



# HIKING?

SPED Rural Objective 2, 2015

## ABSTRACT

Response to the Government's call for discussion papers on Camping, caravanning and picnicing sites on the Maltese Islands

XirCammini



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## Executive Summary

If XirCammini had to condense this proposal into an “Elevator-speech” then we would condense it to the need for a, **“Concerted effort to engage, educate and enforce.”**

It is within this framework that XirCammini is submitting these five recommendations, synthesized as:

- a. Assign stewardship and control to the government.
- b. Create an agency delegated with the requisite authority.
- c. Engage with all stakeholders and the general public to execute the enacted policy.
- d. Educate all stakeholders and general public including tourists, visitors and foreign residents.
- e. Enforce the required legislation, equipping the agency to perform.

This endeavour can only be as effective as it is equitable to all stakeholders within the ambit of preserving and sustaining our environment for future generations.



## Scope

XirCammini acknowledges the effort by the competent authorities to address the need for recreational spaces within the ambit and respecting the primary aim of rural environments. The Strategic Plan for Environment and Development, 2015 has been referred to by XirCammini for guidance.

What is worrying in the expression for discussion papers is not in who it invites or what it seeks to address but in who it omits from the consultative process.

## What it addresses

The scope of this Discussion Paper is to elicit public feedback on the current policy framework, particularly related to recreational land uses for camping, caravanning, picnicking.

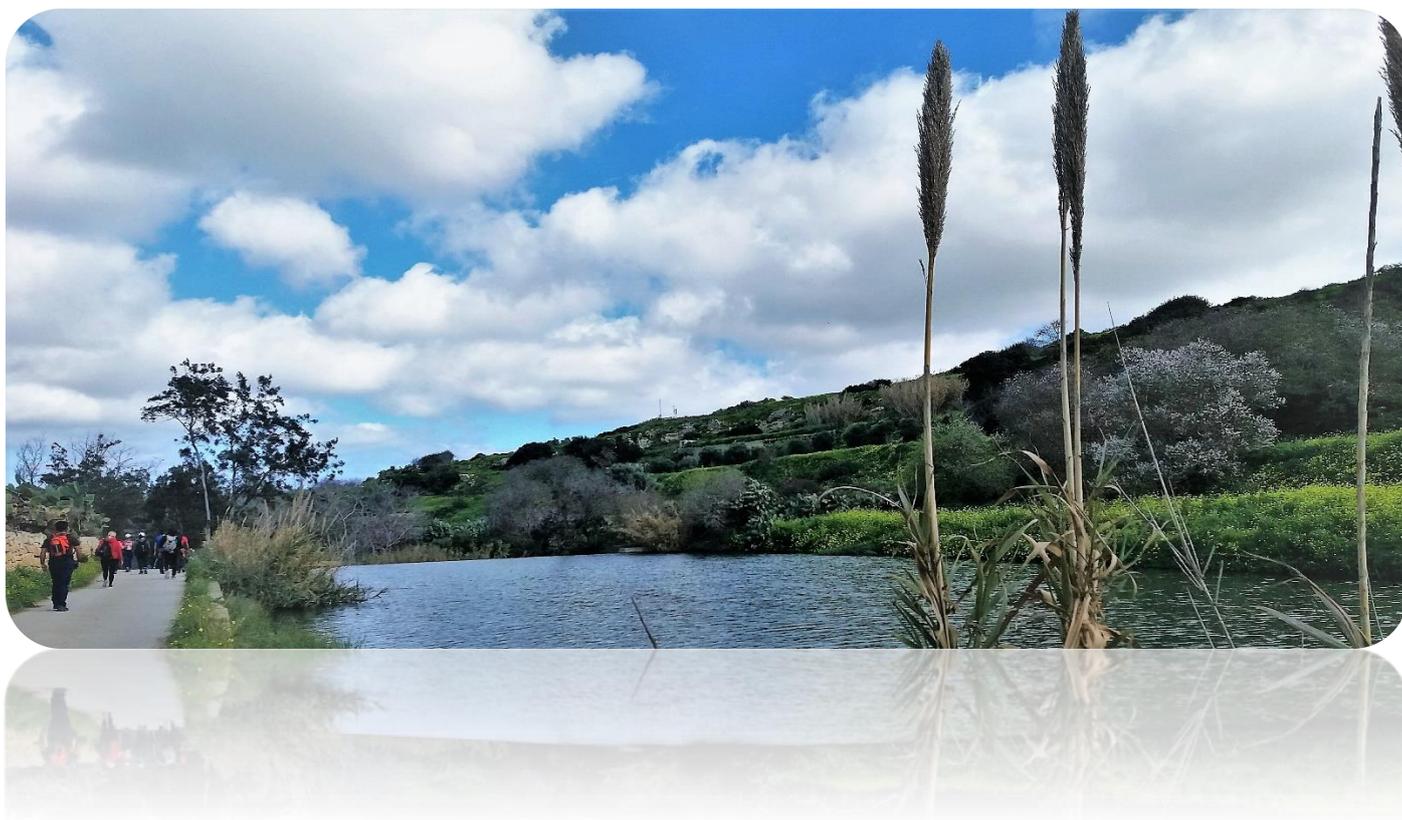
In addition to reactions to the discussion paper, competent authorities are also seeking opinions on the existing 'Guidance for Caravan Sites Upgrading' as approved and included within the local plans (Appendix C of the Discussion Paper), expressions of interest by landowners of areas/sites earmarked in Local Plans for the purposes of the aforementioned recreational activities, to have such land rehabilitated accordingly, delineating the role they may envisage playing in the management of their site for these purposes.

