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David Pace  
david.pace@its.edu.mt

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# Tour Guides and Access to Trails: Problems in the Bahrija Area of Malta

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## David Pace

Institute of Tourism Studies, Malta  
david.pace@its.edu.mt

The Maltese islands barely cover an area of 300 square kilometres and yet, they enjoy a varied landscape characterised by cliffs, ridges, hills and valleys. There are over a hundred valleys on the main island of Malta and many provide important waterways during the rainy season and present some of the most beautiful and varied scenery. The most accessible include the *Qlejgħa* valley and White Poplar Valley (*Wied il-Luq*). Both are frequented by thousands of visitors, particularly during the weekends and are also quite popular with tourists during the winter months.

Malta's high population density, the influx of millions of tourists and rampant construction are not being matched by the upkeep of existing rural areas, the designation of new green areas and the expansion of wooded areas. Therefore, such locations are actually suffering from the ravages of too many visitors and need to be expanded and managed better with the help of park managers and environmental wardens. However, many lesser known valleys provide excellent trails for nature treks and active tourism. But, unfortunately, many are becoming increasingly unpassable due to a variety of reasons including the pressures of development from the politically potent construction lobby, the destruction of environmentally sensitive Outside Development Zones (ODZ), lack of proper pathways and signage, privacy signs that may or may not be legitimate, lack of access, squatting, hunting and trapping.

This paper explores some of the problems of access which trekkers, hikers and tour guides face while traipsing across the Maltese landscape. Special reference is made to the Bahrija area as a case study, and the methodological approach taken in this research is Participatory Research. The overall conclusion is that there are serious issues of access on the islands of Malta, which need to be addressed by the authorities. Decisions need to be made at a national level regarding the balance between privacy and public access, which consider the pressures of individuals, developers and the tourism industry.

**Key Words:** access, biodiversity, valleys, hiking, trekking, rambling

## Introduction

During the last twenty years, trekking and nature walks have become quite popular. Through this period, the author has been an active promoter of trekking, and has worked as a tour guide educator across the islands of Malta. Part of his participation in promoting 'rambling' has been to contribute a number of 'Walks on the Wild Side' which were published in the Saturday editions of 'The *Times of Malta Weekender*', one of the most popular newspapers on the island (Figure 1). The series of articles was written between 1995 and 1997, and the author used to visit the areas described in the

published walks every Sunday to lead groups and thereby observe many people following the maps published in the newspaper.

The author had developed the idea of writing country walks after following a particularly beautiful trek in the Mtaħleb area after a rainy day. Water flowing over the cliffs had refracted light from the sun creating a scintillating rainbow effect that could be seen from the cliff's edge. It provided a unique sense of place that inspired the author.

As a member of both the *Grupp Arkeologiku Malti* and the *Malta Geographical Society*, the author used

Figure 1: Some of the Many Walks Written by the Author in the Nineties

Weekender

# WALK ON THE WILD SIDE

## The faulted way

David Pace






White herbage water  
Pink spotted orchid  
Sand crocus  
Southern dwarf iris

Weekender

The region around the village of Kuzuzziqun is a beautiful area, rich in natural beauty and historical interest. It is a place where the rugged limestone cliffs meet the sea, creating a dramatic and scenic landscape. The area is home to a variety of rare and beautiful plants, many of which are found nowhere else in the world. The walk is a challenging one, but the views and the natural beauty are well worth the effort. The author provides a detailed guide to the walk, including a map and a list of the plants seen along the way. The walk is a great way to experience the natural beauty of the Bahrija area and to learn about the local flora and fauna. The author's expertise in botany and his passion for nature are evident in the detailed descriptions of the plants and the beautiful photographs. The walk is a must-do for anyone who is interested in nature and wants to experience the beauty of the Bahrija area. The author's guide is a valuable resource for anyone who is planning to visit the area and wants to make the most of their time. The walk is a great way to spend a day in the sun, enjoying the views and the natural beauty of the Bahrija area. The author's guide is a must-read for anyone who is interested in nature and wants to learn more about the Bahrija area. The walk is a great way to experience the beauty of the Bahrija area and to learn about the local flora and fauna. The author's expertise in botany and his passion for nature are evident in the detailed descriptions of the plants and the beautiful photographs. The walk is a must-do for anyone who is interested in nature and wants to experience the beauty of the Bahrija area. The author's guide is a valuable resource for anyone who is planning to visit the area and wants to make the most of their time. The walk is a great way to spend a day in the sun, enjoying the views and the natural beauty of the Bahrija area. The author's guide is a must-read for anyone who is interested in nature and wants to learn more about the Bahrija area.





THE GENERAL REGION OF KUZUZZIQUIN AREA  
DETAILED MAP OF THE KUZUZZIQUIN AREA

**Sticky FINGERS CAFE**

**OPEN BAR PARTY**

From 10pm till late  
18th March 1997  
DJ Sergio Carrawara  
Ticket Not Due 099 4579 Price 5m  
or 097 7457

More at the door



GOLEZ HILL: The walk ends by the Victoria Lines

Weekender

# WALK ON THE WILD SIDE

## LEGACY OF THE KNIGHTS

Basket Forest offers a wealth of ecosystems from arid garigue to verdant streams

David Pace






David Pace

The walk is a challenging one, but the views and the natural beauty are well worth the effort. The author provides a detailed guide to the walk, including a map and a list of the plants seen along the way. The walk is a great way to experience the natural beauty of the Bahrija area and to learn about the local flora and fauna. The author's expertise in botany and his passion for nature are evident in the detailed descriptions of the plants and the beautiful photographs. The walk is a must-do for anyone who is interested in nature and wants to experience the beauty of the Bahrija area. The author's guide is a valuable resource for anyone who is planning to visit the area and wants to make the most of their time. The walk is a great way to spend a day in the sun, enjoying the views and the natural beauty of the Bahrija area. The author's guide is a must-read for anyone who is interested in nature and wants to learn more about the Bahrija area.

