία των Βάσεων προχώρησε σε κάποιες πολύ σημαντικές συλλήψεις στις αρχές του φθινοπώρου, κάτι που έστειλε ένα ξεκάθαρο μήνυμα μηδενικής ανοχής κατά της παράνομης παγίδευσης. Τα επίπεδα παγίδευσης στην Κυπριακή Δημοκρατία κατέγραψαν μείωση 60%, μια ενθαρρυντική εξέλιξη, ειδικά μετά την ανησυχητική αύξηση που σημειώθηκε το φθινόπωρο του 2021. Θεωρούμε ότι αυτή η μείωση στα επίπεδα παγίδευσης με δίχτυα συνδέεται με τα υψηλά εξώδικα που προνοεί η σχετική νομοθεσία για το αδίκημα της κατοχής και χρήσης διχτύων, τα οποία ξεκινούν από 2000 ευρώ, σε συνδυασμό με τα πολλαπλά πρόστιμα που η Υπηρεσία Θήρας και Πανίδας έχει επιβάλει τα τελευταία χρόνια.

Σε αντίθεση με την πρόοδο που καταγράφεται στα επίπεδα παγίδευσης με δίχτυα, τα τελευταία χρόνια το BirdLife Cyprus καταγράφει υψηλά επίπεδα παγίδευσης με ξόβεργα, τα οποία δυστυχώς διατηρήθηκαν και το φθινόπωρο 2022, κάτι που καταγράφεται και στα ευρήματα της Committee Against Bird Slaughter (CABS). Ενώ τα πρόστιμα για την παγίδευση με δίχτυα είναι αποτελεσματικά και αποτρεπτικά, οι χαλαρώσεις που έχουν ψηφιστεί στον «Περί Προστασίας και Διαχείρισης Αγρίων Πτηνών και Θηραμάτων» νόμο για τα πρόστιμα για τα ξόβεργα έχουν το αντίθετο αποτέλεσμα, αφού δεν μπορούν να θεωρηθούν ούτε τιμωρητικά ούτε αποτρεπτικά.

Συγκεκριμένα, μία από αυτές τις χαλαρώσεις που ψηφίστηκαν στη Βουλή τον Δεκέμβριο του 2020 ήταν η μείωση του προστίμου για την παράνομη θανάτωση έως και 50 πτηνών από έναν κατάλογο 14 ειδών,

από 2000 ευρώ σε 200 ευρώ (τόσο για την παγίδευση με ξόβεργα όσο και για τον πυροβολισμό με κυνηγετικό όπλο). Τονίζεται ότι αυτά τα 14 αποδημητικά είδη είναι τα είδη-στόχος που αποτελούν το παράνομο πιάτο των «αμπελοπουλιών».

Πρόκειται για μια ξεκάθαρη χαλάρωση του νόμου όπου ουσιαστικά αποποινικοποιεί τη θανάτωση (με παγίδευση ή κυνηγετικό όπλο) αυτών των 14 ειδών, καθώς έχει δημιουργήσει μια ξεχωριστή κατηγορία με καθεστώς «λιγότερης προστασίας για αυτά τα είδη-στόχο».

Θεωρούμε ότι η δημιουργία αυτής της «λιγότερο προστατευόμενης» κατηγορίας αποτελεί μεγάλη οπισθοδρόμηση στην προστασία των άγριων πουλιών στην Κύπρο.

Ενώ σημειώθηκε μια συνολική μείωση στην παγίδευση με δίχτυα αυτό το φθινόπωρο, το BirdLife Cyprus πιστεύει ότι πρέπει να καταβληθεί μεγαλύτερη και πιο συντονισμένη προσπάθεια κατά των μεγάλων και οργανωμένων παγιδευτών που συνεχίζουν να παγιδεύουν, σε μεγάλο βαθμό, ανεμπόδια, εντός τις Κυπριακής Δημοκρατίας, παρά τις συνεχόμενες καταγγελίες μας προς τις διωκτικές αρχές. Πρωτίστως, θεωρούμε ότι θα πρέπει να αποκατασταθεί ο Ουλαμός Πάταξης Λαθροθηρίας της Αστυνομίας Κύπρου, ο οποίος καταργήθηκε τον Νοέμβριο 2019, για την αντιμετώπιση αυτών των μεγάλων, οργανωμένων παγιδευτών και λαθροθήρων, σε συντονισμό με την Υπηρεσία Θήρας και Πανίδας.

Εκτός από τα υψηλά επίπεδα χρήσης ξόβεργων, τα οποία παρέμειναν υψηλά τα τελευταία χρόνια, το BirdLife Cyprus εντοπίζει τα τελευταία χρόνια και μια αύξηση στα περιστατικά παράνομου πυροβολισμού αποδημητικών πουλιών, κάτι που πιστεύουμε ότι συνδέεται με τα πολύ χαμηλά εξώδικα που προνοούνται για αυτό το αδίκημα – 200 ευρώ για μέχρι 50 πουλιά.

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.
- 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, σε συνεργασία και με την στήριξη της κυπριακής αστυνομίας για την εφαρμογή του. Επιπλέον, οι Κυπριακές αρχές πρέπει να αυξήσουν την πάταξη κατά των εστιατορίων που σερβίρουν παράνομα 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. Καλούμε τον νέο Πρόεδρο της Κυπριακής Δημοκρατίας να τηρήσει την προεκλογική του υπόσχεση για επαναφορά αυτής της μονάδας.

- 5) Να γίνει ενημέρωση στο δικαστικό σώμα (δικαστές, κατήγορους) 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 για την παράνομη παγίδευση και λαθροθηρία.
- 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 Οκτώβριο του 2021 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 4 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. Τα έξοδα του εξωτερικού συνεργάτη για το φθινόπωρο του 2022 καλύφθηκαν από το BirdLife Ελβετίας.