## What it does not address

The call for discussions excludes the opinion of hikers or the trekking community who, in line with SPED Rural objective 2 arguably leave the least encroachment hazards when compared to, say, caravan use, camping or picnicking and certainly much less than off-road driving, motorcycling as well as the construction of illicit structures used for hunting, bird-trapping.

Notwithstanding the omission from the call for discussion XirCammini is submitting their views and opinions on the subject-matter.

Deadline 30<sup>th</sup> March 2021 | E: [outdoors@pa.org.mt](mailto:outdoors@pa.org.mt)



## Background

### SPED 2 Rural Objective 2

Quoting from the 2015 document SPED Rural Objective Policy RO 2 promotes

1. mostly informal recreation and
2. protects the open public access to the countryside.
3. It also specifically requires that recreational activities are compatible between themselves and with other land uses thereby reducing possible conflicts between land uses.

Within this ambit, it is suggested that hiking, planned and undertaken responsibly, represents the most informal recreation with the least encroachment hazard and, in its transience, the most compatible/least conflicting with the primary use of land or rights of its owners. Some other forms of recreation, including hunting, bird-trapping, quad-biking, off-road cycling, or 4x4 driving, caravanning etc. all pose significantly more encroachment hazards, noise and rubbish pollution on our rural and coastal environments.

### Current Reality

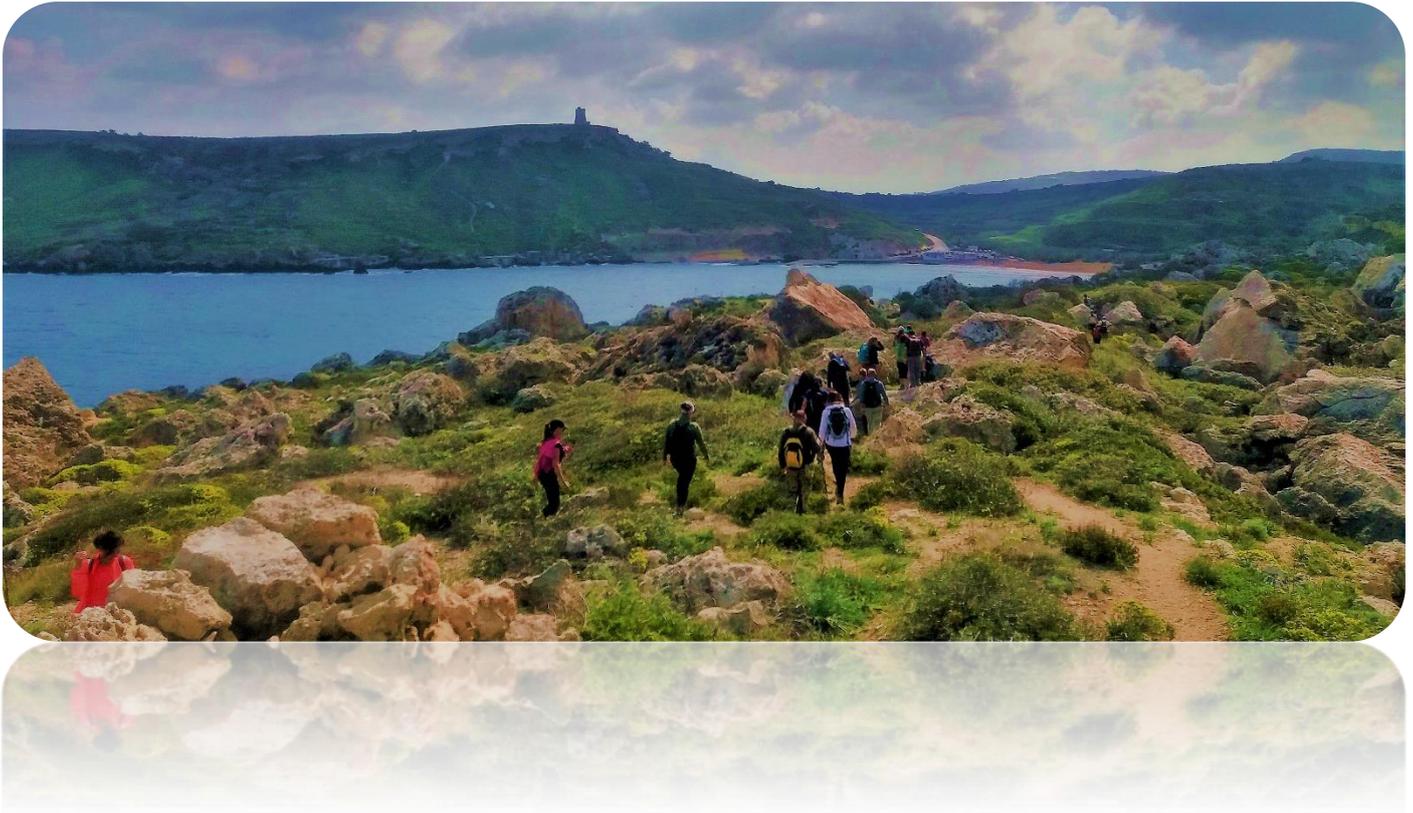
The current reality is that, in spite of the above,

