

## Key questions and operative proposals

On 5th of December 2008, after comprehensive preparatory discussions, the European Parliament adopted a resolution which urges the EU Commission "to promote the sustainable management of cormorant populations .... and to create appropriate conditions for the drafting of a Europe-wide cormorant population management plan."

The resolution stated that, although primary responsibility in this field rests with Member States and their local authorities, it has already been demonstrated that purely local and/or national measures are not capable of reducing for any length of time the impact of cormorants on European fish stocks and fishing. A common, legally binding approach which is accepted and applied throughout Europe would therefore not only be desirable, but absolutely essential, and would also have the advantage of creating greater legal certainty for all interest groups concerned.

Bearing in mind the extraordinarily high mobility of the cormorant as a migratory bird, a coordinated action plan or management plan for the whole of Europe seems the only effective approach, and as such would be the most reasonable way to reach the aims of the Wild Birds Directive of 1979. Such a plan would naturally guarantee the central conservation aims of the Directive, particularly the 'good conservation status' of the species. The aim is not to regulate the cormorant population as an end in itself but to strike a balance between different but perfectly legitimate aims, in the interests of the sustainable use of fish stocks: bird conservation and maintenance of diverse bird and fish fauna on the one hand, and the legitimate interest of fishermen and fish farmers in the economic use of fish stocks on the other.

To this end, up-to-date reliable data on the actual cormorant populations are also needed, as the figures available so far not only seriously contradict one another but are often based on different criteria (subspecies, different geographical demarcations, breeding populations, etc.).

The report that is to be put on the table by the European Commission must therefore comprehensively deal with the following issues:

1. Improvement of the scientific gathering of reliable data on breeding populations, development of a scientific model to estimate total cormorant numbers and how the collection and dissemination of such data can be promoted.
2. Which ways can be found to promote bilateral and multilateral scientific and administrative exchanges, both within the EU and with third countries?
3. The Commission should explain the disparate conclusions of REDCAFE and INTERCAFE on the one hand and the EIFAC and FRAP reports on the other hand, with regard to the cormorant problem. What overall conclusions does the Commission draw from them?
4. The concept of 'serious damage' as used in the Wild Birds Directive should be specified more clearly in the interests of uniform interpretation.
5. What are scientifically justified practical measures which - provided that they were internationally well coordinated - could lastingly reduce the number of cormorants?
6. Within what time frame could a European Cormorant Management Plan be adopted in practice?
7. Which procedure should be established for coordinating, monitoring and reviewing measures under such a management plan?
8. What can the EU legislature specifically do to reduce the adverse impact of cormorant populations on fishing and aquaculture? What legal instruments are available for this purpose?
9. Financial and infrastructure resources should be made available for the above purposes.
10. What role or task could the Commission take on in this connection, and what funding would be necessary for this?
11. How can Member States be motivated to participate actively in such a management plan?

**The final objective must be to arrive at a fair balance between cormorants, fish stocks and legitimate fishery interests.**

**EAA is sure that this can be achieved, when the EU Commission establishes an adequate forum, where all relevant stakeholders are adequately represented and can bring in their arguments, and where these arguments are discussed and evaluated on the basis of scientifically sound and rational criteria. However, no satisfactory solution is possible if – as has happened in the past – the legitimate concerns and solidly founded arguments of the European angling community are simply neglected.**



Fish that are too large to be eaten by cormorants, are sometimes severely wounded.



Many pike that are caught during research fisheries show tell tale wounds inflicted by cormorants.



Wire mesh cages are placed to create artificial hiding places for fish.



Even installations that produce the sounds of orca whales are used to scare away cormorants temporarily.



# Cormorants Problems and solutions



## Cormorants in Europe

The most common species of cormorant in Europe is the Great Cormorant (*Phalacrocorax carbo*), with the two barely distinguishable subspecies *Phalacrocorax carbo carbo* ('Atlantic cormorant') and *Phalacrocorax carbo sinensis* ('Continental cormorant'). The *carbo*-variant lives on both sides of the Atlantic, from North America over Greenland to Western Europe. The *sinensis*-variant now has a range that is totally connected with its range in Asia. Cormorants are found both at sea coasts and around inland waters. Generally they favour large waters, but when fish stocks become insufficient on those preferred sites they also hunt in smaller rivers in low to medium mountain ranges. Cormorants are partially migratory: after the breeding season they disperse over greater or lesser distances. Cormorants in the cool temperate zones of the northern hemisphere, in particular, often migrate hundreds of kilometres south in winter. Cormorants eat nothing but fish, requiring 400-600 grams per day. They are opportunists in the sense that they do not have any preference for particular species of fish but eat whichever are easiest to catch in the waters where they are. They mostly feed on fish between 10 and 25 cm long, but sometimes catch and consume fish up to 60 cm and 1 kg.