Summary

The results of the systematic monitoring programme for the autumn 2022 trapping season show an apparent decrease in trapping with mist nets in both the Republic of Cyprus and the Eastern Sovereign Base Areas (ESBA) compared to autumn 2021. Overall, the trend for trapping levels with mist nets since 2002 shows a moderate decline.

The BirdLife Cyprus systematic monitoring programme is based upon a survey coverage that encompasses two jurisdictional areas: The Republic of Cyprus and the Eastern Sovereign Base Areas (ESBA). It specifically covers the Larnaka - Famagusta and the Ayios Theodoros – Maroni areas. Based on analysis of the survey data, we estimate that about 3,564m of mist net rides were active during the autumn of 2022 within the survey area. Based on trapping activity recorded, it is estimated that nearly 345,000 birds may have been killed within the survey area.

Overall, mist netting activity for autumn 2022 was 91% lower compared to the 2002 (baseline) levels within the survey area (based on analysis using the TRIM model). Compared to 2021, trapping in autumn 2022 showed an apparent decrease of up to 49% within the survey area. These results are encouraging and the efforts of the enforcement authorities, both the Game and Fauna Service and the SBA Police, are acknowledged. On a jurisdiction level, mist net trapping within the SBA areas showed an apparent decrease of 52% compared to autumn 2021. This decrease noted in the SBA areas, we believe is attributed to the increased presence of SBA police within their jurisdiction, which we consider has discouraged people from trapping. As well as this, SBA police were able to make several key prosecutions early in the season, which sent a clear message of zero tolerance to other trappers. Trapping activity levels within the Republic of Cyprus areas showed an apparent decrease of up to 60% compared to autumn 2021, a very good result, especially after the worrying increase noted in autumn 2021. We believe that this reduction in mist netting is linked to the high fines provided by the relevant legislation for the offence of possession and use of mist nets, which start at €2000, combined with the multiple fines that the Game and Fauna Service has handed out in recent years.

Contrary to the progress noted in regards to mist net trapping, the last few years our field team has recorded high levels of limestick trapping, which remained high even this year, as also supported by Committee Against Bird Slaughter (CABS) data. While fines for mist netting are effective and deterrent, approved relaxations to the “Protection and Management of Wild Birds and Game Species law” have seen fines for limestick trapping have the opposite effect, as they cannot be considered punitive or deterrent.

Specifically, one of these relaxations, which was voted by the Cyprus Parliament in December 2020, was to reduce the on-the-spot fine for the illegal killing of birds from a list of 14 species, from €2000 for one bird to €200 for up to 50 birds (both in regards to trapping with limesticks as well as shooting). It should also be noted that these 14 migratory 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 trapping and shooting of these 14 species, since it has created a ‘less protected’, separate category for these target species.

We consider that the creation of this ‘less protected’ category is a major setback for the protection of wild birds in Cyprus.

While an overall reduction in mist net trapping was noted this autumn, BirdLife Cyprus believes that an increased and more coordinated effort needs to be placed on large organized trappers who continue to trap, to a large extent, unhindered within the Republic of Cyprus, despite our repeated reports to the competent authorities. First and foremost, we believe that the Cyprus Police Anti-Poaching Unit needs to be re-instated, which was abolished in November 2019, to deal with large, organized trappers and poachers, in co-operation with the Game and Fauna Service.

In addition to the levels of limestick use, which have remained high for the past few years, BirdLife Cyprus has also detected an increase in the illegal shooting of migratory birds in recent years, which we believe is linked to the very low fines for this offence – 200 euros for up to 50 birds.

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 for up to 50 birds to 2000 euros for one bird. 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. We call on the new President of the Republic of Cyprus to follow through with his pre-election promise of re-instating this unit.
- 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 carry out this training.
- 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 in October 2021 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 4 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. The costs of the external contractor for autumn 2022 were covered by BirdLife Switzerland.

1. Overview of bird trapping in Cyprus

Trapping with non-selective methods (mist nets and limesticks) and the trade of wild birds have been prohibited 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 at least 157 bird species have been found trapped in mist nets or on limesticks, of which 90 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. In 2010, 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. An 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*

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](#).

selective trapping method, they also lead to increased captures of non-target species, which can include species of conservation concern’.

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 2022 autumn season, when trappers target migratory birds, and especially Blackcaps and other 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 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. BirdLife Cyprus would also like to thank BirdLife Switzerland for their support and for covering the expenses of the external contractor in autumn 2022.

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 (Pannekoek & 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 186 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.

In 2016, the SBA Administration and police began working closely with RSPB Investigations, installing covert surveillance cameras at known trapping sites in order to gather incriminating video evidence of trappers. This cooperation has continued every year since then (except for 2020, due to Covid), leading to the prosecution of multiple trappers, and essentially stopping trapping activities from taking place in the known blackspot of Cape Pyla.

3. Results

Survey results and data analysis

Field survey data

The field survey for autumn 2022 was carried out in September and October 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 2022 is presented in Appendix 2. In total, the field team recorded 27 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 total length of 528 metres of net rides used for mist netting. Nine 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 3,564m (528m x 405/ 60)⁶. Opportunistic checks outside the selected survey squares detected an additional 196 metres of active net rides and 78 set limesticks (see Appendix 2).