Weekender

# WALK ON THE WILD SIDE

## In the footsteps of the gods

"Walk on the Wild Side" is back, starting with one of the most fascinating ecosystems in Malta and Gozo - Ramla Bay.

David Pace





David Pace

The walk is a challenging one, but the views and the natural beauty are well worth the effort. The author provides a detailed guide to the walk, including a map and a list of the plants seen along the way. The walk is a great way to experience the natural beauty of the Bahrija area and to learn about the local flora and fauna. The author's expertise in botany and his passion for nature are evident in the detailed descriptions of the plants and the beautiful photographs. The walk is a must-do for anyone who is interested in nature and wants to experience the beauty of the Bahrija area. The author's guide is a valuable resource for anyone who is planning to visit the area and wants to make the most of their time. The walk is a great way to spend a day in the sun, enjoying the views and the natural beauty of the Bahrija area. The author's guide is a must-read for anyone who is interested in nature and wants to learn more about the Bahrija area.

Weekender

# WALK ON THE WILD SIDE

## Cliffhanger

Nigret offers more than just a spectacular view of the Blue Grotto arches

David Pace





David Pace

The walk is a challenging one, but the views and the natural beauty are well worth the effort. The author provides a detailed guide to the walk, including a map and a list of the plants seen along the way. The walk is a great way to experience the natural beauty of the Bahrija area and to learn about the local flora and fauna. The author's expertise in botany and his passion for nature are evident in the detailed descriptions of the plants and the beautiful photographs. The walk is a must-do for anyone who is interested in nature and wants to experience the beauty of the Bahrija area. The author's guide is a valuable resource for anyone who is planning to visit the area and wants to make the most of their time. The walk is a great way to spend a day in the sun, enjoying the views and the natural beauty of the Bahrija area. The author's guide is a must-read for anyone who is interested in nature and wants to learn more about the Bahrija area.

to plan and execute walks during the weekends, focusing on archaeological and geographical aspects of the territory. With the growth in popularity of this type of activity, he decided to share his appreciation for the beauty of local rural areas with more people.

The author has always been interested in the natural environment and botany, so his particular expertise was providing botanical commentary to rambling groups, explaining and expanding upon the flora and fauna seen and encountered during the walks.



**Figure 3: The Qlejgha Waterway after a Particularly Wet Season Flows into Wied il-Ghasel**



Source: Author

picturesque hamlets of Sta. Katerina and Lunzjata, and is crossed by two bridges, Fiddien bridge and Għemieri bridge (Liemu *et al.*, 2019).

Wied Busbies is less interesting and characterised by areas of private arable land divided by a surfaced secondary road, so trekking is somewhat limited. However, there are some interesting nearby features include Hofret ir-Rizz, a permanent freshwater spring 1.1 km south-west and the cave of Għar Barka, 1.2 km south-east. The stream also passes close to the hamlet of L-Andrijiet.

Wied Busbies connects to two other valleys, the Għemieri and Għomor, which fill-up with water during the rainy season and are surrounded by arable land. Għemieri valley eventually connects to Qlejgha valley, regarded as the middle part of the Wied il-Ghasel river system. This leads to the popular Chadwick Lakes series of dams that were built by the British engineer Sir Osbert Chadwick in the 1890s to slow down the flow of freshwater into the sea thereby conserving water and creating a number of reservoirs (Morana, 2011).

The Chadwick Lakes area presents a very popular trek which offers a rare ‘sense of place’ with flowing water, waterfalls, stands of mature poplar trees and considerable aquatic flora and fauna. The waters of Chadwick Lake in Wied il-Qlejgha empty into Wied il-Għasel (Figure 3).

The area below the San Pawl tal-Qlejgha Chapel opens into an eroded channel that after a short walk and eventually leads to the first part of Wied il-Għasel called Wied Speranza. This lies about 7 metres below the level of Wied il-Qlejgha and after strong rainfall gives rise to quite a spectacular natural waterfall. It is one of the best areas to experience a ‘Sense of Place’ in a Maltese context with the gurgling of the waterfall, garigue<sup>1</sup> areas and pools of water which are home to Maltese endemic aquatic snails, tadpoles and water-plants.

During the rainy season, the area here is impassable. The water passes into Wied Speranza and flows

<sup>1</sup> open shrubby vegetation of dry Mediterranean regions, consisting of spiny or aromatic dwarf shrubs interspersed with colourful ephemeral species

**Figure 4: Soil Erosion at Buskett Woodland and Toppling Trees**

Source: Author

into Wied il-Ghasel and a heavily wooded area that can be clearly seen from the Mosta bridge over Constitution street. This eventually opens into the main part of Wied il-Ghasel that can also be seen from another bridge on Fortizza road. This part of the valley is very popular for trekking and active tourism such as abseiling and free-climbing. The valley walls are quite high and the floor is passable, but characterised by a variety of flora and fauna. It eventually leads to a quarry, but the water-flow continues through Naxxar and empties at Salina bay.

Although Wied il-Luq (Poplar Valley) is a very well-known valley passing through the Buskett woodland, it actually forms part of the Wied il-Kbir river system. The valley is fed by a permanent freshwater stream and it's floor is heavily wooded, mostly by White Poplar, Elm and the Bay Laurel trees. It is also rich in aquatic plants and flora, particularly avifauna to the extent that it is regarded as a Bird Sanctuary (BirdLife Malta, 2019). This designation has helped in its rehabilitation and reforestation, particularly during the last few years when work has been undertaken to prevent soil erosion (Figure

4) from demolished rubble walls and toppling large trees (Life Saving Buskett, 2019).

