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## Bred in a trap

An investigation into illegal practices in the trade  
in wild European birds in the Netherlands

March 2007

Stroming BV commissioned by Vogelbescherming Netherlands



Arnold van Kreveld





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Confiscated tawny owl

# 1 Preface

*“Illegal bird trapping and bird trade have demanded, yet again, much of our attention. It is clear to us, that these businesses are more abundant than anyone suspects, and that they flourish considerably more than we care for. By monitoring these illegal practices, we hope to succeed in keeping them in check. There are places in the south, where so-called “bird fairs” are still safely taking place.”*

This text comes from the annual report of Vogelbescherming in 1936/1937. However, it could just as easily have been written today because there are still bird fairs taking place in scores of places all over the country.

Evidence that bird trapping and trade have increased since liberalization of the legislation in 1997 and 2002 comes from a variety of sources, including the police, incidental visits to bird fairs and information from supporters of Vogelbescherming Nederland.

Consequently, Vogelbescherming Nederland has commissioned Bureau Stroming to research the following questions:

- Is there a real increase in legal and illegal trapping and trade in wild European birds in the Netherlands?
- Is this a widespread problem or just isolated incidents?

Between March 2006 and January 2007 several bird fairs, bird markets and exhibitions, a raptor farm and an animal shelter for confiscated birds were visited. Interviews were conducted with criminal investigators, employees of the Justice Department and organizations involved with protection of birds.

Bird keepers and falconers were also interviewed. To get an idea of what was going on behind the scenes, some of these conversations took place at bird fairs. Further information was obtained from reports, press releases, bird keeping periodicals and the internet.

Many thanks are due to everyone that has cooperated with this research. For reasons of confidentiality, names have been omitted.

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## 2 Breeding and trapping

Since 1997, it has been legal to keep all native bird species in captivity provided that they are wearing a well fitting closed leg ring. The assumption is that birds with well fitting leg rings can only have been bred in captivity because in theory these rings can only be fitted on the legs of very young birds.

### 2.1 AVICULTURAL SOCIETIES

Almost 3.5 million songbirds and exotic birds are kept in captivity in the Netherlands. About 580,000 leg rings for exotic and European birds are issued annually.

All European birds, birds listed on Annex A of the EU CITES regulations (Convention on International Trade in Endangered Species of Wild Fauna and Flora) and for birds that are to be shown in exhibitions are required to be ringed (Dutch Council for Animal Affairs, 2006).

There are tens of thousands of organised bird keepers in the Netherlands. The Nederlandse Bond van Vogelliefhebbers (the largest avicultural society in the Netherlands) reports on its website that it has 31,000 members as of 1 January 2006. Most of them are keepers of exotic birds, canaries or parakeets. The annual report of the AID (the Dutch General Inspection Service) in 2000, states that there are 55,000 bird keepers of which about 5,500 are involved with native species. This report concentrates on this last group and the consequences of the liberalization of the keeping of, and the trade in, bird species native to the Netherlands.

Bird keepers were delighted when all native species were allowed to be kept in captivity as of 1997. The periodical 'Onze Vogels' (August 1997) of the Nederlandse Bond van Vogelliefhebbers reports:

*“Up to now we were only allowed to keep the 13 so-called European culture (captive bred) birds, but as of 11 July 1997 we are allowed to keep all European bird species bred in captivity, if wearing closed leg rings.”*

But as the trapping of birds is prohibited, the problem arises how bird keepers can legally come by new species. 'Onze Vogels' (August 1998):

*“Where, however, do we quickly obtain all these, now legal captive bred species? No doubt some species will surface that until recently were illegally kept and bred.. This is, however, not the only possibility. In several other countries it is already legal to keep a number of species that have now become available to us as well. In Germany it has been legal for a long time to keep almost any species... In Great Britain one can basically keep any bird, as long as one can prove that it has been bred from legally kept parents... In Italy almost anything goes and permits are easily obtained.”*

One month later (September 1998) Onze Vogels adds:

*“How do we obtain good breeding material? Some is bound to surface in the Netherlands. Searching in other countries is also somewhat problematic: people usually are willing to exchange birds but not willing to sell them. So this is all very complicated.”*

Apparently, in those countries where it has been legal for a longer period of time to keep native birds, these species are bred only with difficulty in captivity. If breeding were easy, obtaining these species would not be such a problem.. This indicates that even the numbers bred in the Netherlands do not meet the demand.

So, even though it is presumed that illegal birds will surface – remarkably something that is cheered rather than frowned upon- the society also reports:

*“... which also means that you have to abide by the law and rules are rules and must therefore be followed.”*

## 2.2 BREEDING

Some bird species reproduce easily in captivity, while other species are only bred with some difficulty by specialists.

According to Van Mingeroet (2001) in his standard work ‘Europese Vogels. Kweken en tentoonstellen’, the native species that are easiest to breed in captivity are redpoll, **linnet** and greenfinch. Good results can also be obtained with siskin, twite, goldfinch, house sparrow and tree sparrow. Breeding with bullfinch, reed bunting, yellowhammer, pine grosbeak and common crossbill is taking it a step further. He mentions Bohemian waxwing as being one of the most difficult species to breed.

Quite a number of species have known colour variations (mutations). There are, for instance, redpolls in the colours brown, agate, Isabelline, pearl and pastel. White Eurasian jays and brown common magpies are also being bred nowadays. The availability of these colour variations points to these species being bred in reasonable numbers.

The catalogue for the exhibition “Open European Culture Bird 2005” (Rosmalen) details a lot of captive breeding with lesser and mealy redpoll, goldfinch, greenfinch and bullfinch, with mutations available at the exhibition of all of these species. Also mentioned in reasonable numbers – including mutations – are chaffinch, **house sparrow**, tree sparrow, common starling and song thrush. There were also many specimens from at least two bird breeders, but without mutations, of European serin, **linnet**, twite, yellowhammer, common crossbill, pine grosbeak, bearded tit and hawfinch. The following species were shown by only one breeder: **corn bunting**, reed bunting, black-headed bunting, brambling, grey-crowned goldfinch (eastern (sub)species from Asia), parrot crossbill, arctic redpoll, meadow pipit, calandra lark, common blackbird, Bohemian waxwing, dunnoek, tree pipit, European robin, and several species of wagtail.

Species encountered (ringed) at other exhibitions and bird fairs, but absent from this specialist exhibition were black redstart, reed warbler, bluethroat, mistle thrush, and **Eurasian hoopoe**. During an exhibition of the *Algemene Nederlandse Bond van Vogelhouders* (January 2007) there were even specimens of penduline tit, red-backed shrike, snow bunting and water pipit, all labelled as captive-bred.

That there has been an enormous increase between 1997 and 2007 in the number of native species that are kept and (allegedly) bred in captivity is easy to prove. Many native species, however, are difficult to breed in captivity. The periodical *Onze Vogels* of October 2000 reports that the breeding of chaffinches is difficult, especially when the young are to be raised by the parent birds rather than being hand-raised by the breeder. This is remarkable considering that chaffinches have been kept in captivity for decades and are not even considered to be extremely restless in a cage or aviary. Several other articles report that the breeding of **Eurasian hoopoe**, **skylark**, pine grosbeak, mistle thrush and common starling is also far from simple.

An article in *Onze Vogels* (November 2005) reports that in 1970 breeding occurred mainly with greenfinch, chaffinch, goldfinch and siskin:

*“There was some sparse breeding and the entire scene was covered by a blanket of secrecy... that was not removed until the liberalization of keeping European birds in captivity.”*

According to this article the breakthrough came when birds were given a breeding cage (small aviary) per breeding pair:

*“At the moment many goldfinches and bullfinches are being bred. New species that are bred are pine grosbeak, common crossbill, hawfinch and buntings like, for example, ortolan bunting, robins, several species of tit, wheatears, larks, starlings, song thrushes, wagtails, redstarts, nuthatches, bluethroats and even **hoopoes** and bee-eaters have already been born in Dutch aviaries.”*

One month later (December 2005) *Onze Vogels* reports that the European fruit and insect eaters are becoming more and more popular and that every year new first breeding results are forthcoming. According to [www.cultuurvogels.nl](http://www.cultuurvogels.nl) there have apparently been some good breeding results with bearded tits in recent years.

