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Brussels, 25 September 2025

Request to withdraw EIFAAC's Framework for a European Cormorant Management Plan

Dear Director-General Qu Dongyu,

We, the undersigned European non-governmental organisations, write to respectfully request the withdrawal of the "*Framework for a European Cormorant Management Plan*" (CMP) produced by the Food and Agriculture Organisation's European Inland Fisheries and Aquaculture Advisory Commission (EIFAAC) under a contract from the European Commission's Directorate-General for Maritime Affairs and Fisheries (DG MARE) entitled "*Developing Europe-wide management advice to protect vulnerable and endangered fish species from unsustainable predation by cormorants*" (GCP/RER/069/EC).

We formally request the withdrawal of this document because:

1. The management planning process was flawed (see detailed arguments in Annex 1);
2. The resulting CMP is of inferior quality (see detailed arguments in Annex 2);
3. The proposed management measures are inconsistent with the provisions of the European Union's Birds Directive (see detailed arguments in Annex 3);
4. The development process has not complied with the provisions of the UNEP's Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) regarding the development of international species management plans (see detailed arguments in Annex 4);
5. The plan also conflicts with the FAO's own Environmental and Social Management Guidelines and recommendations for managing human-wildlife conflicts (see detailed arguments in Annex 5).

Nevertheless, we express our willingness to address the management of the Great Cormorant through procedures implemented by the competent national authorities, as well as the relevant European Union and United Nations institutions that are legally responsible for managing this bird species, namely the DG ENV and the AEWA Secretariat. While we acknowledge that fisheries stakeholders,

including the EIFAAC, must be involved in management decisions pertaining to fish-eating species, we firmly oppose the continued leadership of EIFAAC. Their sectoral and non-inclusive approach has undermined our trust in their capacity to facilitate such an inherently multi-stakeholder process.

We look forward to your response regarding your decision. If you require further information, please contact Dr. Szabolcs Nagy of Wetlands International Europe.

Dr. Chris Baker
Director

Cc:
Dr. Manuel Barange, Head of Fisheries and Aquaculture
Dr. Raymon van Anrooy, EIFAAC Secretary and Senior Fishery Officer

This letter and its annexes are supported by the following organisations:

LPO - Birdlife France (LPO), Cédric Marteau - General manager, France
DOPPS - BirdLife Slovenia (DOPPS), Luka Božič - Conservation ornithologist, Slovenia
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A Rocha France, Rachel Calvert - Board Chair, France
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Seas At Risk (SAR), Tobias Troll - Marine Policy Director, EU
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Association Biom (BIOM), Ivana Selanec - Executive director, Croatia
Latvian Ornithological Society (LOB), Antra Stīpniece - IWC coordinator – president, Latvia

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Naturschutzbund Deutschland e. V./ Nature and Biodiversity Conservation Union (NABU), Konstantin Kreiser - Conservation Director, Germany
Sciaena, Gonçalo Carvalho - Executive Coordinator, Portugal
Eurogroup for Animals, Léa Badoz – Wild Animals Programme Officer, EU


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Annex 1. A flawed management planning process

Contrary to previous EU processes dealing with the Great Cormorant (REDCAFE, INTERCAFE, FRAP, CorMan, CormoDist), which involved ornithologists, fisheries experts and social scientists, the Framework for a European Cormorant Management Plan (CMP) was drafted solely by three fisheries experts. One of them, Mr Cowx, is well known for his prolonged unsuccessful efforts to promote the Pan-European culling of the Great Cormorant[1] through the European Parliament. However, calls for coordinated EU-wide or Pan-European culling were repeatedly rejected by the European Commission multiple times[2,3], based on the findings of the more balanced EU research projects mentioned above.

The CMP was created through a deliberately biased process designed to mobilise the fisheries stakeholders.

1. An EIFAAC **Workshop on management advice for reducing the impact of Cormorant predation on fish and fisheries**, Pula, Croatia, 8 October 2024. (78 participants from 24 countries). This workshop lasted only four hours, with just half of that time dedicated to discussion. Only two participants represented the conservation sector (BirdLife International); the rest were all fisheries stakeholders.
2. A Baltic Sea Advisory Council **Workshop on predators in the Baltic (seals, cormorants), second edition**, Helsinki/online, Finland, 30 October 2024 (71 participants). Based on the meeting minutes, we could only identify HELCOM as a non-fishery stakeholder.
3. A **North Sea Advisory Council/BSAC Workshop on predators (seals & cormorants)** was held in Luleå, Sweden, on 20 March 2025 (41 participants). The CMP does not mention the positions expressed by the representative of the European Commission, ICES, and the North Sea Foundation at this meeting.
4. An **EIFAAC stakeholder consultation on the draft European Cormorant Management Plan** took place in Rome/online on 25 April 2025 (114 participants). We could only identify a maximum of three competent national authority representatives responsible for cormorant management—Sweden, the Netherlands, and Switzerland—but it is unclear whether they all represented conservation authorities or fisheries bodies. Fisheries stakeholders again dominated this meeting. The session lasted only two hours, with just 55 minutes allocated for discussions. Even this time was further curtailed by technical difficulties.
5. A Polish Presidency to the Council of the EU/EIFAAC Conference on management advice to reduce cormorant predation impacts, Brussels/online, Belgium, 3 June 2025. (230 participants, the meeting minutes are not yet available). This meeting lasted three hours, during which only 85 minutes were allocated to questions and answers, but this was again significantly reduced due to technical difficulties.