Unfortunately, due to excessive extraction of water and unrestrained building and development, many previously wet valleys have dried up. According to Haslam and Borg, (1998) there were 300 km of watercourses, marshes, boggy ground and standing waters in Malta before the 1900s and today less than a third (100km) remain, most of which become wet during the rainy season.

While this has made many of the valleys potentially passable throughout most of the year, along with other factors such as excessive extraction of groundwater and excessive use of pesticides has had a disastrous effect on aquatic life leading to a decline in most freshwater species (Lanfranco & Schembri, 1986). Thus, access, environmental degradation, water loss and a host of other problems put enormous pressure on many of these valleys. This paper discusses a range of such problems and proposes a number of suggested solutions.

**Figure 5 - Figure 8: Private Property signs in Biodiverse and Panoramic Areas**

Source: Author

## Problems

### *Rights of Way and Signage*

In 30 years of trekking, problems with access remains one of the major hurdles in enjoying the Maltese countryside. The access problem is usually found associated with problems of ‘rights of way’, ‘illegal signage’, squatting, hunting and trapping.

The ‘right of way’ problem arises because vast tracts of public land are privately owned without providing access to the public. A spectacular example of a case that made headlines a few years ago was that of the Manoel Island foreshore. This was closed off by the MIDI property consortium and prevented bathers from swimming during the Summer. It was eventually opened by the authorities after protests by the NGO *Graffiti* and pressure from the Gzira Local Council (Grech, 2019).

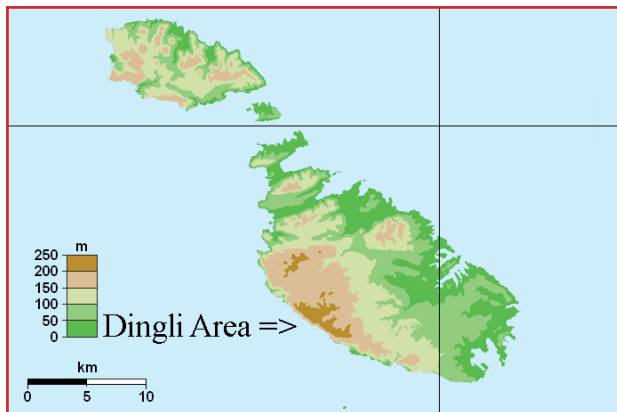
### *The Bahrija Area*

In the countryside, the problem is further compounded as public areas are often interspersed with small parcels of land that have been given to individuals for hunting, trapping, squatting or agriculture activities. These people purposely block the trails to prevent hikers from passing through (Pace, 2016)

One of the most spectacular areas of the Maltese islands, which provides a multitude of treks that highlight the coastline’s geomorphological and geological features, and the territories’ flora and fauna, are the cliffs on the western side of the island. These are among the loftiest on the island (Figure 9) reaching heights of 250 metres at the Dingli area (Mountain-forecast.com, 2019).

The cliff area runs from Fomm ir-rih to Dingli Cliffs and encompass landmarks such as Ras ir- Raheb, Il-

**Figure 9: Topographic Map of Maltese Islands Indicating Dingli Area**



[https://upload.wikimedia.org/wikipedia/commons/0/01/Malta\\_topographic\\_map.png](https://upload.wikimedia.org/wikipedia/commons/0/01/Malta_topographic_map.png)

Blata tal-Melħ, Rdum tal-Vigarju, Rdum tas-Sarġ, Miġra l-Ferħa u Ras il-Hammud. However, most of these sites have accessibility problems.

The promontory of Ras ir-Raheb contains large areas of important garrigue and presents magnificent views of Fomm ir-Riħ, Ġnejna and Ġhajn Tuffieħa. It also contains important archaeological remains of megalithic and Roman Punic Temples<sup>2</sup>. Therefore, it is an area of great scenic beauty and archaeological value, and yet, it has been a contested site since the first decade of the twenty first century when a group of trekkers was warned off by a hunter (Čini, 2005).

The area was appropriated by the Government by means of a Presidential Proclamation before 1994 and so, the promontory was opened to visitors (Ramblers Association Malta, 2014) The classification of the Punic-Roman remains ensured that the owner could not block the access. This was recorded on the Government Gazette of the 3rd April, 1998, but, there is a lack of formal recognition and it is not listed on the scheduled property search engine of the Planning Authority (Government Gazette (1992)).

Unfortunately, the area has been vandalized repeatedly by illegal construction and the deprivations by rock

<sup>2</sup> The Punic religion was a direct continuation of a Phoenician polytheistic ancient Canaanite religion. Significant local differences developed in the likes of Malta where this religion existed from about the ninth century BC to as late as the fourth century CE.

climbing (Times of Malta, 2011). Then, in 2016 it was reported that five plots of land ( $5 \times 1701\text{m}^2 = 8505\text{m}^2$ ) were available for sale (Inewsmalta, 2016). This included the archaeological remains which somewhat muddled the issue considering the 'Public Domain Law' had just been published that excluded the sale of sites such as Ras ir-Raheb (Ganado Advocates, 2019).