However, even birds labelled as CB (captive-bred) that are judged at exhibitions may not have been bred in captivity. The periodical of the *Algemene Nederlandse Bond van Vogelhouders* (*Vogelvreugd*, 4/2006) illustrates the following example:

*“You are looking at cages holding penduline tits. In the catalogue, next to the rating points, it reads ‘captive-bred’. The male bird is pulling his its leg against his belly over and over and even makes furious attempts to remove the ring with his bill... captive-bred?”*

An article in the *Standaard Europese Cultuurvogel* 2006 clearly shows that ever more liberal legislation (see 4.1) has enormously stimulated the keeping and breeding of more and more native species:

*“The legislation concerning the keeping of European Culture Birds has, as of 1 April 2002, with the coming into effect of Flora and Fauna Legislation, been liberalized even further... This liberalization of the legislation has been an enormous incentive for the keeper of European Culture birds. A lot of species that were not, or hardly ever, kept and bred until now have been exhibited by breeders in recent years.”*

The liberalization of the legislation in 2002 has also enormously stimulated the keeping and breeding of raptors and owls. Common buzzard, common kestrel, tawny owl and especially barn owl are all being bred in captivity by private individuals. **Barn owls** appear to reproduce quite easily and are also called “Barneveld-chickens”. Others species, like northern goshawk, hardly reproduce in captivity.

The question where all the initial breeding pairs originated from is usually not asked in the periodicals and on the bird keeping websites. In some breeding reports, however, there is mention of birds obtained abroad that are not (yet) legally available in the Netherlands. These birds, however, are also claimed to have been captive-bred.

There is no doubt that professional bird keepers and dealers succeed in breeding some very rare birds at times. What is not clear, however, is where the parental breeding stock originated from. Some species also need “new blood” on a regular basis if breeding is to be a continued success. New blood (usually in the form of wild-caught birds) is needed when the genetic variation of birds kept in captivity for breeding is insufficient to sustain a healthy population.

The fact that some species are hardly ever bred (e.g. bearded tit, **yellow wagtail**), but are for sale in some numbers in markets and fairs at certain times, makes it at least very probable that these are really wild-caught birds.

Even the successful breeding of species like siskin and redpoll does not guarantee that there are no wild-caught birds of these species being offered for sale (see 3.1 and 3.2).



Siskins in animal shelter for birds

### 2.3 TRAPPING

Investigating authorities track illegal bird trappers on a regular basis. The *Jachtopzichter* of March 2006 reports the following description of a confiscation:

*“On 26 January, a specific screening of four addresses in Almelo results in the confiscation of 142 protected birds. Later, another 20 birds are confiscated and although these are provided with leg rings, none of them comply with the regulations (i.e. rings too large). Some of these birds also suffer from leg injuries. There are also eight cage traps, three mist nets, one clap net, five poles with lime-tips, a lot of lime-sticks, mouse glue, a gauze cage trap and several lure cages found.”*

This confiscation provides a good example of the illegal trapping scene. Often, it involves networks (national and international) by which scores or even hundreds of birds are trapped, illegally ringed (see 2.4) and traded.

Natuurmonumenten and Staatsbosbeheer have no clear idea of the amount of illegal trapping occurring on their land, although in an evaluation by Natuurmonumenten (2006) a number of game wardens stated that bird trapping was a problem. Illegal trade, however, mostly takes place outside nature reserves, e.g. in private backyards, other people’s gardens, allotments and vegetable gardens, cereal patches, parks and in nest boxes. Materials used are, among other things, cage traps, mill traps, mist nets, clap nets, lime-sticks and lime-wires.

Sometimes the trapping is on a very small scale as some stories on the internet illustrate (<http://forum.fok.nl/topic/803453/2/25>):

*“Ten years ago or so I did the same thing without a clue that it was illegal. An acquaintance of mine, keeping an aviary, paid me 5 guilders per siskin, a large flock of which was hanging around our area, that all came visiting our peanut nets. I must have caught about thirty of them. My acquaintance told me it was a hobby of his and that he had several such birds. A year after that, when he ask me again, I refused him. By then I was told by someone else, who also kept an aviary, that the birds were firstly cleaned with acetone, then had a ring pushed on the legs, after which they were sold for big money. Half of the birds usually die*



Bird trapping area with lime-sticks



Linnet in lime-sticks



Confiscated trapping equipment, including nets and cage traps

*because they can't get used to life in an aviary. I knew that he had also put up some lime-sticks in a thicket in the neighbourhood because there were some bullfinches present. He used to check there at regular intervals, so it was easy for the police to detain him after I tipped them off. He was fined about 6000 guilders for that and he was expelled from the local avicultural society. As far as I know he only keeps budgerigars nowadays."*

Birds are also lured with call birds, audio-equipment (playing bird sounds) or by baiting certain areas for several days or weeks after which a mist net is put up. Birds are even stolen from other bird keepers' aviaries. Besides songbirds, raptors, waders, and waterfowl are also trapped illegally.

A clear picture has emerged from several investigations about how the illegal trapping and trade came about:

After 2002, the easiest to obtain raptor and owl species were wild-caught and bred in captivity first. **Barn owls** and kestrels often nest in nest boxes and young birds or eggs are therefore easily obtained. Eggs are first incubated in an incubator, then the young birds are ringed and hand-raised. Should any birds die they will be supplied to a taxidermist because there is also a trade in dead birds.

Because raptors and owls require permits it is necessary to launder the illegal birds. There are several methods to achieve this. Sometimes a ring and permit is used from a bird of the same species that has already died. It is also possible to apply for permits on false grounds, for example to send a copy of the permit of a pair kept in captivity and to claim that they are the parental pair of the wild-caught young. In addition, there are also methods of laundering birds via Germany and Hungary, among other places.

Within the illegal networks of trappers, permit applicants, ringers and dealers there is a so-called “50%-arrangement” whereby someone gets one legalised young bird in return for two illegal ones. Now that barn owls and other species are regularly bred and offered for sale, and prices have dropped significantly, there is an increase in demand for more unusual species. Harriers and hobbies are much in demand at the moment in a limited market with birds being sold for between € 1000, and € 2000 each

Other examples of illegal trapping and trade uncovered by this investigation were:

- In several places, especially in Noord-Brabant, goshawk nests were robbed, leaving marks of tree climbing spikes on the nest trees.
- In 2003, a nest of a Peregrine falcon was robbed on a power plant. The replacement clutch and probably the first clutch of the following year were also stolen. After security measures were taken, the Peregrine couple did succeed in raising one clutch of young (Geneijgen 2003).
- In spring 2005, a pair of the rare red-backed shrike (a Red List species) was discovered to be breeding in West-Twente. When the clutch was completed, however, both parent birds suddenly vanished. Inspection of the nest site revealed that the nest had been robbed.
- In Twente, during nest box inspections, young pied flycatchers were found wearing closed leg rings. The owner of these rings explained that the rings had been missing for a while and he said he was “to be glad to know what had become of them”.
- A bird keeper advised this investigation that it was good practise never to leave your address when keeping birds in your backyard, because the selling party may steal or have them stolen again.
- During a confiscation in the Netherlands, a correctly ringed redpoll was discovered. After careful examination of the ring it turned out to have originated from a British ringing station for migratory birds.
- In the periodical *Aviornis* (April 2006), a duck enthusiast remarked upon his shy Common teal: “I have been told that among teals in captivity there are often quite some wild-caught birds and maybe such is the case here”.
- There are several examples of volunteers in local bird working groups that that are



Climbing marks on a tree



Empty goshawk nest

also in the trading business. They use their work as a volunteer to track down nests of raptors, owls and other species.

- Many meadow bird species are protected. Nests are marked with flags to ensure that farmers do not accidentally destroy their nests. It is known that people trading in, for example, lapwing and black-tailed godwit, use these flags to find the nests.
- Bird trappers use information that is posted on the internet by birdwatchers and volunteers (i.e. websites with recent bird sightings). Bird trappers have all this information about occurrences of native wild bird species freely at their disposal and this could lead them to the exact (nesting) locations.

#### 2.4 THE RINGING SYSTEM

In 2004, the AID investigated whether or not the number of leg rings applied for by various avicultural societies corresponded with the actual number of birds kept or bred by bird keepers (AID annual report 2004). This AID-investigation concluded that there were more applications for leg rings than there were birds being bred.

It is easy to obtain leg rings by applying to avicultural societies – this does not require membership. During investigations for this report, a case came to light of a bird keeper who allegedly kept only a few birds but who applied for 1000 leg rings. The ring commissioner decided this was too much, but instead of sizing up the situation himself, or informing the authorities, he decided to issue 350 instead of 1000 leg rings. The bird keeper subsequently obtained two additional sets of 350 leg rings by means of friends at other societies.

The issuing, supervision and administration of rings is in the hands of avicultural societies. There is no independent supervision of the system nor is there any prospect of this. The defective organization of the ringing system, combined with its supervision almost entirely by bird keepers, is bound to give rise to illegal trade. Avicultural societies also make money by selling leg rings, as Aviornis reports in its periodical (February 2006):

*“Remember that by ordering your rings at Aviornis, you support our organization and indirectly yourself! So order now, if you have not done so already!”*

This means that there is an undesirable conflict of interests, as strict supervision of the issuing of rings by a society could lead to a decrease in income for that society and a loss of membership. In addition, a decision to refuse rings to someone will, in most cases, have no effect, because inevitably another society will issue them.