## Problem-situation

When foraging, cormorants dive from the surface in a straight line and then actively pursue their prey, which they catch and take to the surface in their beaks. As highly colonial birds, cormorants mostly fly to hunting waters in relatively large flocks. Upon arrival they normally hunt individually, but often also hunt in groups ranging from 25 to several hundred birds, which first surround the fish, with the result that in some waters they are able to consume a high percentage of the fish population in a relatively short time.

In continental Europe the cormorant population was greatly reduced due to the combined effects of habitat degradation and human persecution in the 19th century, then it stayed rather stable for 70 years, that means from 1890 till 1960, on a level of 20.000 to 30.000 birds. Protection measures were in force since the 1930ies, but despite this the stock became endangered in the 1960ies because of harmful pesticides and substances, like DDT and dioxins, which caused a reduction in reproduction. Therefore, stricter protection measures were taken both on a national and on an European level.

The conservation of their breeding sites and the protection measures following the Wild Birds Directive (79/409/EEC) of 1979 are among the instruments which have led to a disproportionate and virtually explosive growth in the cormorant population, and the birds have now also taken up residence far outside their traditional breeding grounds in regions where they didn't occur originally.

The number of breeding-pairs alone is nowadays counted at 372.000 couples, that is 774.000 individuals.

As cormorants are large, long-lived birds, which start to breed only at the age of 3 to 5 years, the total autumn population in Europe is estimated at a minimum of 1.7 to 1.8 million birds.

This over-abundant population has had a direct impact on local fish populations and on fishing in many areas of the European Union, so that the presence of cormorants has become a problem throughout Europe.

Aggravating the problem is the fact that the cormorant has no natural enemies anymore.

In order to highlight the problem of the impact of the cormorant on fish stocks in coastal and inland waters, it may be observed that, with a daily consumption of 400-600 grams of fish, the European cormorants take more than 300 000 tons of fish every year. In many Member States this is many times more than the volume of edible fish produced by professional inland fishermen and fish farmers. 300 000 tons is more, for example, than the combined fish production from aquaculture of France, Spain, Italy, Germany, Hungary and the Czech Republic. Particularly serious are the losses of fish species which are already endangered, such as eel, grayling, nase and other species which spawn on gravel beds, as well as smolts (young salmon) on their way to the sea.

The Continental cormorant – for instance - causes considerable losses among salmon smolts during their downstream migration to the sea as well as in the estuaries. The aggregated smolt mortality in the Skjern River and in the Ringkøbing Fjord (Skjern-estuary) by cormorants amounted to 48% in some years. These heavy losses may threaten the indigenous Atlantic salmon population in the River Skjern.

In the last 25 years, trout and especially Grayling populations all over Europe have suffered heavily from the predation by cormorants on a scale never seen before. In many of the affected areas, nobody seems to remember having seen cormorants in such large numbers. In fact, old records show no presence of breeding colonies of cormorants in these areas in the past.

Recreational angling has a high socio-economic value, because of the millions of Euros spent by anglers when pursuing their hobby (tackle, tourism etc) and the importance of environmentally conscious recreation in nature for the human spirit. The cormorant does a lot of damage to the recreational fisheries and the communities that are dependent on angling tourism.

## Solutions

It is absolutely necessary to bring back the stocks of Cormorants to numbers that are sustainable by nature (a man-made or modified nature that is). So far there has not been any EU-wide coordination of such measures and/or harmonisation of national legal regulations in this field. At an international level, the issue of cormorants was already discussed in 1994 at the meeting of the CMS Scientific Council, with the recommendation to draw up a cormorant management plan however, this then did not lead to any practical measures.



Recently, in November 2007, the Bonn Conference of EIFAC (European Inland Fisheries Advisory Commission of the FAO) adopted a list of specific recommendations on a European Cormorant Management Plan, with the aim to reduce the population to a sustainable level. Also all fishery and aquaculture representatives of ACFA, the official Advisory Committee on Fisheries and Aquaculture of the EU, have likewise expressed themselves in favour of such a plan.