The story does not end there. An online report by the news site lovinmalta.com reported that an area close to Baħrija had already been sold off and was being advertised on Dhalia's (a property development agency) website, where it was described as

*1,000 tumoli (about 1,000,000 square metres) of land in this prestigious area of Baħrija covering all land towards the cliffs up to Gnejna. The privately-owned property can be either sold in its entirety or else in segments. A few old rooms are scattered in this recreational land, some is arable land and some is 'xagħri' (garigue) (Bartolo, 2018).*

Figures 10-12 are photos as advertised on Dhalia's website (Dhalia, 2019) and show areas around Baħrija that are favourite haunts of hikers, trekkers and visitors. Photo 10 shows a vast swathe of land - over a million square metres - that is mostly garigue. Photo 11 shows the magnificence of the Ras ir-Raheb promontory and the arrow points to the land that was supposedly appropriated by the government in 2006. The promontory in its entirety and in relation to Fomm ir-Riħ can be seen in Figure 13. Photo 11 shows the end of the road that eventually leads to Fomm ir-Riħ. The steep value of this land must refer to the area highlighted in Figure 14. This is a panoramic parking-area located close to a steep cliff-side. There was probably a mistake and the property agency may have been referring to the area behind the parking-area which consists of a sprawling garigue area.

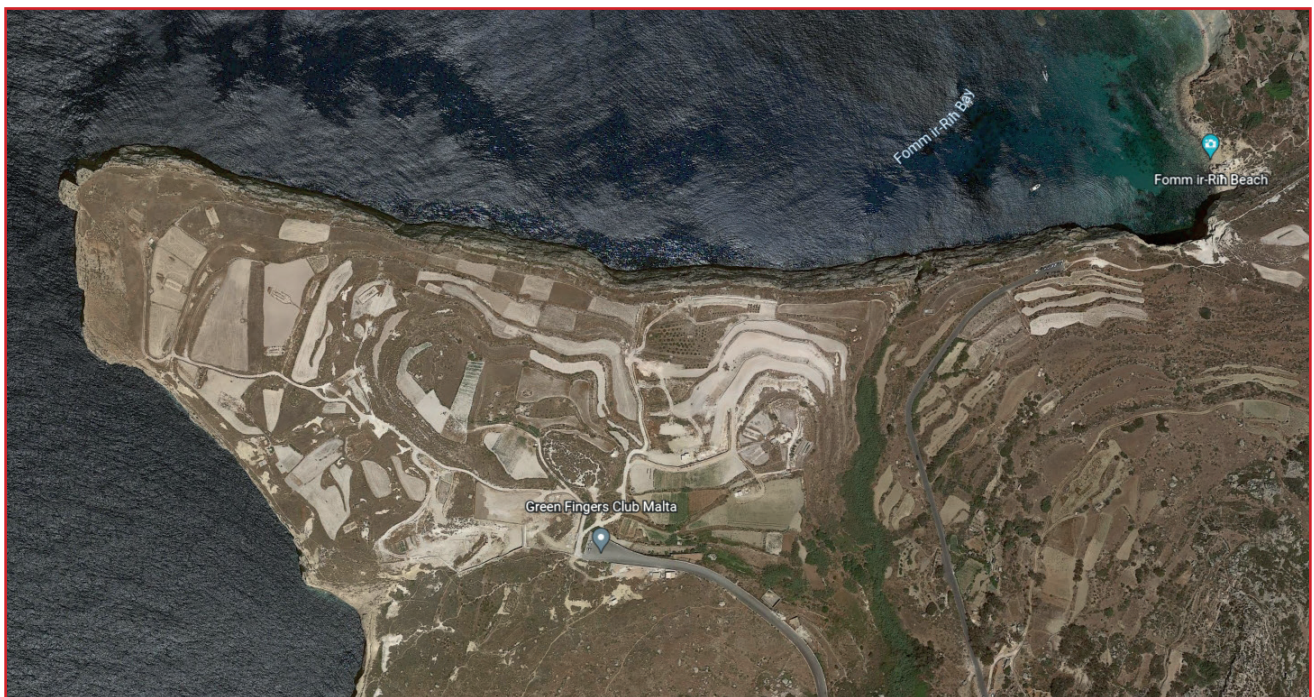


**Figure 10-Figure 12: Photographs from Dhalia’s Website Advertising Sale of ‘Protected’ Land**



Dhalia, 2019

**Figure 13: Satellite Image of Ras ir-Raheb Promontory**

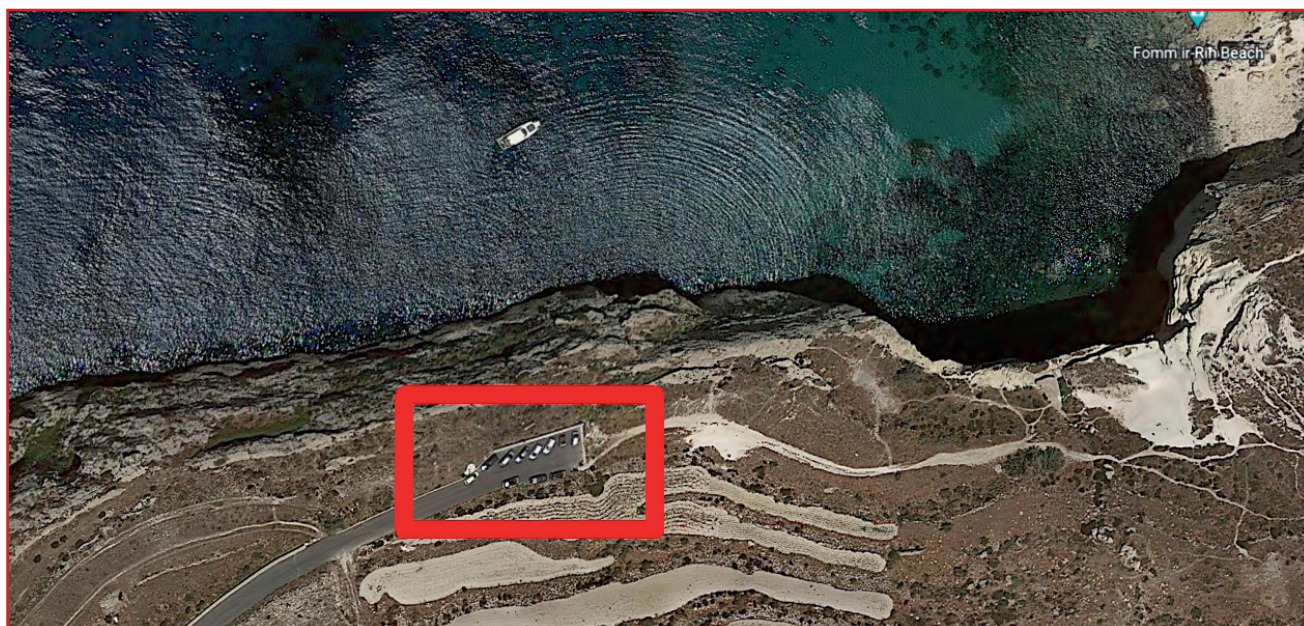