In terms of limesticks, BirdLife Cyprus detected 44 limesticks within the selected survey squares for autumn 2022 (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 2022 survey by the Committee Against Bird Slaughter (CABS / SPA Foundation), a total of 1,668 limesticks, 72 mist nets and 56 electronic bird callers were detected and/or seized⁷. It is important to highlight that the majority of the limesticks detected by CABS 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 27/12/22

Based on the data gathered in the field this autumn, BirdLife Cyprus estimates that just over 345,000 **birds could have been illegally killed within the survey area** and just over 460,000 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 (345,000 birds) between jurisdictions within the survey area, based on the trapping activity detected, then just over 329,000 birds would be the potential number killed in the Republic and just over 33,500 the potential number killed in the Dhekelia SBA⁹. (The ‘joint’ squares i.e. where the two jurisdictions overlap, 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 (see Appendix 3).

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 2022. 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 528 metres of active net rides detected within the survey area, 428 metres were in the Republic of Cyprus (from the 38 squares surveyed), 100 metres were in the SBAs (from the 20 squares surveyed), zero 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.

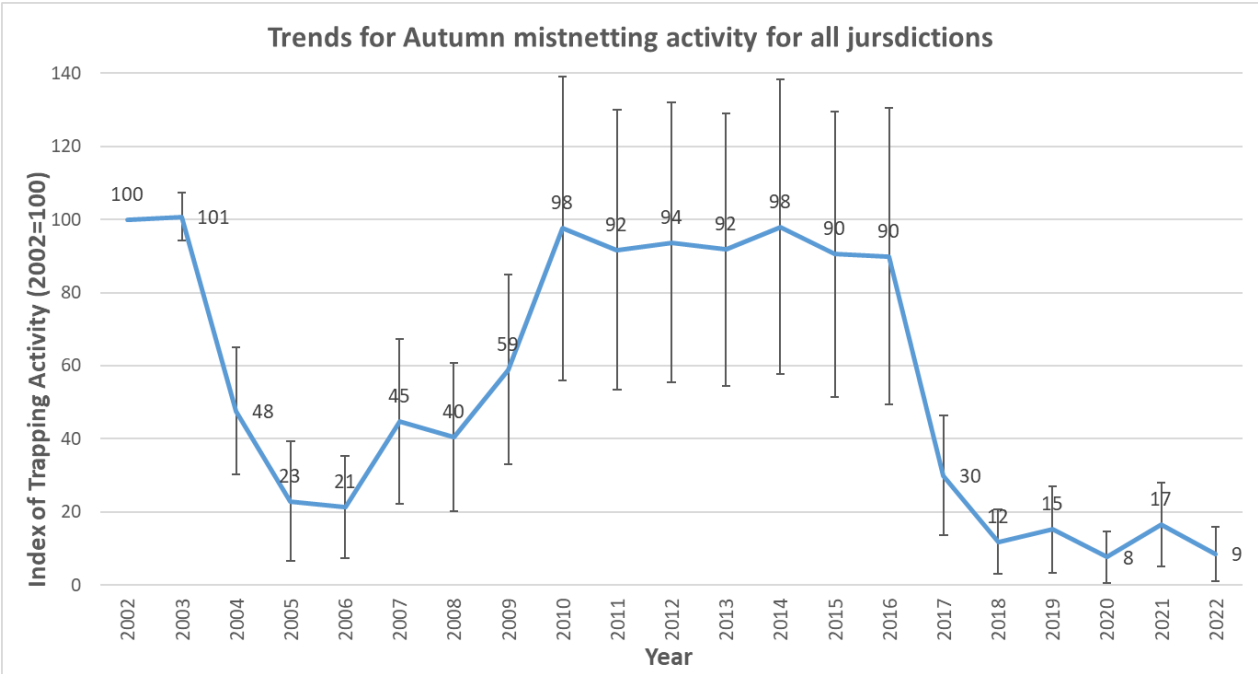
¹² BirdLife Cyprus organised a workshop with title ‘Methodology of surveying illegal bird trapping in Cyprus’ in July 2015. Independent science experts from the British Trust Ornithology (BTO) were invited to review the monitoring methodology of BirdLife Cyprus and to provide a report of their assessment 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 186 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 186 squares was surveyed in autumn 2022 (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 186 (185 in 2021, 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 2021 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 2002-2022 based on Figure 2

	Multiplicative trend	Standard error	95% confidence interval	Trend direction
All squares	0.9256	0.0128	0.02508	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 0.9256 calculated above indicates an overall decrease in mist netting activity of around 7% per year.

Mist netting activity for autumn 2022 appears to be 91% lower compared to the baseline year of 2002 within the survey area (index value is 9 for autumn 2022). The overall trend is a statistically significant 'moderate decline'. Compared to autumn 2021, trapping showed an apparent decrease of 49% during autumn 2022 (index values from 17 to 9).

Figure 3 summarises autumn mist netting activity in the Republic of Cyprus 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 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 186 squares surveyed in various seasons during the surveillance programme includes 116 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 2022, the breakdown of the squares randomly selected and surveyed at a jurisdiction level were as follows:

- 38 squares within the Republic of Cyprus,
- 20 squares within the Dhekelia SBA, and
- 2 'joint' squares.