As described in Section 2.3 and below, adult birds are ringed as well as chicks, so the assumption on which the policy is based, namely that closed leg rings can only be fitted to the legs of young birds is false.

Vogelbescherming Vlaanderen has made a detailed description (May 2003) of the methods of putting rings on wild-caught birds.



A broken leg as result of ringing an adult bird

Several Dutch experts in the tracking of illegal trade in European birds have, in the light of this investigation, stated that the situation in the Netherlands is not fundamentally different than the one in Belgium.

The following techniques are discerned in the above-mentioned report:

- Sawing through rings, putting them on and bending them back. Sometimes the ring is reworked with a soldering iron, super glue, or felt-tip pen to cover up the saw-cut.
- Increasing the inner diameter of the ring by removing the material, for instance with a file, or by drilling.
- Increasing the inner diameter of the ring without removing the material, for instance with a hammer and a nail, or a punch which is normally used for making additional holes in a belt. Sometimes the ring is squeezed shut with a pair of pliers afterwards.
- Using leg rings that are too big.

The ringing of wild birds with a closed ring is no gentle business. During confiscations and also at markets and exhibitions, birds with leg injuries are encountered on a regular basis. A lot of force is used to put a (more or less) tightly fitting ring on an adult bird. This regularly leads to accidents and even deaths during the ringing process.

There are professional ringers active and more often than not they are not bird keepers. In Belgium, arrests have been made of dealers that were in the possession of thousands of rings (applied for and issued by avicultural societies) and many unringed birds.

The following AID press release of 3 February 2006 shows a Dutch example:

*“The General Inspection Service (AID) of the Dutch Ministry of Agriculture, Nature and Food Quality has confiscated 61 protected species of native birds at a bird keeper in the province of Groningen. It was established that of the 76 birds that were present, 61 wore rings that had been tampered with. A major part of the birds were ringed with damaged rings or rings that were too big. It is therefore suspected that*

*these birds have been wild-caught and provided with leg rings at a later moment to suggest captive breeding. It is only legal to put seamless closed rings on young captive-bred birds. These leg rings are provided by Dutch avicultural societies. A report has been made of this offence against Flora and Fauna Legislation.”*

Most confiscations concern song birds, but sources within the police and the cage-bird scene mention that there are also ducks, waders, raptors and owls being caught in the wild and subsequently ringed. Species mentioned include sparrowhawk and hobby. During this investigation no hard evidence was found to support the claim that raptors are ringed at the nest site, left there to be raised by the parent birds, and robbed just before they are about to leave the nest. The Working Group on Birds of Prey in the Netherlands checks thousands of nests a year and has never found ringed young. Young raptors are, however, robbed and raised by hand (see 2.3).



Equipment for the illegal ringing of cage birds

## 3 Trade

There are several ways to get an insight into the trade in native birds. These include the number of confiscations by the authorities, information to be found at fairs and exhibitions, information on the internet, and conversations with criminal investigators and (critical) bird keepers..

This chapter also looks at two more factors that are affecting the size of the (il)legal trade: the prices paid for birds and the culture surrounding this hobby. The importance of this last factor should not be underestimated; a flourishing illegal bird trade is only possible when condoned by the society of bird keepers.

### 3.1 CONFISCATIONS

The confiscations collected by LASER/IBG (Dutch Ministry of Agriculture, Nature and Food Quality) in the years 2003-2006 were studied. Many confiscations concerned only small numbers e.g.1 chaffinch or 2 goldfinches. But there are also larger numbers being confiscated containing species that do not occur in the Netherlands. These birds must have been smuggled into the country, as is made clear by a confiscation in April 2005 in Eindhoven: 17 bearded tit, 9 redpoll, 6 bluethroat, 2 blue rock thrush, 2 rock nuthatch, 1 ciril bunting, 2 European serin, 30 common quail, 1 yellowhammer, 12 bullfinch, 8 **corn bunting**, 3 greenfinch, 2 **hoopoe**, 1 calandra lark, 11 **linnet**, 2 blackbird, 9 Bohemian waxwing, 54 goldfinch, 1 reed bunting, 6 European robin, 3 siskin, 14 snow bunting, 1 long-tailed tit, 3 **skylark**, 12 chaffinch, 7 song thrush, 12 **European turtle dove**, 1 black redstart, 1 blackcap.

Each year, between 1000 and 2000 native birds are confiscated in the Netherlands. This is without doubt only the tip of the iceberg, yet the data nevertheless give a clear idea of the illegal trade.



Confiscated siskins



Confiscated eagle owl

Table 3.1: confiscated birds occurring in the Netherlands 2003-2006

Source: LASER/IBG, Dutch Ministry of Agriculture, Nature and Food Quality\*

	2003	2004	2005	2006
number of birds	1578	1120	1731	1271
goldfinch/chaffinch/siskin	324	393	859	565
redpoll	16	19	139	200
Bohemian waxwing	-	-	23	-
raptors	2	10	8	27
number of species	26	33	63	64
birds/species**	61	34	27	20

\* a complete breakdown of species can be found in Appendix 1

\*\* measure of variety, the lower the number the higher the relative number of species

During the period 2003-2006 there was no visible trend in the number of confiscated birds. There was, however, a remarkable increase in the number of species that were being confiscated. The trend was even stronger when the number of species was compared the total number of birds (birds/species). This strong increase in diversity was also noticeable at fairs, exhibitions and in the periodicals.

During the period 2003-2006, at least 87 different species of native birds were confiscated (see Appendix 1).

Appendix 1 shows that among the confiscated species there are many that are rare in the Netherlands, such as penduline tit, **corn bunting**, European serin, common rosefinch, **hoopoe**, raven and arctic redpoll. Some of these birds will not have been wild-caught in the Netherlands. Species originating from Southern and Eastern Europe are confiscated regularly (blue rock thrush, rock nuthatch, cirl bunting, black-headed bunting, calandra lark) and it is therefore likely that some of the species confiscated in the Netherlands, like penduline tit, **corn bunting**, European serin, **hoopoe**, common rosefinch and arctic redpoll have been caught in other countries, where they are more common.

Goldfinch, siskin and chaffinch are by far the most abundant species that are confiscated, followed by greenfinch and bullfinch. This is especially remarkable since it has been legal for some time to keep and breed these species (see 4.1).

It is alarming that even when a species has been kept and bred in captivity for decades there seems to be no less demand for wild-caught birds as a result of the availability of an ample amount of captive-bred birds.

If decades of experience with relatively easily bred species like redpoll does not lead to a decrease in the illegal trade in these species, then there is no reason to assume that this will happen with all the new species that now turn up in aviculture.

This conclusion is supported by the confiscations of both redpoll and waxwing. For some time it has been legal to keep redpoll as a cage bird and it is known as an easy species to breed. The keeping of waxwings has only been legal since 1997 even though they are very hard to breed. In 2005, during a large invasion, both species were present in the Netherlands in relatively high numbers. Table 3.1 shows that in the same year there was an enormous increase in illegal trapping. Successful breeding with species like the redpoll does not necessarily lead to a decrease in illegal trapping as both species have financial value.

There has been a clear increase in the number of confiscated raptors. In the past, goshawk and peregrine falcon were kept, because falconers were allowed to fly these species. Nowadays there is a demand for all species. The three Dutch harrier species have been mentioned by insiders as being the most difficult to obtain. That there is also a demand for these species becomes clear from a confiscation of four birds in 2006.

Owls also turn up in confiscations. Except for short-eared owl, every Dutch species of owl, including European eagle owl, is being offered for sale and confiscated. It is known that **barn owl** breeds easily in captivity. Even so, this species is still caught in the wild (press release AID, 13 July 2005 and additional information from the Functional Court):

*“On 28 June 2005, by order of the Functional Court, house searches have been conducted at several addresses by the AID and the Interregional Environmental Team of the Rotterdam-Dordrecht police. Three men were arrested and more than 20 **barn owls**, tawny owls, eagle owls, pygmy owls, kestrels and buzzards were confiscated. The birds originated from the wild, but at the CITES-bureau documents had been applied for, stating that they were captive-bred.*

*All three men have been convicted of forgery and of offence against Flora and Fauna Legislation. The three main suspects have been detained for approximately a month and a half and were sentenced to community services and given a suspended jail sentence.”*

In Appendix 1, the confiscations are divided into species. Regrettably, of the 1592 birds confiscated in 2003, 1158 were labelled ‘native’. All data for 2005 and 2006 have been specified to species level especially for this report. This data, however, is not automatically categorized each year. When this data is available, analyses could be done and trends recognized, which could be an important tool for investigating authorities.

An investigation, commissioned by the World Wildlife Fund, into illegal trade in animals, plants and products thereof (Bureau Argeloo&Bos, May 2003), also concluded that information is not kept up to date, making it hard to draw any conclusions concerning the trade.