Source: Google Earth

Another spectacular example of lack of ‘right of access’ and ‘signage’ was encountered by the author during a trek with tourists, following an MTA sanctioned countryside walk entitled ‘Bahrija Countryside Walk’ (Malta Tourism Authority, 2019). The trail even contains the remnants of Tourism Authority signage and information boards that have been vandalised and destroyed by the elements.

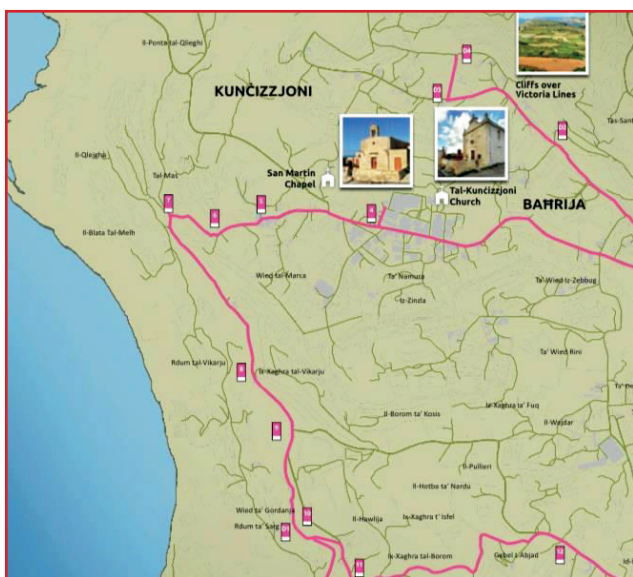
The MTA Bahrija walk (Figure 15) includes an area described as ‘cliffs over the Victoria Lines’. When the author spoke to some of the tenants living in the houses on a road that opens into the cliffside garrigue, they insisted that the whole area was private and belonged to them. Unfortunately, the area also contains some remnants of the MTA signage and information boards, so begs the question of whether the area is really private or not?

**Figure 14: Parking Area Ras ir-Raheb Promontory**



Source: Google Earth

**Figure 15: MTA Trail From Rđum is-Sarġ to Rđum il-Vigarju and I-Blata tal-Melħ. Parts of trail are closed off by no entry signs**



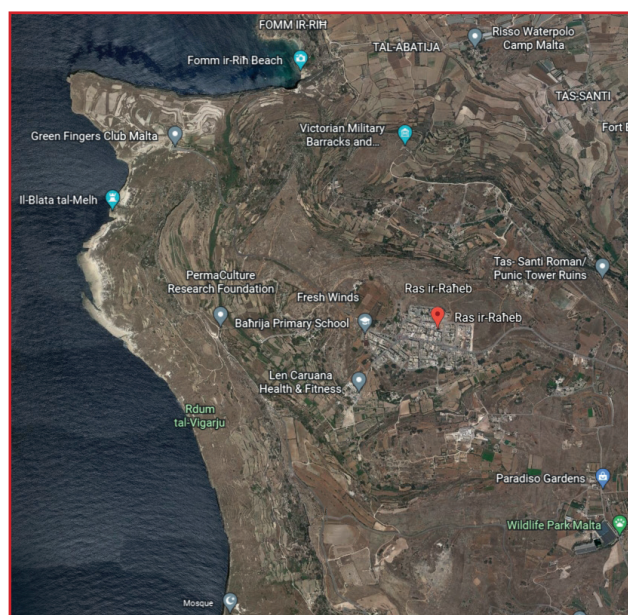
Source: MTA, 2019

Another question that needs to be answered is whether cliffside areas can be privately owned or sold? This is relevant to the controversial news that extensive swathes of the Bahrija/Fomm ir-Riħ areas where the cliffside leading to a spectacular vantage point called ‘I-Blata tal-Melħ’, are festooned with private/no entry signs and are up for sale (see Figures

10-12); and although various sources reported that the government appropriated the area in 2006, the advertised areas were still for sale on the Dhalia website at the time of writing.