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

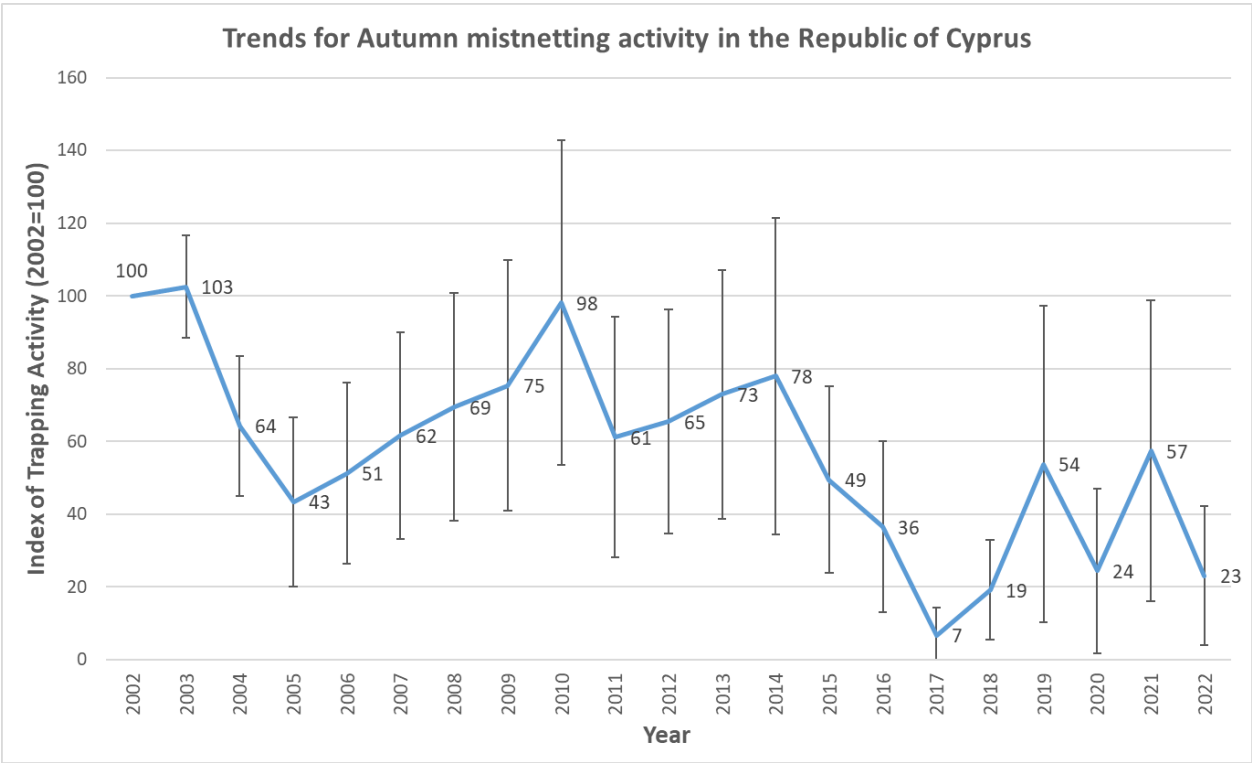


Figure 4. Trends for trapping activity for autumn mist netting within the ESBA area

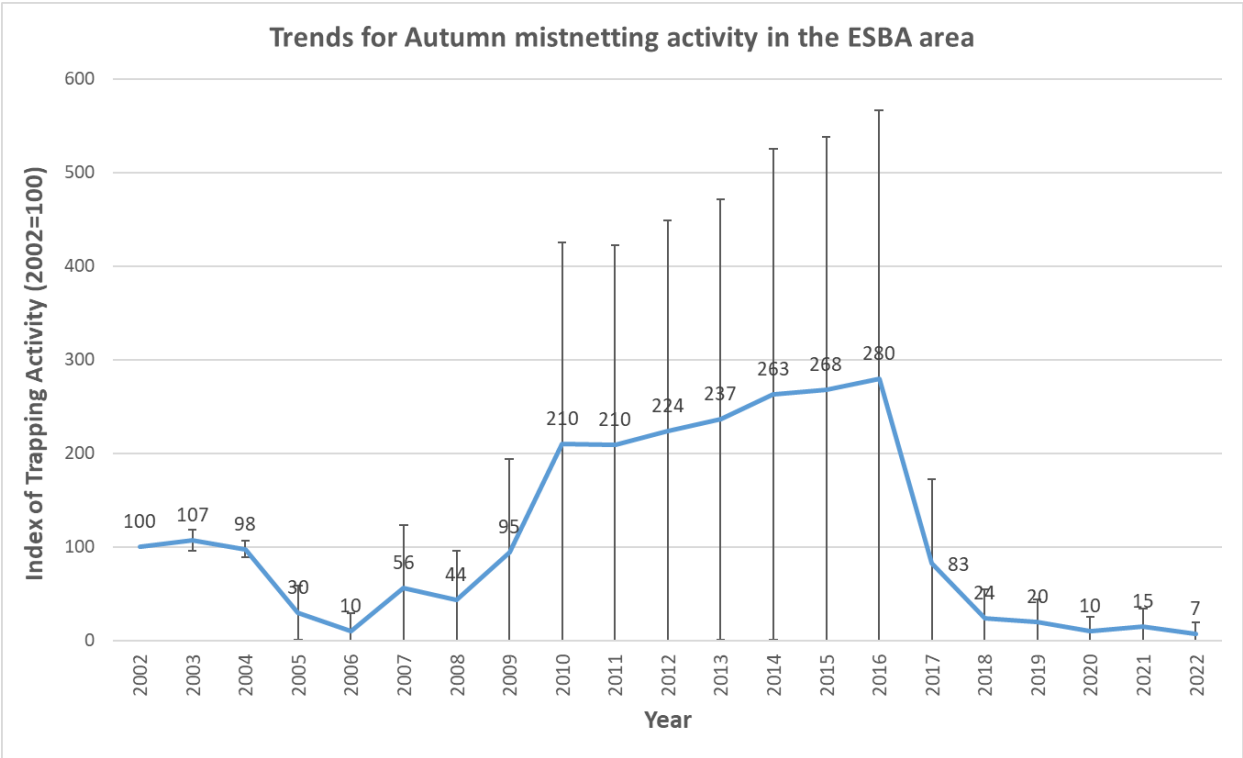


Table 2. Statistics for trends for autumn trapping activity levels 2002-2022 based on Figure 3 and Figure 4