### 3.2 FAIRS AND EXHIBITIONS

In the Netherlands, during the winter, bird fairs and exhibitions take place every week. Exhibitions mainly focus on captive-bred birds and competitions, while fairs are centred on trade. Small fairs usually have a local character, while large fairs attract bird keepers and dealers from all over Europe. Hundreds and up to many thousands of birds are traded at each fair. Captive-bred canaries and parakeets are most popular, but many European (wild) birds change ownership here as well.

During this investigation information was obtained about a great number of fairs. In the following summary, Red List species – that is, all species that are either declining rapidly or are threatened with extinction in the Netherlands – are shown in bold print. The frequency of the fair or exhibition in question is shown in brackets, and the date is the date of the visit for the purposes of this investigation:

Antwerp, 29 January 2006 (weekly), report sent by e-mail to Vogelbescherming Nederland:

*“Today I was in Antwerp and out of curiosity I visited the local bird fair, or ‘vogeltjesmarkt’ as it is known of old. Sadly, my fears of the past were confirmed. Many lesser and mealy redpolls and (northern) bullfinches, all unringed, were for sale (€ 40,- a pair), as well as blackbirds, song thrushes and **fieldfares**.*

*I thought that things had improved with our southern neighbours but alas. A question about the origin of the birds was blandly answered by one of the stand owners with “from the Ardennes”, and here we are protecting these birds... (I know illegal trapping occurs in the Netherlands as well but there it all happens in broad daylight).*



View of a bird exhibition



An animal and bird fair

ZWOLLE, 19 February 2006 (twice a year): hundreds of dealers and five to six thousand visitors. Species encountered: hawfinch (with open leg ring), yellowhammer, snow bunting (unringed), black-headed bunting, white wagtail, bullfinch, common crossbill, **European turtle dove** (ringed and unringed), song thrush, chaffinch, goldfinch and greenfinch. Furthermore there were adverts for **barn owls**, kestrels and saker falcons (allegedly with closed rings and CITES-papers). There was also a wide-ranging supply of cage traps and trade in protected birds out of car boots on the parking lot. Remarkably, there were a large number of visitors from all over Europe, including six coaches from Italy alone.

MEPPEL, 11 March 2006 (once a year): over 100 dealers and thousands of visitors. Species encountered: > 150 redpolls (€ 30,- a pair), > 150 siskin (starting at € 30,- a pair and up to € 90,- for an almost certainly captive-bred pair), 30 goldfinch (€ 70,- each), 25 bullfinch (€ 70,- to € 90,- each), 20 chaffinch (€ 37,50 a pair), 10 greenfinch, 6 brambling (€ 27,50 a pair), 3 bearded tit (a pair € 175,-), 3 blackbird, 2 common crossbill, 2 **house sparrow**, 2 **European turtle dove**, 1 black redstart (female, € 70,-), 1 **hoopoe**, 1 wood pigeon.

All birds were ringed. Some of the birds were almost certainly wild-caught (judging by their behaviour, colour, price), including siskins, redpolls, possibly all bramblings, black redstart and several other finches. The **hoopoe** was put largely out of sight but did not seem to be captive-bred either.

There was some open talk about illegal trade and trapping. Within hearing range of the observer, 10 illegal bullfinches were offered to a dealer (“caught them myself, unringed, but on seed, 5 cocks and 5 hens”). The dealer was interested.

BARNEVELD, 19 April 2006 (weekly, regional fair): about 20 dealers, relatively many native species.

Species encountered: 4 yellowhammer (male), 4 house sparrow (male, € 10,-), 1 white-spotted bluethroat € 100,- (male, supposedly from Israel), 1 dunnoek, 1 song thrush, 2 blackbird, 10-20 chaffinch, 10 brambling (€ 35 a pair), 20-30 siskin, 30-40 goldfinch, 10-20 bullfinch, 20-30 **linnet**, 10-20 redpoll (€ 40,- a pair).

All birds were ringed, the dunnoek with an open ring. The redpolls and the **linnets** were almost certainly wild-caught (colour, damage, choice of food).

LIEMPDE, 29 April 2006 (monthly): about 30 dealers and several hundreds of visitors. Relatively many European birds, hardly any colour varieties or hybrids.

Species encountered: 150-200 siskin, 100 redpoll (mealy and lesser), 15-20 **linnet** (€ 25,- a pair), 8 European serin, 8 bullfinch, 6 chaffinch, 6 brambling, 5 yellowhammer, 4 greenfinch, 1 blackbird, 1 reed bunting, 1 **corn bunting** (male, € 35,-). The atmosphere was cagey.

Reed bunting, **corn bunting**, **linnet** and European serin were almost certainly all wild-caught (behaviour, colour, bad condition, damage). The bramblings and some of the siskins and redpolls were presumed wild-caught as well.

Barneveld, 20 May 2006 (twice a year, national fair): 40-50 dealers, relatively many native species.

Species encountered: 1 Bohemian waxwing (€ 120,-), 1 **grey wagtail**, 5 yellow wagtail, 2 garden warbler, 4 **ortolan bunting**, 4 snow bunting (€ 200,- to € 250,- a pair),

2 **European turtle dove**, 1 bearded tit, 1 **house sparrow**, 3 song thrush, 10 European serin, 50 **linnet**, 10 arctic redpoll (€ 40,- a pair), 2 hawfinch, 2 common crossbill, 15 greenfinch, 150 mealy and lesser redpoll (€ 15,- to € 25,- each), 150 siskin (€ 25,- a pair), 20 bullfinch, 40 goldfinch, 5 chaffinch, 10 brambling (€ 55,- a pair), 10 yellowhammer.

The garden warblers, bearded tit and **grey wagtail** were damaged and almost certainly wild. The yellowhammers and ortolan buntings looked good and were quite calm. Some of the redpolls and siskins were damaged and wearing conspicuously large (often gold-coloured) rings. Almost all (lesser) goldfinches and linnets looked ruffled and the majority were probably wild-caught. One of the bullfinches had an injured leg and kept it drawn up; almost certainly a consequence of the forced ringing of an adult wild-caught bird. **Linnet** and redpoll were at times remarkably red and almost certainly wild-caught (the bright red is usually quickly lost in captivity).

The European serins and **yellow wagtails** also appeared to be wild-caught. A number of (greater) goldfinches were immaculately feathered and were almost certainly captive-bred. The common crossbills also appeared calm and immaculate. Bohemian waxwing, **European turtle doves** and hawfinches appeared to be calm but were a bit ruffled. Notable was the fact that a number of species encountered here, and not in previous fairs, had just reached their spring migration peak (e.g. **yellow wagtail** and garden warbler). This indicates wild-caught birds.

At this fair there was also talk of trapping and ringing: "I bought a goldfinch once and the entire leg was damaged, it had been ringed afterwards".

The same dealer that offered illegal bullfinches in Meppel was also present here.

BARNEVELD, 18 November 2006 (twice a year, organised by avicultural society): 40-50 dealers, relatively many native species.

Species encountered: 15 song thrush, 11 European serin, 8 **linnet**, 4 arctic redpoll (€ 60,- a pair), 2 hawfinch, 3 common crossbill (1 male, 2 female), 30 greenfinch, 150 lesser and some mealy redpoll (€ 20,- each), 6 siskin, 50 bullfinch (€ 50,- each to € 250,- a pair), 150 goldfinch, 20 chaffinch, 4 yellowhammer, 1 pine grosbeak (according to the dealer he had, at the time, bought two captive-bred pairs at € 350,- a pair), 3 woodlark, 3 **skylark**, 4 short-toed lark, 2 **crested lark**, 4 house bunting.



Birds at an exhibition: crossbill with first prize, penduline tit, yellow wagtails

Almost certainly wild were: 2 European serin (very shy, compared to nine other specimens in another cage), 8 **linnet**, 8 song thrush (also very shy), 1 goldfinch with an injured leg, another 20 goldfinch in cages underneath the stand (covered with a cloth), a bullfinch with an injured wing (when trapped?).

Also, some of the redpolls were almost certainly wild. Some goldfinches, greenfinches and bullfinches wore too large (metallic) rings. There were also some red open rings. One unringed bird (redpoll) was encountered. The chaffinches were all male and probably wild-caught.

There were also many crossbreeds and colour variations of redpoll, goldfinch, greenfinch (crossbreeds with canary), and also some song thrushes and a blackbird, which shows that these species are (also) bred on a large scale. Colour variations and hybrids have not been taken into account, of course, in the above list. Some of the wild-coloured goldfinches and bullfinches were most certainly captive-bred. The arctic redpolls, pine grosbeaks and common crossbills appeared to be captive-bred as well.

The AID had, earlier that morning, confiscated some birds (the **skylarks**, among others), and examined them under a magnifying glass with a lamp, after which they were returned.

There were some dealers from Morocco (note house bunting and short-toed lark).