1. the largest natural swatches of lands (Mizieb and Ahrax) have been reserved for hunters and trappers during the most sought after months of trekking.
2. There is rampant abuse in closure of paths and access to coastline which is not curtailed by competent authorities.
3. There is no concerted national effort to formulate strategies, organise, supervise and manage hiking practices or activities and lands used for hiking. As a result we also lack education and enforcement.



**Rural Objective 2: To ensure that existing rural recreational resources are protected, enhanced and accessible and to facilitate the provision of new recreational facilities which enhance the public's rural experience in a manner which does not have an unacceptable adverse impact on protected areas, species and areas of high landscape sensitivity by**

- 1. Identifying and managing key rural areas popular for informal recreation which enhances the rural experience, improving synergies between biodiversity and tourism, and protecting them from deleterious and incompatible uses**
- 2. Promoting informal recreation in the vicinity of the Principal Urban Area**
- 3. Reappraising the network of country pathways identified in subsidiary plans and prioritise for implementation**
- 4. Ensuring public access to rural areas whilst minimising the negative impacts, particularly from vehicular access on protected areas and areas of high landscape sensitivity**
- 5. Ensuring compatibility between recreational activities and between these activities and other land uses**



## XirCammini's Recommendations

Given the Background explained in the previous pages, XirCammini focuses more on hiking and trekking but has not omitted reference to camping, caravanning or picnicking since most recommendations are valid for the other outdoor activities as well.

Our focus is to achieve a concerted or holistic approach to engaging, educating and enforcing all stakeholders impacted by these proposals.

By stakeholders we mean:

- a. Central government and/or related authorities or agencies including enforcement agencies or relative disciplined forces.
- b. Local governance, meaning local councils.
- c. Landowners or people who occupy the land for productive purposes.
- d. Other persons who make use of the land (including but not limited to hunters, trappers in addition to all the other outdoor pass-time stakeholders mentioned by Planning Authority).

We have several recommendations under 5 headings as follows:

1. **Over-riding consideration:** Where the land is arable, the interests of farmers should reign paramount on that of other interests and should be safeguarded. This is not to say that right of passage should not be allowed where applicable, but not to the detriment of arable land, produce or farmers.
2. **Stewardship**
  - a. **Management and ultimate control** of public outdoor areas (such as Mizieb, Ahrax, Majjistral, Buskett, Natura2000 sites, coastal areas and access to them, valleys etc.) should rest with **central government**. One group (e.g. hunters, trappers, caravan owners etc.) should neither be given stewardship of land nor priority or preferential treatment over other stakeholders. *The agreement signed between the government and FKKN is to be rescinded. There is already significant evidence of poor management in the*

XirCammini is registered with the Office of the Commissioner for Voluntary Organisations (VO1646)

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woodlands despite the agreement having been signed less than a year ago. The woodlands are littered with pallets, breeze-blocks and illegal permanent structures. These also pose a hazard to public safety out of season. Similar irregularities are visible in Aħrax and elsewhere in public areas.