	Multiplicative trend	Standard error	95% confidence interval	Trend direction
RoC squares	0.9404	0.0125	0.0245	Moderate Decline
SBA squares	0.9414	0.0266	0.052136	Moderate Decline

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

- **For the Republic areas, autumn 2022 mist netting activity (index value 23) showed an apparent decrease of 60% compared to autumn 2021 (index value 57). In comparison to 2002, the autumn 2022 levels were 77% lower. After what was a concerning increase in the mist netting levels in 2021, this year's decrease is a welcoming outcome.**
 - For the 38 squares covered within the Republic, the average within the Republic was eleven metres of active net rides per square surveyed (428/ 38 squares surveyed within the Republic = 11). The range of counts was from 0 to 140 metres of active net rides, while no mist net trapping at all was recorded in 31 squares.
 - For the period 2002-2022, the trend direction for the Republic is assessed as "Moderate Decline" (see Table 2).
- **For the SBA areas, autumn 2022 mist netting activity (index value 7) showed an apparent decrease of 52% compared to 2021 (index value of 15). In comparison to 2002, the autumn 2022 levels were 93% lower, the lowest ever recorded since the start of the surveillance programme.**
 - 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) and 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 2002-2022, the trend direction for the SBA areas is assessed as "Moderate Decline" (see Table 2).

These apparent decreases in mist netting levels within both jurisdictions during autumn 2022 are encouraging, particularly after the increases which were recorded in autumn 2021. However there still needs to be effective enforcement action against the big, organised trappers which is still an issue, particularly within the Republic of Cyprus - many of the active sites found by our field team during autumn 2022 were in Republic areas known to be operated by large scale, organized trappers. 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 an apparent decrease during autumn 2022, in continuation of the overall decline in mist netting since 2002, based on the survey data from BirdLife Cyprus. This is a welcomed result, especially after the worrying apparent increase in trapping levels noted during the autumn 2021 season. The enforcement efforts of both the SBA police and the Game and Fauna Service are acknowledged. However, resources must be maintained in order to ensure that there is deterrent enforcement action on the ground. Any relaxation could undo the positive progress recorded over the last few seasons.

We emphasize again the need for more enforcement against big, organised trappers by the Game and Fauna Service, as well as the need for more support in the enforcement effort from the Cyprus Police, who we strongly believe have a particular role to play when it comes to big, organised trappers. In this regard, it is an urgent need to re-instate the Cyprus Police Anti-Poaching unit, which was dismantled without proper justification in November 2019. We call on the new President of the Republic of Cyprus to follow through with his pre-election promise of re-instating this unit.

Enforcement

Overview of enforcement for autumn 2022

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 nine officers at the Eastern Dhekelia Sovereign Base Area for the autumn trapping period.

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 - 2022.

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 - 2022

	Game & Fauna Service – Larnaca & Famagusta district2												Dhekelia SBA Police Anti- Poaching Unit3											
Years	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
No of trappers arrested / cases	57	70	78	64	54	35	19	21	25	26	57	48	23	22	22	30	17	29	6	12	8	4	9	10
No of mist nets1	204	311	287	235	230	195	39	34	21	34	83	52	361	275	227	184	181	496	154	51	20	13	26	16
No of limesticks 1	2,550	5,372	3,830	1,577	1,740	1,291	521	1,186	903	1,876	1,883	1,554	290	314	516	256	234	295	259	116	97	29	105	36

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 2022 provided from Game & Fauna Larnaca & Famagusta district officer via email on 6th February 2023

Note 3: Data for 2022 provided from SBA police Anti-Poaching Unit sergeant after official email (16th January 2023).

- Game & Fauna Service – Larnaca & Famagusta district: The enforcement data for autumn 2022 show comparable levels of prosecutions (48) compared to autumn 2021 (57), suggesting similar levels of enforcement by this agency.
- SBA Police Anti-Poaching Unit (APU) – Dhekelia Sovereign Base: The enforcement data for autumn 2022 show that ten people were arrested for trapping, compared to nine during autumn 2021.

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 2022 were on a similar level with those undertaken in 2021 (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	2022 ⁹
Restaurant checks	20	31	18	7	14	8	12	21	20	7	10	5	6
Restaurant prosecutions	13	15	8	3	1	1	1	7	5	0	1	1	0

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)

Note 9: Data source: Email sent to BirdLife Cyprus by Game and Fauna Service official (2/1/23)

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, 16 locations were reported to this agency. Seven people were prosecuted at sites reported by BirdLife Cyprus, either just before the site was found to be active, or sometime after. Confiscations took place at seven sites, while nine locations were checked with no further action taken.

With regards to the Dhekelia SBA Police Anti-Poaching Unit, six locations were reported to this agency. At three sites confiscation of limesticks occurred. At two locations covert surveillance was undertaken with help from RSPB Investigations who placed cameras at these sites. Although the video evidence gathered was not sufficient for a prosecution to take place, it was used to give a verbal warning to the trapper whom stopped trapping at the specific site soon after.

Table 5 Summary of trapping reports provided to competent authorities from BirdLife Cyprus during autumns 2012-2022

	Game and Fauna Service – Larnaca & Famagusta											SBA Anti-Poaching Police Unit										
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Number of reports¹	50	43	33	23	21	8	17	11	17 ⁸	23 ¹²	16	52	38	40	51	34	26	12	14	9	18	6
Arrests²	17	19	8	11	10	N/F ⁵	N/F	N/F	N/F	N/F	7	9	8	6	4	5	0	7 ⁶	0	2 ⁷	3 ⁹	0
Confiscations³	10	8	11	None	1	N/F	N/F	2	2	2	7	22	18	5	10	14	3	2	6	4	4 ¹⁰	3
Clearance⁴ / Nothing Found⁵	23	16	14	12	10	N/F	N/F	N/F	N/F	N/F	9	21	12	29	37	15	23	8	8	6	14 ¹¹	3

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 mist nets 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, five 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. That said, 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. The on-the-spot fine system acted as a deterrent for most trappers, when it was first implemented, and particularly when it comes to mist netting.