A beautiful stretch of country roads pass over the cliffs from Ras ir-Raheb to Rđum il-Vigarju and

**Figure 16: Area shown in MTA Trail Map**



Source: Google Earth

**Figure 17: Google Earth 3D View of Bahrija area Encapsulating il-Blata tal-Melh and the MTA Trail**  
 Red box highlights area where pathways are illegally blocked - as outlined in Figures 18-21

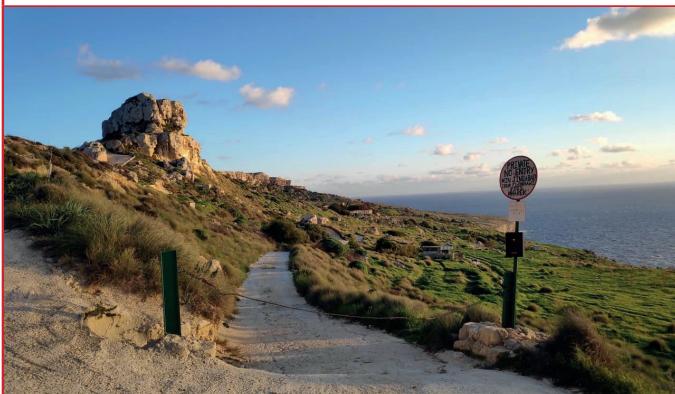


Source: Google Earth

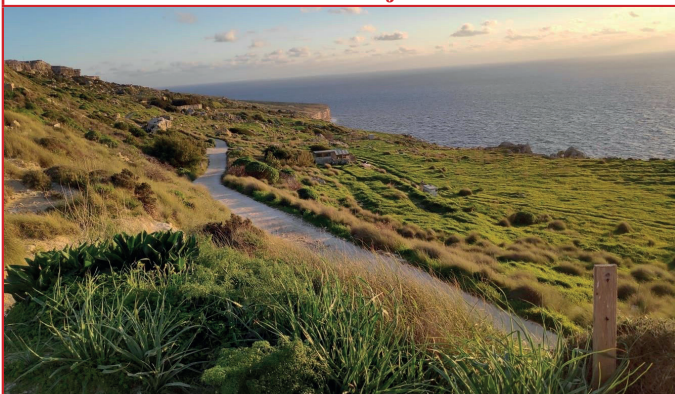
beyond. These roads reach a cumulative length of almost 3kms, but the longest stretch can be seen in Figures 16 & 17, which is over 650m long but is blocked by an unofficial ‘no entry’ sign and a gate (Figures 18-21).

There is no direct route to the geologically important and spectacular vantage point of Blata tal-Melh and thus, when leading tour groups, the author has navigated down steep abandoned fields to avoid a plethora of no entry signs that characterise many of

**Figure 18: Cemented Country Road Unofficially Closed Off**



**Figure 20: Cemented Country Road Leading Towards Bahrija Cliffs**

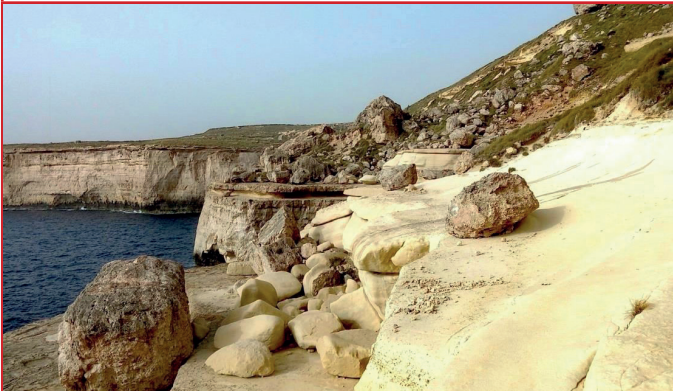


**Figure 19: Unofficial Sign Over Cemented Country Road - Unofficially Closed Off**



**Figure 21: Unofficial Gate Closing Off the Cemented Country Road to Blata tal-Melh**



**Figure 22: White Limestone Cliffs at Blata tal-Melĥ****Figure 23: Blata tal-Melĥ - Picturesque Layered Cliffside****Figure 24: Spectacular Panorama of Ras ir-Raheb Promontory from Blata tal-Melĥ**

the pathways and country roads that lead towards the site. An alternative route at Miġra l-Ferĥa along Rđum tas-Sarġ towards Baħrija eventually leads to il-Blata tal-Melĥ. Unfortunately, it involves quite a dangerous trek along the cliff-side and across treacherous rock-strewn pathways and is not recommended.

*Blata tal-Melĥ* (Figures 22, 23 & 24) presents some of the most dazzling and spectacular limestone cliffs on the island, many of which have been eroded and faulted into huge slabs and staircase-like formations. It is one of the most fascinating cliff-side areas to explore and should be open to trekking.

The entire area is a popular haunt of hunters and trappers, and during the hunting and trapping seasons, both gates are open, and many hunters and trappers can pass freely.

Once, the author tried to enter when the gate was opened, but was stopped by a couple of hunters who informed him that the entire area is closed to the public being private land. Repeated questions sent to the Lands department regarding the status of the rights of access were not answered, instead a bland acknowledgement was received (Figure 25).

According to an anonymous source within the department, before any rights of ways are introduced, a full reform at the Lands Department must take place including an updated registry of who privately owns land; who actually rents land from the government and/or other entities such as the Church; who is actually paying the rent and/or whether they are still paying the rent or have stopped paying the rent and still occupy the land. This would also need to include a list of squatters and people who have been allowed to occupy governmental land or buildings.