Boskoop, 6 January 2007 (monthly): 45 dealers, scores of private individuals and more than a thousand visitors.

Species encountered: 20 redpoll (€ 35,- a pair, lesser and mealy), 4 siskin, 4 goldfinch, 2 **skylark**, 10 bullfinch, 8 chaffinch, 10 greenfinch, 4 brambling, 1 hawfinch, 2 common crossbill, 1 **common nightingale** (female), 2 **little owl**, 2 Eurasian scops owl, 3 song thrush, 2 fieldfare, 2 twite (€ 85,- a pair).

All birds were ringed. The **fieldfares** seemed wild (very shy), the **nightingale** was immaculately feathered and wore a well-fitted leg ring. Clearly wild-caught was a mealy redpoll with a broken hindclaw (this bird was constantly pecking at the ring, but was nevertheless sold in no time).

In conclusion, it is almost certain that there was trade in wild-caught birds taking place at all of the fairs visited. The impression gained was that at some of the fairs the majority of native species for sale consisted of wild-caught birds. This corresponds with estimates made by criminal investigators that, in light of this investigation, are said to suspect that up to 90% of the native birds offered at some fairs might involve wild-caught birds.

Prices vary from € 15,- to over € 100,- each. The majority of the species offered for sale are species that have been legally kept for decades (siskin, chaffinch, goldfinch, etc.). Additionally, there are those species openly offered for sale in the Netherlands that are rare and that are not or hardly ever bred at all (e.g. snow bunting), some of which are on the Red List (i.e. corn **bunting**, **hoopoe**, **linnet**).

### 3.3 INTERNET

Many native species are offered for sale on the internet. On Dutch, Belgian and German websites there are regular offers – sometimes anonymously- of species that, as far as is known, are not or are hardly ever bred in captivity.

This is an example of an advert found at [www.cultuurvogels.nl](http://www.cultuurvogels.nl).

The cell phone number has been omitted for privacy reasons.

Name: pyrrhula  
 Place: enter  
 E-Mail: XXX  
 Telephone: o6 XX XX XX XX  
 Breeds: Grey Bullfinches - Grey-headed Bullfinches - Bohemian Waxwings – Blue Grosbeak -  
 Bluethroat – Nightingale – Lesser Spotted Woodpecker

As far as we know there is no captive breeding of lesser spotted woodpecker. Because this species breeds in nest holes and has very noisy young, it is relatively easy to catch. Furthermore, there are almost no known cases of captive-bred **nightingales**, bluethroats or Bohemian waxwings.

This is an example of an advert found at [www.faanamarkt.nl](http://www.faanamarkt.nl).

The name, e-mail and cell phone number have been omitted for privacy reasons.

pair of siberian eagle owls, sibericus yenisensis, large and beautiful... might be exchanged for other owl species  
 € 2200  
 Name: XXX  
 E-mail: XXX  
 Telephone: o6 XX XX XX XX  
 Place: XX  
 Province: Groningen

At this site a large number of raptor and owl species are wanted and offered for sale. It is not clear whether these concern captive-bred or wild-caught birds. Siberian eagle owls do not occur in the wild in the Netherlands, of course, but it just goes to show that wanted species are highly paid for.

Species are sometimes offered for sale as captive-bred (c.b.).

This is an advert at [www.vogelarena.nl](http://www.vogelarena.nl) mentioning species that are hardly ever kept but are supposedly captive-bred.

For sale  
 1-1 black Redstart c.b. 2004  
 1-1 Pied flycatcher c.b. 2003 and 2004  
 1-1 European Hoopoe c.b. 2005 with DNA

It is difficult, even for colleague bird keepers, to establish whether or not these birds are truly captive-bred. DNA research can serve as evidence and is required for some raptor species. The DNA mentioned in this advert, however, is probably meant to prove that it concerns a pair of birds and not two birds of the same sex. As it is very difficult to determine sex in **Eurasian hoopoes**, buyers want to make sure that they have a pair that they can try to breed with.

This is an example of an advert found at [www.vogelmarktplaats.nl](http://www.vogelmarktplaats.nl). The name, e-mail and cell phone number have been omitted for privacy reasons.

I am looking for a male azure tit and a male blackcap, I have hens of both species  
 Name: XXX  
 E-mail: XXX  
 Place: Almelo  
 Telephone: 06 XX XX XX XX

Azure tit is a Russian species that is hardly ever known to be kept in captivity. There have also been no breeding reports found for blackcap during this investigation.

It is possible to find all kinds of remarkable species offered by private persons on the internet. A search of less than half an hour produced, besides a number of 'common species', the following species: avocet, lesser dunlin (presumably a smaller subspecies of dunlin), northern lapwing, ruddy turnstone, common scoter, **ortolan bunting**, calandra lark and Eurasian scops owl.

A former criminal investigator - Controleur Vogelwet 1936 and Controleur Flora en Fauna - reports at [www.animalfreedom.org](http://www.animalfreedom.org):

*"A 15-minute search on the internet (i.e. marktplaats.nl) produced the following 50 (in the past fully protected) species offered for sale: buzzard, common kestrel, Eurasian eagle owl, tawny owl, barn owl, **little owl**, common kingfisher, **European turtle dove**, black-winged stilt, blackbird, song thrush, mistle thrush, **fieldfare**, redwing, Siberian thrush, **common nightingale**, European robin, dunnock, bluethroat, black redstart, common redstart, common stonechat, garden warbler, blackcap, common whitethroat, pied flycatcher, bearded tit, long-tailed tit, tree pipit, sky lark, white wagtail, Bohemian waxwing, **house sparrow**, tree sparrow, chaffinch, brambling, hawfinch, bullfinch, goldfinch,*

*linnet, siskin, redpoll, greenfinch, European serin, common crossbill, parrot crossbill, common rosefinch, starling, yellowhammer and reed bunting. I have only looked at about a quarter of all offers. It is but the tip of the iceberg because all these people know each other and between them there is sure to be some lucrative business, probably even with other countries now that border inspections no longer exist. For example: a barn owl costs between 75 and 100 euro, and a pair of bearded tits can be bought for € 175,-"*

Besides private persons there are also professional breeders active on the internet:

*"Because breeding team XXX stops with the breeding of several European insect eaters, we offer fine, over one year old, breeding pairs for sale. There are also still some young birds for sale like: 1-1 red-backed shrike, 1-1 northern wheatear, 3-4 **nightingale**, 1-0 golden oriole, 1-1 lesser spotted woodpecker, 1-1 calandra lark, 2-3 sky lark, all DNA sexed."*

During this investigation no less than 126 species were encountered that are known to be kept by private persons in the Netherlands (see Appendix 2). Further investigation will clearly lead to an increase in this number. Of the 126 species, 37 are on the Dutch Red List. There are 78 Red List species in total in the Netherlands.

On websites of specialized dealers even more, very rare species are mentioned. These species are in addition to the 126 above-mentioned species. On the website of a waterfowl dealer there is mention of an enormous amount of species and subspecies of ducks, geese, swans and cranes. There is mention of no less than 12 species of crane, as well as king, spectacled and Steller's eider and harlequin ducks.

Whether or not all species are for sale or have been sold is not mentioned on the website. There are also no prices mentioned. It is, however, specified that the assortment consists of 150 different species (among which there are many European ones).

On the website of a dealer in raptors, just as many different and also rare species are offered for sale. No less than 85 species of raptors are supposedly bred in captivity. Species that have been encountered during this investigation are, among others, white-tailed eagle, red kite, black kite and marsh harrier.

### 3.4 PRICES

Prices for birds vary enormously. A pair of wild-caught siskins or redpolls is sold for no less than € 25,-, while, other, more commonly kept species like goldfinch and bullfinch easily sell for € 150,- to € 200,- a pair. Many 'new species', like black redstart, bearded tit and snow bunting seem to sell for € 70,- to € 120,- each. Bohemian waxwings and pine grosbeaks easily sell for € 350,- a pair.

Even within the same species prices may vary enormously; captive-bred birds are usually more expensive than wild-caught birds. Many bird keepers are willing to pay a higher price because captive-bred birds are used to aviaries. A pair of captive-bred siskins can be three to four times as expensive as wild-caught birds. Species that are rare, either in the wild or in captivity, are usually more expensive than common species.

Owls are on average somewhat more expensive than song birds. A barn owl will sell for less than € 100,-, **little owls** for € 150,- each, and a pair of Eurasian scops owl is offered on the internet for € 450,-. Eurasian eagle owls sell for € 275,- each.

Wildfowl and waders also fall within this price class. A pair of red-breasted geese was offered for sale on the internet for € 190,-. Several lapwing species and (lesser) dunlins are offered from € 200,- up to € 300,- a pair.