However, 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.

For the last few years, our field team has recorded high levels of limestick trapping, levels which remained high even this year, as also supported by Committee Against Bird Slaughter (CABS) data. While fines for mist netting are effective and deterrent, approved relaxations to the “Protection and Management of Wild Birds and Game Species law” have seen fines for limestick trapping have the opposite effect, as they cannot be considered punitive or deterrent. 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, and something which has sent a message of decriminalisation of limestick trapping and of shooting of migratory songbirds.

Another issue is that, as seen from the on-the-spot fine data provided to BirdLife Cyprus for the period of July 2017 to December 2022 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 just over 60% of the fines handed out so far have been paid (492 from 810), however the money these fines equate to (€976,193) only add up to around 40% of the total money from all the fines (€2,506,264). It appears that fines of around 5,000 euros 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 (300 in number) equate to a noticeable 37% of all fines issued.

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 an on-the- fine is not paid and goes to court, the offenders are routinely handed out lower fines. Although there is still an improvement compared 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.

Table 6 Breakdown of on the spot fines handed out from July 2017 until the end of December 2022

	No. of Fines	Amount in Euro
Fines that have been paid	492	€ 976,193
Fines still pending payment	18	€51,000
Fines that haven't been paid and will/have gone to court	300	€ 1,479,071
Total¹	810	€ 2,506,264

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	4,930	1,600

¹⁶ Information provided from Game and Faun Service official during telephone conversation on 30/1/2023

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 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 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. Several species on this list are very similar to species not on the list, particularly warblers, making this change in the law not enforceable, as identifying these species can be difficult. 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 with limesticks.

These relaxations have, we believe, also encouraged illegal shooting of migrants, as evidenced by what we have seen at Lake Soros, Larnaca Salt lakes, in recent years.

Throughout the month of September 2022, several visits to the Soros lake hunting site were made by the BirdLife Cyprus field team, RSPB Investigations, and CABS. Throughout these checks a number of protected species were found killed and/or injured at the site including European Bee-eaters, European Roller, Hobby and Golden Oriole. Read BirdLife Cyprus’s relevant press release on this [here](#). Previously in autumn 2020 large numbers of European Bee-eaters, as well as other migratory birds, were found shot at this same site. BirdLife Cyprus has publicly called upon the competent authorities to close the site to hunting, not only because it is a black spot for the illegal shooting of protected birds, but also because it is located in a built-up area close to homes, and because the lake has been polluted from the lead shot pellets from nearby hunting activity. Unfortunately, the area has remained open to hunting despite our objections. While there were reports of illegal hunting at the site in the past, BirdLife Cyprus believes that the amendment to the law, mentioned above, has encouraged poachers to illegally shoot migratory birds at the site. We also fear that the illegal shooting of migratory birds will become more widespread as a result of this relaxation in fines. Sadly, our fears are already becoming reality: this year our field team uncovered another “black spot” for illegal shooting close to Kiti Dam where they discovered feathers from multiple European Bee-eaters as well as other migratory bird species and

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*).

confirmed illegal shooting was taking place. Relevant information was passed to the Game & Fauna Service for action.

In support of our strong belief that the fines for the killing of migratory songbirds, either with limesticks or with shooting, are non-deterrent, in 2016, prior to the change in the law which introduced on-the-spot fines for trapping offences, the Law Office of the Republic of Cyprus sent a letter to the Parliamentary Environment Committee raising concerns regarding the at the time proposed lower fines associated with limestick trapping. In particular it mentioned that *“The supporting documentation should be based on the need that exists and that makes the differentiation imperative for the provision of stricter or more lenient penalties for the use of limesticks, so as to achieve effective enforcement of the existing legislation i.e. a penalty should be either deterrent or punitive”*. See Appendix 6 for the full letter.

In October 2022, after multiple reports of up to eight active mist nets to the competent authorities, from BirdLife Cyprus and CABS, a known organised trapper in the Larnaca District was raided by police. According to a senior officer of the Game and Fauna Service two mist nets were found at the trapping site, and the trapper received a 5000 euro fine for the two mist nets and for trapping in an area in which hunting is forbidden. The specific trapper was exposed in 2019 when RSPB released a video showing his illegal operation. See [here](#) for more details on that.

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 the RSPB Investigations team and with CABS. In autumn 2021 an increase in trapping at the start of the season was observed by BirdLife Cyprus and CABS. BirdLife Cyprus raised concerns about this development and the anti-poaching team was reinforced to be able to accommodate additional shifts. In autumn 2022, at the start of the season, the anti-poaching team was boosted with four more officers. This enabled SBA police to perform patrols almost every night, hence having a deterrent presence which resulted in reduced trapping activity. As well as this, the SBA police anti-poaching unit was able to make some high-profile arrests at the start of the trapping season, sending a clear message to other trappers of the zero-tolerance approach implemented by the SBA authorities. This combined with the daily patrols we believe acted as a deterrent to undertake trapping. For more information on this follow the [link](#).

