

**Explanatory note on the transition period for Malta in the frame of the Birds  
Directive (79/409/EEC)**

One transition period was granted to Malta regarding the trapping of songbirds in order to allow to Malta to fade out its current practices of bird trapping. It is part of the Act of Accession and the original text in this Act reads as follows:

By way of derogation from Articles 5(a), 5(e), 8(1) and Annex IV(a) of Directive 79/409/EEC, *Carduelis cannabina*, *Carduelis serinus*, *Carduelis chloris*, *Carduelis carduelis*, *Carduelis spinus*, *Fringilla coelebs* and *Coccothraustes coccothraustes* may be deliberately captured until 31 December 2008 by traditional nets known as clap-nets within the Maltese islands exclusively for the purpose of keeping them in captivity in accordance with the following intermediate targets:

- by the date of accession at the latest, the Maltese Ornithology Committee will have been established, all trapping sites will have been registered, a pilot study for a captive breeding project and a study on mortality of finches in captivity will have been presented, the number and types of species held and bred in aviaries will have been assessed, as well as an information programme for implementation of a captive breeding system will have been presented to the Commission;
- by 30 June 2005 a captive breeding programme will have been introduced;
- by 31 December 2006 the success of the captive breeding system as well as the mortality rate of birds within the established captive breeding system will have been assessed;
- by June 2007 the number of captured wild birds required to sustain genetic diversity will have been assessed;
- by 31 December 2007, the Malta Ornithology Committee will have established the number of wild specimens per species that may be captured in line with the Directive to ensure sufficient genetic diversity of the captive species.

The measures taken during the transitional measure shall be in full accordance with the principles governing the timing of hunting of migratory bird species as outlined in Directive 79/409/EEC. The number of captured birds is expected to be significantly reduced during the transitional measure. Malta will report annually to the Commission on the application of this transitional measure and on progress achieved.