The measures permitted hitherto in individual Member States nearly all are restricted to keeping cormorants away from certain waters or scaring them away, i.e. diverting them to other waters where the danger of damage is considered to be less.

Of the numerous methods employed, the one which has proved most effective has been spanning physical barriers (wires or nets) over the ponds, however, this is only feasible in case of small ponds of intensive fish farming. In the case of larger ponds and open waters, where this is not a practicable option, measures were most effective if the scaring effect was reinforced by shooting individual birds. Quite apart from the considerable expense, however, the effectiveness of all methods of scaring is limited because they only work if the total number of birds in the region is relatively small, so that they can find enough food in other nearby waters. Another method that is advocated, is to restore waters to their original 'natural' status, with structured banks overgrown by trees and more hiding places for fish, in order to make these waters less inviting for cormorants. This may work for some – mainly small – waters, but the cormorant is a very adaptable species that quickly learns to hunt even in overgrown, natural streams.

So far, efforts to bring about a lasting reduction in the number and distribution of cormorants have been very scarce and limited. Reducing the number of breeding sites has been one relatively successful factor. For various reasons (too labour- or cost-intensive, or politically too controversial) other available measures such as destroying nesting places, disturbing birds during the breeding season or spraying the eggs with oil, have up to now not been used in a really systematical and consequent way. So far, measures and interventions in breeding colonies have only been permitted in a few Member States, and even there - with the exception of Denmark - only in a few individual cases.

## Legal situation

The cormorant is a naturally occurring bird species in Europe and as such covered by Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds. Unlike the subspecies *Phalacrocorax carbo carbo* ('Atlantic cormorant' or 'coastal cormorant'), which has never been endangered, the subspecies *Phalacrocorax*

*carbo sinensis* was originally listed in Annex I as a bird species to which special conservation measures applied. However, in 1997 it was deleted from this list, as the state of the population had ceased to be unfavourable in 1995 at the latest. As the cormorant is not included in the lists of species whose hunting is permitted by the Wild Birds Directive (Annexes II.1 and II.2), regular hunting is impossible. Like all other naturally occurring species, the species enjoys virtually complete protection as a result of the ban on deliberately trapping or killing them, deliberately damaging or destroying their nests or eggs, or deliberately disturbing them.

However, under the Wild Birds Directive,<sup>1</sup> Member States may derogate from these strict conservation measures 'to prevent serious damage to crops, livestock, forests, fisheries and water' or 'for the protection of flora and fauna', where there is no other satisfactory solution.

In order for such a derogation to be permitted, however, clear evidence must be provided that there is a danger of 'serious damage'. Member States or their federal states and regions are responsible for approving local or regional measures to reduce damage by cormorants. In practice, however, it seems that the concept of 'serious damage'<sup>2</sup> caused by a bird species is interpreted in different ways, and a clearer definition of it is therefore required.

Currently in almost all European countries there are cormorant regulations of various kinds, either restricted in space or time: e.g. shooting permits for certain areas (Sweden, Poland, Italy, Denmark, Germany, Austria), for certain periods (Romania, Estonia) or for fixed quotas (France, United Kingdom, Slovenia); in particular cases approval has also been granted for intervention in breeding colonies (felling of nesting trees, rendering eggs infertile). In some Member States which are also important as breeding areas (e.g. the Netherlands, Finland, Belgium), on the other hand, no measures of any kind are permitted against cormorants, even where manifest damage is occurring.

The probably most systematical approach to the cormorant problem is the regulation in Switzerland, a non-EU country. Interestingly, this "Swiss model" is seen as a positive example by BirdLife International. In the 'Swiss model' is, based on ecological considerations, clearly defined in which areas the cormorants enjoy full protection and where interventions are permitted.

<sup>1</sup> Article 9(1)(a), second and third indents.

<sup>2</sup> While production of 'scientific proof' of damage having occurred is often and keenly called for, it is not needed in every individual case and certainly not where damage has already occurred. Under the terms of the Directive it is sufficient to have plausible indicators that the danger of serious damage existed. However, it would be for the competent authorities to judge the validity of the case.

**1.** The face of an effective fish eater. **2.** Cormorants normally breed in trees. **3.** Where there are no predators, they also breed on the ground. It is in those colonies that the population numbers should be controlled. **4.** Few measures to scare them away really help. **5.** Besides the fish that are eaten, many fish are mortally wounded by the cormorants. **6.** A rare sight since the eel has almost become an endangered species.