This autumn, once again, members of the RSPB Investigations team joined SBA police officers on the ground in order to resume covert surveillance actions against several trapping sites located within the SBA areas. Cameras were placed at two different locations where illegal trapping with mist nets was recorded. While no trappers were arrested as the footage obtained was not conclusive to identify clearly any trappers, at one site enough evidence was collected to be able to ascertain the times at which the poachers were trapping and with that information suspects were warned by the SBA Police. After the warning, the site was not active again for the remainder of the season. In September 2022, Birdlife International published its report on the State of the World’s birds, in which one section of the report outlines the success achieved within the SBA areas promoting it as a case study for replication. Read the report [here](#) (page 33)

4. Discussion & Recommendations

2022 saw an apparent decrease in trapping with mist nets by 47%, compared to autumn 2021. Compared to 2002 there has been a 91% reduction in mist netting activity, within the survey area, which covers the worst trapping areas of Cyprus (see Figure 2). This makes 2022 the second lowest year of autumn trapping activity levels after 2020 (when a reduction of 92% from the 2002 baseline was recorded). This is a welcoming development.

With regards to the SBAs, trapping in autumn 2022 appeared to decrease by around 52% compared to autumn 2021, a welcome result after the apparent increase noted previous the autumn. Overall mist netting levels for autumn 2022 showed a decrease of 93% compared to autumn 2002. This season, the SBA police anti-poaching unit was strengthened with additional officers and was able to perform preventative patrols in their jurisdiction, which most certainly deterred people from trapping. As well as this, the SBA police were able to make several high-profile prosecutions at the start of the season which sent a clear message of zero tolerance towards bird trapping. 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 SBA's 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 success has also been acknowledged in BirdLife International's most recent [report](#) on the State of the World's Birds. This approach and associated measures must be continued into 2023 and beyond, to ensure this success is maintained.

In the Republic of Cyprus, there was an apparent decrease in trapping with mist nets during autumn 2022 compared to 2021. Trapping with mist nets appeared to decrease by 60%, a welcome result, especially after the worrying increase noted in autumn 2021 (See Figure 3). Overall mist netting levels for autumn 2022 showed a decrease of 77% compared to autumn 2002. BirdLife Cyprus acknowledges the enforcement effort of the Game and Fauna Service wardens. However, BirdLife Cyprus continues to emphasize the need for more effective enforcement against large, organized trappers, who are still trapping with impunity, for the most part. In order to effectively deal with these large trappers, BirdLife Cyprus believes that the Cyprus Police Anti-Poaching unit, which was abolished in November 2019, needs to be re-instated as soon as possible, in order to provide support and to work closely with the Game and Fauna Service on this issue. We call on the new President of the Republic of Cyprus to follow through with his pre-election promise of re-instating this unit. As well as this, limestick trapping has remained at high levels after an increase first noted in 2020, a finding that is also supported from CABS field data.

We strongly believe that the increased use of limesticks, that has been maintained in recent years, can be attributed to the relaxations to the "Protection and Management of Wild Birds and Game Species law" which have happened over the last 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 addition to the apparent increase in limestick use, BirdLife Cyprus has also detected an increase in the illegal shooting of migratory birds in recent years, which we believe can be linked to the very low fines for this offense – 200 euros for up to 50 birds.

Recommendations

In conclusion, BirdLife Cyprus stresses the following actions and measures as areas for action in 2023:

- 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 for up to 50 birds to 2000 euros for one bird. 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. We call on the new President of the Republic of Cyprus to follow through with his pre-election promise of re-instating this unit.
- 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 carry out this training.
- 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.

5. Bibliography

- BirdLife Cyprus (February 2022). '*UPDATE on illegal bird trapping activity in Cyprus – Autumn 2021 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 Harboursing 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, Schwilch 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:

- Mist netting 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 – tale 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 2022

Confidential Information. Only provided upon approval of request

Appendix 3

Estimation of numbers of birds caught during autumn 2022

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 considered 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)

$$= [(318+40+140) / (12) \times (20) \times (405/60) \times (60)]$$

$$= \mathbf{336,150} \text{ birds could have been caught within the survey area in } \mathbf{mist \text{ nets}}.$$

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)

$$= 44 \times 0.5 \times (405/60) \times 60$$

$$= \mathbf{8,910} \text{ birds caught within the survey area on } \mathbf{limesticks}$$

In total 345,060 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:

$$= 345,060 / 75\%$$

$$= \mathbf{460,080} \text{ birds could have been killed in nets and on limesticks across all Cyprus during autumn 2022.}$$

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. This unit was dismantled without proper justification in November 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

Letter from the Law Office of the Republic of Cyprus from 2016 stating that the fines for limestick trapping must be deterrent and/or punitive. This letter was submitted to the Cyprus Parliament during the discussions regarding the amendments for the Bird Protection law.

RX Date/Time 21/11/2016 12:05
21.11.2016 12:22

Διανέμηση με ηλεκτ. ταχυδρομείο
Αρχειοθέτηση: 23.01.057.081+2016
P.001
PAGE: 1/3
21/11/2016
Γ.Α. Ηγεμόν
με Αρσέν
f

ΚΥΠΡΙΑΚΗ ΔΗΜΟΚΡΑΤΙΑ
ΝΟΜΙΚΗ ΥΠΗΡΕΣΙΑ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ

Αρ. Φακ.: Γ.Ε: 50(A)/1999/N.53.2

18 Νοεμβρίου 2016

Πρόεδρο και Μέλη
Κοινοβουλευτικής Επιτροπής Περιβάλλοντος

ΘΕΜΑ: Ο περί Προστασίας και Διαχείρισης Αγρίων Πτηνών και Θηραμάτων
(Τροποποιητικός) Νόμος του 2016.