Raptors are a little more expensive. Common kestrels and Eurasian sparrowhawks are offered for € 300,- a pair. Gyr/Saker falcon hybrids cost about € 600,- each, while a female saker falcon sells for about € 750,-. Prices for northern goshawk are said to range from € 400,- up to € 1000,- with females being more expensive because they are better to hunt with. A species like marsh harrier, that is hard to obtain, is said to cost € 1200,- to € 1800,-.

It is said that when offered, short-eared owl, hen harrier and Montagu's harrier would fetch an even higher price than that for marsh harrier (€ 1200,- a piece). These species are supposedly not (yet) bred in the Netherlands, but in Belgium one or two persons are said to have successfully bred short-eared owl. It is clear that there is a lot of money involved in the trade in native species. The market value of the confiscated birds in Eindhoven (see 3.1) is estimated at about € 15,000,-.



Confiscated bearded tit

### 3.5 INTERNATIONAL TRADE

The trade in European birds is international. Illegal bird trade yields enough money – with little chance of being caught and relatively small punishments – to make it alluring to create international networks. There are, therefore, casual networks of trappers, transporters and dealers.

In the Netherlands many European species are traded that do not occur here (e.g. blue rock thrush and black-headed bunting), which clearly points to international trade. It is said that there is even a connection from Mongolia via Italy to the Netherlands. Spain, Portugal and Central-Europe (Czech Republic, Slovakia, Poland) are, traditionally, important countries from which illegal Dutch bird imports originate. At fairs, several dealers from Morocco were encountered, as well as species from that region (e.g. calandra lark, house bunting).

Shipments of 500-1000 birds are smuggled into Belgium from Poland (Vogelbescherming Vlaanderen 2003). These shipments mainly involve goldfinches and bullfinches, but pine grosbeaks are also mentioned. Pine grosbeak hardly ever occurs in the wild in Poland and must therefore originate from countries further to the east or to the north. Transport usually takes place in cars that have been especially converted for this purpose. Some of these birds usually die in transit. If 500 birds survive and are ultimately sold for € 100,- a pair (a conservative price for these species), then one shipment alone is worth € 25,000,-.

It is difficult to obtain some insight in the scope of the illegal, international trade. In the late 1980's it was legal in Flanders, Belgium, to trap 24,000 birds of only four species (greenfinch, **linnet**, siskin and chaffinch). In Wallonia, Belgium, this number was 50,000 birds of thirteen species. Apparently it is no problem at all to sell such numbers each year. In the periodical *Politie, Dier en Milieu* (September 1988), it was estimated that 100,000 birds illegally crossed the border out of Belgium that year, with the Netherlands constituting an important market area for the illegal Belgian bird trade. If this is correct, then there were, at the time, millions going around in this illegal trade. The Belgian Royal Society for the Protection of Birds is therefore of the opinion that this trade poses a serious threat to wild bird populations in Belgium.

In the United Kingdom a large number of bird species are kept in captivity. (RSPB statement). Most commonly kept are the various songbirds, but occasionally also waders and even herons and seabirds. In a recent case against a collector of waders, DNA evidence was used in an attempt to prove that, contrary to the owner's assertion, not all his birds were bred in captivity.

### 3.6 THE BIRD KEEPER'S CULTURE

Most bird keepers enjoy their hobby enormously, whether or not at an organized level. They also buy birds that are captive-bred in the Netherlands. But the demand for native species has always seemed greater than the supply. Bird keepers do not always sympathize with the, in their eyes too stringent legislation prior to 1997. They also want to keep native species and definitely do not see any problem with keeping the more common species. A breeding report on the internet states:

*"I've been keeping European birds ever since my early youth and I was brought up on that by my father. Long before it was legal to keep Redpoll, Bullfinch, Brambling and Crossbill, I kept these beautiful birds, which made breeding them exciting and also special."*

The hobby seems to have waned. Illustrative is an article in *De Gelderlander* (3 April 2006):

*"Decades ago, hundreds of thousands of men tried with iron devotion, to breed colourful zebra finches or canaries and parakeets in all shapes and sizes in their backyard. Now there are only 44,000 left in all of the Netherlands. Avicultural society Vogelvreugd in Arnhem, where only two societies of the six are still in existence, has 34 members left and the society Gendtse Vogelvrienden is down to seventy members. There are hardly any young members left. In Gendt they are happy to still have two of them."*

It remains to be seen whether or not this decline reduced the demand for and the supply of European wild birds. It seems more likely that the liberalized legislation of the last decade has fuelled the interest in native species immensely (see 2.2 and especially the mentioned quote from the *Standaard Europese Cultuurvogel* 2006):

*"The legislation concerning the keeping of European Culture Birds has as of 1 April 2002, with the coming into effect of Flora and Fauna Legislation, been liberalized even further... This liberalization of the legislation has been an enormous incentive for the keeper of European Culture Birds. A lot of species that were not or hardly ever kept and bred until now have been exhibited by breeders these last years."*

The mysterious air surrounding all this has never disappeared, because it is illegal to trap native species in the wild. The great demand and the meagre supply of captive-bred birds however, still results in illegal trapping on a large scale, sustaining an ever closed and suspicious culture.

Nowadays native birds are even stolen from aviaries. This is such a serious problem that bird keeper's periodicals have dedicated several articles on the best ways to keep thieves away from gardens and aviaries. At [www.info-sec.nl](http://www.info-sec.nl) (SEC stands for Special club European Culture Birds) it is now possible to report stolen birds, in the hope that fellow hobbyists might retrieve them.

In March 2006 the following birds, among others, were reported stolen: 4 twite, 2 **grey wagtail**, 2 white wagtail, 2 bluethroat, 2 crested tit, 2 short-toed treecreeper, 2 stonechat and 18 bearded tit. It is striking that these involve species of which hardly any breeding results are known and that it has only been legal to keep quite recently.

A number of people collect as many species as possible. Rare species that other

people do not have are especially alluring. There are already bird keepers that own over 80 species of native birds.

In magazines and on websites of avicultural societies there is occasionally some mention of illegal trapping and trade, but they never dissociate and there are hardly any measures taken (e.g. by investigating fairs, blacklisting dealers or by tipping off investigating authorities). The Nederlandse Bond van Vogelliefhebbers, is involved with the website [www.vogelmarktplaats.nl](http://www.vogelmarktplaats.nl). After a meeting with Vogelbescherming Nederland, 'suspicious' birds were removed from the site and will be kept out in the future. This is a positive development that needs following up.

Although recognizing wild-caught birds can be difficult, organizers of fairs and exhibitions could definitely take this into account. For example, the organization of the largest exhibition of native birds, the 'Open European Culture Bird 2005', declared: "*the organization will see to it that all birds are ringed according to statutory regulations*". During the fairs and markets visited in light of this investigation this was hardly ever the case, nor have there been any signs of proactive procedures against the car-boot trade.

The entire illegal 'bird chain' from illegal trapping via laundering and ringing has evolved into an extensive subculture with a strong internal standard that tolerates these practices. If bird keepers do not succeed in changing this, then this will ultimately turn against the hobby itself.

## 4 Legislation and inspection

Up until 1994 the keeping of native species was prohibited, with the exception of seven listed species. Since 1997 it has been legal to keep any native species provided that it is demonstrably captive-bred. This means that enforcement has become a lot more complex for investigating officers. This chapter lists the most important changes.

### 4.1 LEGISLATION

In 1979 the Birds Directive (74/409/EEC) became effective with the aim of protecting birds and their habitats. Up until then, there was a small, but naturally dwindling group of bird keepers owning European songbirds. In the early 1980's this changed due to the liberalization of the permit issuing policy.

Up until the early 1990's, it was legal to keep only seven native species, namely chaffinch, goldfinch, siskin, **linnet**, greenfinch, yellowhammer and blackbird.

The governmental decree Vogelbesluit 1994 expanded this number to thirteen European species that could be kept legally in the Netherlands, provided that they were ringed with a closed leg ring. Statutory maximum ring sizes have been determined for these species. The six new species were redpoll (lesser and mealy), bullfinch, tree sparrow, **house sparrow**, starling and song thrush.

In the decree of 'Vergy' (8 February 1996), the European Court of Justice stated that the Birds Directive does not apply to birds that are born and reared in captivity. The Court, however, stated in addition that, "since the Community legislature has taken no action with regard to trade in specimens of species of wild birds which have been born and reared in captivity, the Member States remain competent to regulate that trade."

In the Netherlands, as of July 1997, the regulation 'Wijziging Regeling Uitvoering Vogelwet 1936' became effective. This regulation resulted in an enormous liberalization of the legislation that went before. This regulation allows, in principle, the keeping of all European birds – even those species that are on the Red List- provided that they are demonstrably captive-bred. Captive breeding is in practice considered proven when a bird is wearing a well fitting, seamless, closed leg ring.

On 1 April 2002, the Flora and Fauna Legislation became effective, including the species protection part of the Birds Directive. All bird species, naturally occurring in member states of the European Union, were protected under this law. Rings were subject to a list of rules about their size, material and supply. Rings have to be supplied by avicultural societies, but foreign rings that meet the standards are also accepted.