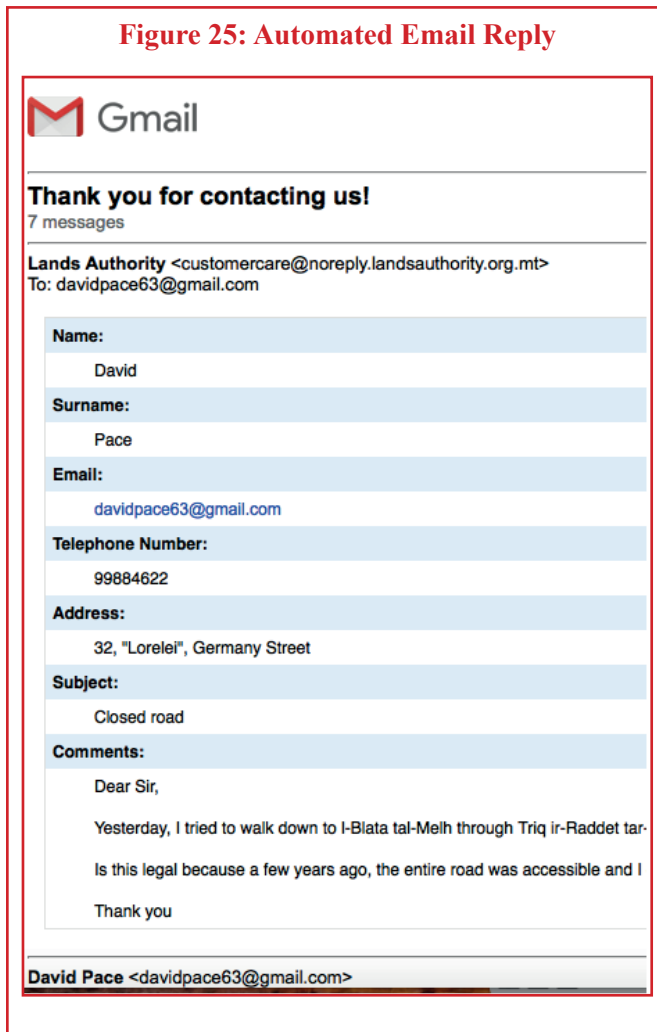
Such a list would determine the size and areas of the parcels of land and include pathways and country lanes that should provide right of access to the citizens. This is extremely important as a lot of public land is being paraded as private land, particularly in areas where hunting and trapping are rampant.

This land ownership situation works both ways. For example, the Mizieb area that was supposed to have been given to the Hunting lobby (Għaqda Kaċċaturi u Nassaba) by Prime Minister Karmenu Mifsud Bonnici in the eighties, was never legally handed over to the lobby and no documentation exists concerning this agreement (Sansone, 2010; Diacono, 2017). Technically, therefore, it is actually illegal for hunters to keep the public from enjoying the woodland during the hunting season and calling them trespassers.<sup>3</sup>

Clashes between hikers, and hunters and trappers are a regular occurrence due to large tracts of contested countryside (Darmanin, 2010; Times of Malta, 2013; Buġeja, 2015; Diacono, 2016, 2017), even when hikers and trekkers are using pathways and country lanes. The author has led many groups throughout his trekking career and has discovered that the bigger the group, the less the chance they have of being stopped. Smaller groups are easier to intimidate and may be stopped and even threatened. This has been the experience of the author many times throughout his thirty- five year trekking career.

<sup>3</sup> The land was officially handed over to the hunting lobby on the 9th October 2020 and an afforestation area meant to be enjoyed by all is now closed off during most of the year.

Figure 25: Automated Email Reply



Birdlife Malta, an NGO that protects avifauna from rampant hunting and trapping have repeatedly asked governments to stop the illegal occupation of the countryside that is preventing many people from enjoying Malta’s natural beauty and biodiversity (Maltatoday Staff, 2013).

A report by Birdlife entitled ‘Finch Trapping in Malta’ describes trapping as one of the main hurdles in accessing the countryside:

*For trapping to be carried out, land has to be stripped of vegetation to accommodate clap nets, nets that can snap over an area of ground at the pull of a trigger. Over 8,000 sites in Malta and Gozo are currently legally registered to operate by the Wild Birds Regulation Unit (WBRU) – the unit within the Ministry for Environment that regulates and authorises such sites. Though a proportion of such sites occur within privately owned*

*land, thousands of trapping sites are located on public land, including Natura 2000 sites. A good proportion of sites are not registered and operate illegally in various remote coastal areas irrespective of land ownership (Birdlife Malta, 2018).*

The same report describes trapping as a 'large-scale occupation of public land including Natura 2000 sites (Birdlife Malta, 2018) such as the Majjistral Nature Park and Ta' Ċenċ (on the island of Gozo). Both are Areas of Natural Beauty, in addition to being popular trekking/picnic areas and are also biologically important, namely for the variety of flora and the avifauna respectively (Majjistral Park, 2019; Environment and Resources Authority, 2019). The Majjistral Nature Park was the centre of a controversy when the government decided to extend hunting times from 9.30 am to 12.30pm and trapping times to 14.30pm during open seasons (Costa, 2017). The decision was regarded as contentious by many Environmental NGOs and minor political parties including the Democratic Party and the Green Party (Alternattiva Demokratika) because it is an area frequented by school children. Having gun-toting

individuals at the same time is a recipe for disaster (The Malta Independent, 2017). The environment minister regarded the problem as solved after his ministry donated 300 000 Euros for the rehabilitation of the park as compensation for the longer hunting hours (Leone Ganado, 2018).

The practice of trapping on Natura 2000 areas is widespread and takes up an area larger than Valletta, a third of which is illegal. CABS (Committee Against Bird Slaughter) has observed this in areas ranging from Ta' Ċenċ, Gozo to Zurrieq in the south of Malta (Figures 26 & 27 - see also: The Malta Independent, 2018; Maltatoday, 2014; Times of Malta, 2014; Diacono, 2016). The main reasons why there are so many trapping sites is that trappers can apply to trap even if they do not own the land, notwithstanding whether the land is private or public.