Αναφέρομαι στην επιστολή σας με αρ. φακ.:23.01.057.081-2016, και ημ.15 Νοεμβρίου 2016, σε σχέση με το πιο πάνω θέμα και με την παρούσα επιθυμώ να σας πληροφορήσω τα ακόλουθα:

1. Στο άρθρο 11 του περί Προστασίας και Διαχείρισης Αγρίων Πτηνών και Θηραμάτων Νόμου του 2003 (152(I)/2003) εφεξής «ο Νόμος», εδάφιο (1) αυτού αναφέρεται:

«(1). Αναφορικά με τη θήρα, σύλληψη και θανάτωση άγριου πτηνού, απαγορεύεται η χρήση οποιουδήποτε μέσου, εγκατάστασης ή μεθοδού μαζικής ή μη επιλεκτικής σύλληψης ή θανάτωσης που μπορεί να προκαλέσει τοπικά την εξαφάνιση οποιουδήποτε είδους άγριου πτηνού ή τη μείωση του αριθμού σε τέτοιο βαθμό που να απειλείται με εξαφάνιση.».

2. Στην παράγραφο (α) του εδαφίου (2) αναφέρεται:

«(2). Χωρίς επηρεασμό της γενικότητας του εδαφίου (1), απαγορεύεται η χρήση των ακόλουθων μέσων σύλληψης ή θανάτωσης:
(α) Βρόχοι, ξόβεργες, θηλιές,».

Νομική Υπηρεσία της Δημοκρατίας, Απελλή 1, 1403 ΛΕΥΚΩΣΙΑ
Τηλ.: 22889100, Φαξ.: 22665080, email: nlj.ven@law.gov.cy

3. Στο άρθρο 11 και συγκεκριμένα στα εδάφια (1) και (2) προνοούνται απαγορεύσεις και αναριθμούνται όλα τα μέσα σύλληψης ή θανάτωσης άγριων πτηνών μεταξύ των οποίων είναι και τα ξόβεργα, (παράγραφος (α), εδάφιο (2) άρθρο 11).
4. Δυνάμει του Αρθρου 8 της Οδηγίας 209/147/EK, παράγραφος (1) αναφέρεται:
- «1. Όσον αφορά τη θήρα, τη σύλληψη ή τη θανάτωση πτηνών στο πλαίσιο της παρούσας οδηγίας, τα κράτη μέλη απαγορεύουν τη χρήση οιαδήποτε μέσου, εγκαταστάσεων ή μεθόδων μαζικής ή όχι επιλεκτικής συλλήψεως ή θανατώσεως, ή που μπορεί να προκαλέσει τοπικά την εξαφάνιση ενός είδους, ιδιαίτερα εκείνων των μέσων που αναφέρονται στο παράρτημα IV, (στο οποίο περιλαμβάνονται τα ξόβεργα).».
5. Επιπρόσθετα δυνάμει του Αρθρου 14 της ίδιας Οδηγίας προνοείται ότι:
- «Τα κράτη μέλη μπορούν να πάρουν αυστηρότερα μέτρα προστασίας από αυτά που προβλέπονται από την παρούσα οδηγία.».
6. Με βάση το ερώτημα σας θα πρέπει το Νομοθετικό σώμα εάν αποφασίσει να διαχωρίσει τα ξόβεργα από τα υπόλοιπα απαγορευμένα μέσα θήρευσης με σκοπό να διαμορφώσει κάποιες διατάξεις που αφορούν αυτό το μέσο θήρευσης για να εξειδικεύσει την τιμωρία θήρευσης με τη χρήση ξόβεργων πρέπει να έχει υπόψη ότι:
- Α. Για σκοπούς αποτρευματικής εφαρμογής του δικαίου της Ε.Ε. , θα πρέπει στα πρακτικά της Βουλής να υπάρχει η απαραίτητη τεκμηρίωση αυτής της διαφοροποίησης, αφού τα ξόβεργα αποτελούν μη επιλεκτικό μέσο θανάτωσης και συνεπώς θα πρέπει να αιτιολογηθεί ειδικά γιατί διαφοροποιούνται οι ποινές για τα ξόβεργα από τα άλλα είδη.
- Β. Η τεκμηρίωση θα πρέπει να εδράζεται στην ανάγκη που υπάρχει και που καθιστά επιβεβλημένη τη διαφοροποίηση για πρόβλεψη είτε αυστηρότερων ποινών είτε επιεικέστερων για τη χρήση ξόβεργων έτσι ώστε να επιτευχθεί αποτελεσματικότερη εφαρμογή της υφιστάμενης νομοθεσίας και κατ' επέκταση της σχετικής Οδηγίας.
- Γ. Θα πρέπει να έχετε κατά νου ότι σκοπός μιας ποινής είναι είτε η γενική πρόληψη είτε η ειδική πρόληψη διάπραξης αδικημάτων, είτε κατασταλτικά.

3
Δηλαδή μια ποινή θα πρέπει να επενεργεί είτε αποτρεπτικά είτε κατασταλτικά – τιμωρητικά.

Δ. Συνεπώς για να διαφοροποιήσετε είτε το ύψος είτε το είδος της ποινής θα πρέπει πρώτιστα να βεβαιωθείτε ότι με την προτεινόμενη τροποποίηση θα επιτύχετε το στόχο που εξορισμού υπηρετεί μια ποινή. Για να βεβαιωθείτε όμως, θα πρέπει να προχωρήσετε σε εξειδικευμένη έρευνα για τα συγκεκριμένα μέτρα που προτείνετε, η οποία να καταδεικνύει ότι τα μέτρα αυτά είναι απαραίτητα και δικαιολογούν την τροποποίηση έτσι ώστε η εφαρμογή τους θα εξυπηρετήσει τον επιδιωκόμενο σκοπό και ότι έχουν εξεταστεί και άλλες επιλογές εναλλακτικά οι οποίες κρίθηκαν τελικά ως μη αποτελεσματικές.



Δένα Θεοδώρου

Ανώτερη Δικηγόρος της Δημοκρατίας
για Γενικό Εισαγγελέα της Δημοκρατίας.