Moreover, some species are listed on CITES, resulting in additional legislation for these species. For many raptors, for example, a permit is needed. For goshawk and peregrine falcon, the only two species that it is legal to hunt with, there is additional legislation. These species are in demand and for captive-bred goshawks, DNA-inspection under controlled circumstances and supervision is required.

## 4.2 INSPECTION

The government seems to have shifted the accent put on investigation and enforcement to promoting the observation of the legislation in an advisory capacity.

Preventing criminal offences is important in reducing crime. On the other hand, however, law enforcement is a necessary means of acting as a deterrent. There is reason for concern with regard to this enforcement task by the government which is fed by the following observations.

- The observation that the diversity of traded bird species has strongly increased since 1997 is a disturbing development.

During this investigation it has become clear that this increase has not led to any new measures by the government or that it has even been noticed.

- There is only one record of an AID inspection at any of the fairs and exhibitions visited, even though many openly encountered suspicious birds give rise to serious concern.
- The current ringing system and information provision do not sufficiently support effective law enforcement. The government does not appear to have taken any measures to improve the current situation.

A similar situation is concisely summarized in a letter of the Nederlandse Vereniging van Natuurtoezicht van Politiebond ANPV (26 January 2005):

‘The ‘field’ police were disbanded in 1993, basic surveillance by the police in rural areas is almost non-existent and the cooperation of the police with investigating officers has been reduced to zero in some regions’. In addition, ‘in the last ten years a lot of nature reserves are being managed by environmental organizations that no longer see supervision as one of their core duties thus reducing it to a minimum’.

That this kind of crime can be handled differently is shown by the approach of the United Kingdom and the United States. According to the RSPB, trapping and trade in raptors has decreased over the last decade in the UK (RSPB 2004). This is the result of a number of investigations using DNA-techniques to expose false captive-breeding claims. These investigations received a lot of media coverage.

Other positive developments observed in the RSPB-report are the setting up of a Partnership for Action against Wildlife crime (PAW) and the fact that the majority of all police forces have at least one Wildlife Crime Officer (in total over 700 in the entire UK) whose duties involve tackling ‘wildlife crime’. A similar investigation effort by the Dutch police (with a quarter of the number of inhabitants) would result in 175 police officers working on ‘wildlife crime’.

TRAFFIC (Theile et al. 2004) – a joint programme of WWF and IUCN and an international wildlife trade monitoring network for threatened species – concludes that investigation efforts in the EU fall behind in comparison to those in the United States where the North American Wildlife Enforcement Group has conducted a series of successful investigations. TRAFFIC furthermore concludes that an integrated and effective wildlife trade enforcement network in the EU is necessary to collectively tackle the problem of illegal, international trade.

The recently set up RET's (Regional Environmental Team) and IET's (Inter-regional Environmental Team) are a positive development that has led to the liberalization of the investigative capacity for dealing with environmental crime, including the illegal trade in threatened animals and plants. Since January 2005 all police forces have a Regional Environmental Team and now there exists a national network of 'green' contact persons in all police regions. Since October 2005, even the Functional Court is working on the issue of illegal trade in threatened animal and plant species, albeit that it is mainly concerned with CITES species.

On 4 October 2006 the Vereniging Politie Dier- en Milieubescherming organized a theme day "Bird protection and enforcement" for investigating officers. There were over 200 attendants. Participants as well as participating organizations explicitly expressed the need to join forces and to establish central coordination.



Inspection of a leg ring conducted by the AID

## 5 Conclusions

The goal of this tentative research was to answer the following questions:

- Is there a real increase in legal and illegal trapping and trade in wild European birds in the Netherlands?
- Is this a widespread problem or just isolated incidents?

In answer to the first question there has certainly been an increase in the number of species. The liberalization of the legislation in 1997 and 2002 has led directly to an increase in demand for many native species. A significant percentage of these birds are wild.

Based on this investigation, the question of whether there is an increase in the number of illegally trapped and traded birds can not be answered with any certainty. A characteristic feature of illegal activities is the fact that they take place out of sight.

In answer to the second question it can be stated clearly that there is a widespread problem, not just isolated incidents

### LARGE INCREASE IN SPECIES DIVERSITY IN TRADE

The number of native species that are being kept and openly traded has increased explosively. Since 1997, all European species may be legally kept in captivity, whereas before that only 13 species were allowed. In the intervening ten years, this investigation has found that 126 species have occurred in captivity (see Appendix 2), including 37 Red List species (The Netherlands recognizes 78 Red List species). It is unclear from where these birds suddenly originated. A small number were already bred abroad and will have been legally imported, but bird keepers report that it is not very easy to obtain these birds in other countries. An important percentage of these birds undoubtedly originate from the wild, as the 87 native species that have been confiscated in the period 2003-2006 clearly show (see appendix 1).

The trade in native species is widespread: it is almost certain that wild-caught birds were present at all the fairs visited and several big cases illustrate that there are national and international networks of trappers and traders.

Even species that have been legal for decades (e.g. goldfinch, bullfinch, redpoll and siskin) are still illegally trapped and traded. Furthermore, it is these species in particular that are confiscated most often (see table 3.1).

Consequently, there is a market for illegal wild-caught birds even for the most common species with which there is extensive breeding experience.

It is striking that a connection was found between the species offered for sale and the spring migration of birds. Another remarkable connection involves the large number of confiscated redpolls and Bohemian waxwings in 2005, a year in which both species were abundantly present in the Netherlands following a large invasion (see table 3.1).

#### FRAUD SENSITIVE RINGING SYSTEM

The ringing system controlled and supervised by the avicultural societies is not fit for purpose. The scheme makes verification difficult for investigating authorities, because there are no standard requirements for the rings and there is no central, digital database to access in order to quickly verify a ring.

There is also a conflict of interests between the avicultural societies that make direct profits from selling rings. Bird keepers themselves should not be in control and supervision of the ringing system because overseeing legislation is a primary task of government.

#### BIRD KEEPER'S CULTURE

The illegal trade in native birds is part of the culture of keepers of native species. It is known and discussed openly by bird keepers that wild-caught birds are illegally ringed and offered at fairs and on the internet. . Occasionally this activity is criticised but at the same time bird keepers know that they are (co)dependent on the illegal supply for the new species they wish to acquire. This may be one of the reasons for the rise of a culture that accepts or condones illegal practices and why there is barely any or no self-policing within the hobby.

#### SUBSTANDARD DATA REGISTRATION

To allow successful investigations it is imperative that there is adequate registration of, for example, names of confiscated species. This registration is not yet adequately organized. Adequate registration offers clues about the origin of (wild) species and offers a foothold for starting off investigations and establishing priorities.

#### INADEQUATE INVESTIGATION

The conclusions on above-mentioned subjects give rise to questions about the nature, size and effectiveness of law enforcement and investigation. The strongly increased species diversity at fairs and exhibitions requires very specific knowledge within the criminal investigating system, even more so than ten years ago.

Based on the views of those directly involved with enforcement and investigation it also seems that there is far less priority given to inspections in the field. This is true for almost all parties, like nature protection organizations, as well as police and AID. That adequate investigation and law enforcement can be effective is illustrated by the approaches of the United Kingdom and the United States.



Confiscated lapwings

## 6 Recommendations

### WATER TIGHT RINGING SYSTEM

Crucial for a better control over illegal trapping and trade is a fundamental alteration of the ringing system:

- rings should be issued from a central point by an independent party, preferably the Regulations Department of the Dutch Ministry of Agriculture, Nature and Food Quality
- rings need to be unequivocal, with a standard order and a standard amount of data: 1.NL (the Netherlands), 2. Breeder's number (numbers and/or letters), 3. Avicultural society (2 letters), 4. Ring diameter, 5. Year, 6. Serial number
- there needs to be a digital database for protected species that is instantly accessible for investigation officers of the AID and the police
- in cases of conspicuous applications immediate inspections should be carried out by investigation officers
- surplus rings need to be returned to the issuing party

### DNA TESTS AND CHIPS

In addition to the extremely fraud sensitive ringing system and the personal administration of the bird keepers, breeders and bird keepers should have to prove by other means that their birds are captive-bred. The use of DNA-techniques is one way of achieving this. DNA-tests are easily conducted and very affordable (€ 15,- to € 30,- per test). An even better solution could be the combination of DNA-tests and the use of microchips, especially for threatened and rarely kept species like short-eared owl, harriers and hobby, for which this combination should be made mandatory

### IMPROVED DATA REGISTRATION

The central registration of confiscations by the government should take place at species level. Generally, better means of information registration and provision have still not been realized, including clarity of the exact roles of AID and police in this issue. As long as this is not up to par, it will be difficult to conduct effective and efficient investigations. Clarity is therefore of utmost importance.