- b. To effectively achieve the above, the government assigns this responsibility to a **specific and specially constituted agency** reporting to the relevant ministry armed with the necessary authority provided by the law/regulations.
- c. The agency should have on its **Board of Governance** representatives from relevant stakeholders provided that such stakeholders are properly constituted bodies, i.e. government entities including local councils, farmers' cooperative and entities registered as voluntary organisations with the Commissioner for Voluntary Organisations in the case of representatives of outdoor pass-times.
- d. The Board of Governance would report to the **Minister of Environment** and would have a **Management Team** reporting to it to execute its policies. **Appropriate corporate policies**, such as relating to business conduct and ethics, conflicts of interest are enacted to safeguard the efficient operation of the agency. It is also important that the Agency has coordination lines with the Road and Transport Authority and the Ministry of Tourism for a holistic approach.

The Agency would be tasked with engaging stakeholders, educating stakeholders and the general public and also enforcing regulations within the prescribed legal framework in their interaction with stakeholders and the general public.

### 3. ENGAGE:

- a. Equip the Agency with **staff**, enforcement officers and rangers.
- b. Engage with relevant government authorities to **identify** and **delineate** paths, ways, roads, right of access that should be enjoyed by the public.
- c. Engage with landowners or occupiers in areas that are **currently illegally 'reserved'** to ensure that rights of land-owners/users are not infringed or prejudiced by persons granted right of access.
- d. Map out and make available via legal notices, public information and in a digitized format (i.e. .gpx) and through the local councils and local police stations the **paths, ways, roads, right of access that should be enjoyed by the public**.
- e. **Remove illegal signs** and notices intended for the public on any of the above paths.
- f. **Rescind the Mizieb and Aħrax agreements** and assign stewardship to the Agency's rangers.
- g. Discuss a steep, punitive increase in fines or penalties for littering, misappropriation, damage (including environmental damage) and other infringements on the environment or arable land.

### 4. EDUCATE:

- a. Educate the general public on the agency, its **objectives, benefits, breaches** and also **penalties** arising from breach.
- b. Educate each of the stakeholder groups on what constitutes e.g. **responsible hiking, or responsible caravanning etc.**
- c. **Educate different stakeholders** also on their rights, benefits and obligations including fines and penalties for breaches.
- d. **Educate tourists/visitors** on Malta's commitment in respect of this policy, the benefits that can be enjoyed by them and the obligations placed also on them under this legislative framework.
- e. As a longer term objective also **put in place an educational framework for a hiking guide license** different from the current tourist guide license that focuses on Maltese flora and fauna, Maltese geography, geology and archaeology, map reading and use of navigational tools (compass plotting etc.), open/restricted areas, team leading and first aid. This training would be mandatory for certain categories of employment within the agency (such as rangers and enforcement officers) and free-lance guides and voluntary organisations leading treks or hikes of, say, 10 or more persons.

## 5. ENFORCE:

- a. Enforce **“no go”** areas for motorbikes and motor vehicles in environmental areas where they are currently causing irreparable damage to the environment.
- b. Enforce **“containment”** of caravan areas in catchment areas that are properly administered and managed to eliminate the current state of affairs where caravan owners deprive the general public enjoyment, use of and or access to the coast or beaches.
- c. Enforce **severe fines and penalties** on all stakeholders for littering, damage, misappropriation or any other forms of environmental loss or damage to that which should be enjoyed by the general public.
- d. Enforce **severe fines and penalties** on all stakeholders causing loss or damage to farmers.
- e. As a longer term objective enforce a
  - i. **trekking/hiking guide license** for persons leading any hiking group of, say, 10 or more persons. (refer 4.e. above for educational framework).
  - ii. **Caravan license** for caravan owners raising their educational bar in terms of environmental responsibilities in the same way that, e.g. boat owners are subjected to license driven education.

## Conclusion

As identified under the SPED framework, there are a number of sources that impinge upon a restricted land area.

While the over-arching consideration is that productive yield from arable land stands paramount on any other use of this land, there are also rural areas that are neither arable nor private. Furthermore, even within the environs of arable land there are paths and passages to which public can be granted right of way respecting the rights of land-owners or farmers.

While the sources impinging upon right of enjoyment are varied (i.e. hiking, picnicing, hunting, trapping etc.) it is important that these are managed in a way that one party is not discriminated against in favour of another.

These proposals are aimed at engaging, educating and enforcing a legislative framework that is equitable to all concerned while respecting a long-term and sustainable environmental strategy.