Trappers can be a nuisance for Tour Guides as they call out trekkers or hikers even when they are walking along designated pathways that pass close to their hides and clap-nets due to the fact that they need silence so that the birds they are trying to trap are not spooked by the noise of talking and

**Figure 26: Ta' Ċenċ Natura 2000 Site, Gozo Illustrating the Location of Bird Traps**



Source: Bird Life Malta

**Figure 27: Zurrieq Natura 2000 Site, Southern Malta, Illustrating the Location of Bird Traps**



Source: Committe Against Bird Slaughter, Malta

walking. This has been experienced many times by the author and has even led to heated arguments. Usually, the trapper will argue that the entire area including the pathway are part of his land. Asking for documentation to back such statements can either cool down or exacerbate the situation. Such conflicts are the fault of the WBRU (Wild Birds Regulation Unit) which has been granting thousands of permits since 2014 without checking whether the land is public or private. This has resulted in huge tracts of land being continuously occupied, with many trappers closing off access to coastal and cliff side areas which are legally accessible via established footpaths and rights of way (Birdlife Malta, 2016).

### Conclusion

Currently, access to the countryside may be regulated by the law, but the issue is complicated by lack of clear, official pathways, legal wrangling regarding the provenance of public and private areas of land, lobby groups (each of which want a part of public areas to practice their so-called hobbies including hunting, trapping, car racing, motorbike scrambling etc.) and political apathy on the part of the Government and the Opposition Parties, who are aware that once they start unravelling the problem

of access, they will open a Pandora's box that will leave most interested parties, disappointed.

The Public Domain Act approved in 2016 (Times of Malta, 2016) is a step in the right direction and a number of NGOs have suggested 24 areas for scheduling (see Table 1) (Times of Malta 2017). The Public Domain Bill can help in the setting up of official pathways and rights of way, particularly along the coastline where it can include historic towers, batteries and parts of the Victoria Lines fortifications. Nearby biologically important sites can also be earmarked and protected. The same sites can be designated as staging-posts where hikers and ramblers can meet and where information concerning the area can be disseminated.

Unfortunately, the Public Domain Act seems to have stalled (Times of Malta, 2019) and after a number of years, no headway has been made in implementing the Act, which continues to keep large swaths of public land out of the reach of the public. This means that the promise that the Public Domain Act would safeguard the rights of both land-owners and the public remains an empty one (The Malta Independent, 2016; Diacono, 2016; Leone Ganado, 2018).

**Table 1: Public Domain areas**

Site at Manoel Island
Site at Wied Garnaw
Site at Hondoq, Qala
Site at Kalanka, Delimara
Site of three historic landmark trees, Ta' Xbiex
Site of beaches from St George's Bay to Sliema
Sites at Valletta coastline and Fort St Elmo
Sites from St Thomas Bay (Marsascala) to Xrobb I-Għagin (Marsaxlokk)
Sites from Siggiewi to Żurrieq
Sites: Pinetum beyond Floriana fortification walls and Argotti, St Philips and Sa Maison public gardens
Stretch of land from Ġnejna to Mtaħleb
Villa Guardamangia, Pieta
Site at Simblija
Comino
Ċitadella, Victoria
Site at Ta' Ċenċ, Sannat
Site at Ħas-Saptan and Wied Żembaq
Site at Is-Simblija (including Wied ir-Rum, Ta' Baldu and Wied Ħażrun)
Site at Il-Ballut tal-Wardija
Site at il-Ballut tal-Imġiebah (l/o Mellieħa)
Site at Ras ir-Raheb and Qlejgħa
Site at Fomm ir-Riħ
Nwadar National Park

A pledge by both political parties that aims to assuage the criticism levelled by many against the occupation of vast areas of the countryside illegally has been worthless up till now. An anonymous source within the Lands Department informed the author that there has never been a definitive list of registered land and the compilation of one is such a huge undertaking that it is making the government baulk at the expense and labour-force needed to implement it. There is also a political cost in checking the illegal occupation of land by hunters, trappers and squatters. It seems that no authority is brave enough to anger politically sensitive lobby groups by enforcing the law.

A few months after the Public Domain Act was approved in 2016, the Commissioner for Environment and Planning issued a report entitled 'Access to the Countryside' (Pace, 2016). This document suggests

adopting the Scottish model of Access Law that enshrines the people's 'right to roam' supported by an Outdoor Access Code that requires people to be responsible for their actions, respect the interests of other people and protect the environment.

The idea behind the adoption of the Scottish model is an interesting one, but it has already been reported that the Public Domain sites have not been given legal protection and even if they are legislated, the main bone of contention has always been the enforcement aspect. A cursory glance at popular picnic/trekking areas such as Buskett, Qlejgħa, Chadwick Lakes, Dwejra/Bingemma, Wied il-Għasel, Mizieb and many others, reveals major obstacles such as illegal no entry signs and closure of many areas (that were once open); clogged waterways filled with rubbish, farm pollution from pesticides, fertilisers and even raw sewage; conflict between visitors, land owners, hunters and trappers, and; illegal dumping and trampling by the thousands of visitors that frequent the areas. All these must be solved before a total solution based on the Scottish or any other system involving people's right to roam is implemented.

The implementation of the Public Domain Act, and the resultant freedom to 'roam' will be beneficial to the islands of Malta. Not only will the local population benefit from access to their own heritage and environment, but the many visitors who come to see the Maltese countryside can be regulated and managed without redress to conflict and tension between the various parties who use and claim ownership of the Maltese landscape. Furthermore, the environment itself can be more professionally managed and maintained, supporting international responsibilities such as Natura 2000 commitments, and the protection of ancient monuments. For this author, however, a resolution to this issue would facilitate a more interesting exploration of the countryside with groups of interested participants, safe in the knowledge that tour groups will be safe and happy as they soak in the beauty of the Maltese landscape.



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