### ADEQUATE INVESTIGATION

Supervision of the trade should be broadened and there should be focussed investments, by means of multi-disciplinary criminal investigations, in the dismantling of criminal joint ventures that are active in the trapping and trade of wild birds. The recent set up of RET's (Regional Environmental Team) and IET's (Interregional Environmental Team) is, in light of this, a positive development.

Multi-disciplinary teams with experienced AID, police and customs officers should be given several years to conduct large-scaled investigations with long-term guarantees of sufficient specific knowledge. Too much rotation of experts is therefore disastrous. It simply takes a lot of time to set up a network and to gain sufficient specific knowledge. This knowledge will become more important with the large increase in the number of species that are kept and traded.

Regional Environmental Teams should include sufficient investigation capacity in their yearly planning, with a well thought-out enumeration of the inspections that need to be planned, such as aviary inspections, inspections in the field, visiting bird markets and the maintaining and establishing of contacts with local working groups. All this needs to be connected to a central information and execution point for large-scale investigations.

All investigation departments should, in case of doubt concerning the origin of birds, make use of DNA tests more often.

Special attention should be given to the international trade. In particular, the laundering of rare birds via surrounding countries should be investigated.

Vogelbescherming Nederland could take the initiative herein, involving its Birdlife-network. Subsequently it is necessary to take a look at the measures that can be taken to tackle this problem.

#### AVICULTURAL SOCIETIES

The societies should actively work towards a culture that does not tolerate illegal practices, for example by means of:

- regular education via means of personal communication
- strict inspections of exhibitions, fairs and offers on the internet
- cooperation with investigating authorities, i.e. reporting suspicious practises
- expelling members that have been penalized for illegal trade
- refusing adverts of traders that have been penalized for illegal trade

By improving their self-policing, avicultural societies could prevent their hobby from being associated with crime and robbery from the wild.

At the end of 2006, a meeting took place between representatives of COM-Nederland (coordinating avicultural societies) and Vogelbescherming Nederland. They concluded that the current ringing system allows for improvement.

#### BIRD PROTECTORS

Vogelbescherming Nederland, SOVON and Working Group Birds of Prey the Netherlands should draw the attention of voluntary bird protectors and birdwatchers to the risk of illegal trapping when revealing data on occurrence and nesting sites. In case of breeding bird surveys, special attention should be paid to nests that have been lost under suspicious circumstances. All this data should be gathered, analyzed and passed on to the Prosecution Counsel on an annual basis.

## Appendix 1 – Confiscations 2003-2006

Confiscated birds 2003-2006 species per year

source: LASER/IBG, Dutch Ministry of Agriculture, Nature and Food Quality

	2003	2004	2005	2006
Protected bird	6			
Lesser white-fronted goose				3
European, protected		11		
Linnet	2	10	61	37
Native	1158	475	15	
Little owl			2	1
Bird unknown	1			
Long-eared owl			1	
Arctic redpoll			1	
Avocet		5		
Barnacle goose				3
Barn owl		2	20	
Bean goose				5
Bearded tit			19	2
Blackbird	6	4	11	8
Blackcap			3	5
Black-tailed godwit				3
Black redstart			1	
Bluethroat			8	1
Blue tit			1	2
Bohemian waxwing			23	
Brambling	1	12	18	15
Bullfinch	21	22	87	28
Bullfinch, Northern				1
Buzzard	1	4	5	1
Carrion crow	1	4	16	5
Chaffinch	30	126	265	207
Chaffinch, Northern			1	
Coal tit				1
Collared Dove	7	5	3	1
Common redstart			3	
Coot				1
Corn bunting			8	
Crossbill	2	4	4	4
Dunnock	1	4	9	10
Eagle owl			4	2
Eider				1
Gadwall				1
Goldfinch	229	127	415	181
Goldfinch, Greater		2		
Goldfinch, Lesser	1			
Goshawk	1	4		14
Great tit		4		
Greenfinch	10	12	63	69
Greylag goose				138
Hawfinch	1		33	2
Herring gull			1	
Hobby				2
Hoopoe			2	
Jackdaw	1	3	1	2
Jay			1	1
Kestrel		2	3	1

	2003	2004	2005	2006
Lapwing			1	20
Lesser black-backed gull			2	
Lesser redpoll	1		2	
Long-tailed tit			1	
Magpie	3	5	5	3
Marsh harrier				4
Meadow bird		45		
Moorhen				2
Nightingale			2	
Nuthatch		2	3	1
Oystercatcher				4
Partridge		13	7	
Penduline tit			2	
Pintail				1
Plover		5		
Quail			35	4
Raven			2	
Red-crested pochard				1
Redpoll	16	19	139	200
Reed bunting			25	3
Robin	1	2	8	
Rosefinch			10	
Ruddy turnstone				1
Serin, European		4	23	4
Shoveler				2
Siskin	64	140	177	177
Sky lark			24	3
Snow bunting			14	1
Song thrush	6	12	19	18
Sparrow		1	2	
Sparrow, House	4		2	5
Sparrow, Tree		12	5	1
Sparrowhawk				5
Starling		2	3	7
Stock dove	1			
Swan, Mute			4	4
Swan, white			16	
Tawny owl		6	6	
Teal				2
Tengmalm's owl			2	
Thrush	3		1	1
Tufted duck				5
Turtle dove	1	2	14	2
Turtle dove, European	1			
Twite			18	3
White wagtail			1	
White-fronted goose		3		9
Wood pigeon			2	8
Yellowhammer	6	5	46	12
<b>Total species*</b>	<b>26</b>	<b>33</b>	<b>62</b>	<b>64</b>
<b>Total birds</b>	<b>3590</b>	<b>3124</b>	<b>3736</b>	<b>3277</b>

Double countings in the total number of species (f.i. Litle and Major Goldfinch) are excluded were possible.

## Appendix 2 – European bird species offered for sale (by private individuals) in fairs and on the internet in the Netherlands

(Red List species in **bold print**)

Arctic redpoll	<b>Nightingale</b>	Tree pipit	Common crossbill
<b>Crested lark</b>	Song thrush	Brent goose (white-bellied)	Kestrel
Little ringed plover	Blackcap	Goldfinch	Red-crested pochard
Shelduck	<b>Fieldfare</b>	<b>Pintail</b>	Wigeon
Avocet	Nuthatch	<b>Tree sparrow</b>	Common kingfisher
<b>Dunlin</b>	<b>Spotted flycatcher</b>	Bullfinch	Lapwing
<b>Long-eared owl</b>	<b>Black-crowned night heron</b>	Goosander	<b>Redshank</b>
<b>Shoveler</b>	Gadwall	Pochard	Wood lark
<b>Barn owl</b>	<b>Ortolan bunting</b>	Tufted duck	Common redstart
Dunnock	Starling	Buzzard	Lesser redpoll
Long-tailed duck	<b>Black-tailed godwit</b>	Greenfinch	Redwing
siskin	Garden warbler	<b>Purple heron</b>	Wood pigeon
Barnacle goose	Oystercatcher	Twite	Common rosefinch
Eagle owl	Stock dove	Cattle egret	Lesser spotted woodpecker
Long-tailed tit	<b>Black-winged stilt</b>	Grey wagtail	Reed bunting
<b>Sky lark</b>	<b>Garganey</b>	Quail	Wren
Bearded tit	Parrot crossbill	<b>Wheatear</b>	Common scoter
Eider	<b>Stone curlew</b>	Chaffinch	<b>Linnet</b>
Mealy redpoll	Bluethroat	Hawfinch	Robin
Smew	Goldcrest	<b>Red-backed shrike</b>	<b>Yellow wagtail</b>
<b>Black grouse</b>	<b>Partridge</b>	White stork	<b>Common teal</b>
European serin	Stonechat	Collared dove	<b>Little egret</b>
Mistle thrush	Bohemian waxwing	<b>Hoopoe</b>	Ross goose
Snow bunting	<b>Golden oriole</b>	Red-breasted goose	Yellowhammer
Black redstart	Pied flycatcher	White wagtail	Common whitethroat
<b>European turtle dove</b>	Tawny owl	Common crane	Little grebe
Mute swan	Brambling	<b>House sparrow</b>	Ruddy turnstone
Snow goose	<b>Goldeneye</b>	<b>Red-breasted merganser</b>	<b>Corn bunting</b>
Blackbird	Pink-footed goose	White-fronted goose	<b>Little owl</b>
Ferruginous duck			Sanderling

In addition, breeding reports or exhibited captive bred specimens (but not sale) of **ringed plover**, penduline tit, tree pipit, **meadow pipit** and coal tit were encountered.

Specimens of short-toed treecreeper and crested tit were reported stolen from aviaries, although not reported as being offered for sale.

Internet demand was noted for **short-eared owl**, **ruff** and curlew although they were not offered for sale and it is not certain that they are kept in captivity in the Netherlands.

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## Notes

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