Throughout this process, the plan's authors acted more like agitators than honest brokers, a crucial requirement for managing any human-wildlife conflicts. They actively sought political support from

[1] https://www.europarl.europa.eu/RegData/etudes/note/join/2013/495845/IPOL-PECH_NT(2013)495845_EN.pdf
[2] https://www.europarl.europa.eu/doceo/document/E-8-2016-004736-ASW_EN.html
[3] https://www.europarl.europa.eu/doceo/document/E-9-2021-001534-ASW_EN.html

governments and members of the European Parliament, which could be viewed as active lobbying and raises questions about its compatibility with FAO standards.

We consider this planning process fundamentally flawed because it was carried out with minimal involvement of the responsible national authorities of the EU Member States or of the AEWA Contracting Parties managing the Great Cormorant, as demonstrated above.

Other international management planning processes, such as those under AEWA, aim to involve the relevant national authorities and stakeholders' representatives through national delegations. These processes typically allocate an extended duration—at least two to three days, possibly on multiple occasions—to collaboratively develop the plan within an interactive workshop environment. Techniques such as multi-criteria decision analysis are employed to formulate management alternatives that are broadly acceptable to stakeholders. This approach is distinct from a top-down methodology that presents a single solution devised by a potentially biased team. For additional information, please refer to AEWA's management planning guidance and our comments in Annex 4.

Annex 2. A plan unsuitable for adoption

The CMP asserts that "*it provides a **balanced**, **science-based**, and inclusive roadmap for managing the complex interactions between cormorants, fisheries, aquaculture and fish conservation in Europe*". Unfortunately, it does not live up to any of these claims.

In the following sections, we comment on:

- The scope of the CMP;
- The scientific quality of the CMP;
- The quality of the plan;
- The management structure.

The scope of the CMP

The CMP does not respond to the question posed in the contract titled: *"Developing Europe-wide management advice to protect vulnerable and endangered fish species from unsustainable predation by cormorants."* Despite the title of the DG MARE contract, the CMP primarily concentrates on the perceived impacts of the Great Cormorant on fisheries and pays limited attention to the conservation of threatened fish species. It references some threatened fish[4] only briefly in a paragraph on Conservation on page 27. However, the CMP does not provide any systematic analysis of the fish species affected by cormorant predation, nor does it assess the scope and severity of this threat, which would typically be a standard procedure in any management planning process. Contrary to the assertion in the final sentence of the aforementioned paragraph of the CMP, the IUCN Red List assessment has systematically considered the impact of predation whenever scientific evidence supported such an evaluation. Our analysis of the 2024 European Red List data from the IUCN reveals that predation by the Great Cormorant is mentioned in relation to only 13 of the 288 threatened fish species[5] in Europe (see Appendix 1).

It is evident from the CMP that the assertion of safeguarding endangered and vulnerable species from cormorant predation serves merely as a pretext to conceal the primary objective of defending the interests of commercial and recreational fisheries. The plan exhibits a lack of detailed specifications regarding the locations, timing, and specific actions necessary for the conservation of these threatened fish species. It predominantly advocates for a Pan-European culling programme as a universal solution. Nevertheless, prior EU research, notably the CormoDist project, has clearly demonstrated that such an approach would be ineffective in addressing the issue. Instead, local, subnational, or national management programmes are more pragmatic and can be more precisely targeted. This is particularly pertinent for the preservation of threatened fish species, which already have restricted distributions and could be safeguarded through spatially and temporally targeted interventions (see Russel et al. 2012, Russell & Carss 2022)[6].

[4] Characteristic of the scientific quality of the CMP, the authors do not use the proper vernacular names of the species, even when there are multiple salmon or grayling species.

[5] This includes all species listed as Vulnerable, Endangered and Critically Endangered.

[6] We only provide citations for references that are already included in the list of references in the CMP.

The scientific quality of the CMP

Regrettably, the CMP lacks scientific rigour. In Appendix 2, we offer comprehensive comments regarding the plan. Here, we merely emphasise the principal deficiencies and exemplify these through a limited number of instances:

- **Missing references:** In many instances, citations are absent from the reference list. These are highlighted in purple in Appendix 2.
- **Misattributions:** For instance, on Page 7, the CMP erroneously assigns a multiplier factor of 4.5 to Wetlands International (2025), despite the referenced citation recommending the use of a multiplier of 3. The authors cite Wetlands International even though the organisation has indicated that the standard multiplier of 3 is employed in population estimates, providing them with the reference to Meininger et al. (1995) in its commentary on the second draft of the CMP. The authors incorporated the reference to Meininger et al. (1995) in the final version of the document but also ethically incorrectly has attributed this false figure to Wetlands International. This represents a significant issue, as the entire calculation of cormorant damage within the CMP depends on this inadequately justified and poorly documented figure.
- **Exaggerated impact of the Great Cormorant on fisheries and food security:**
    - The CMP estimates that the European population of the Great Cormorant consumes approximately 365,000 tonnes of fish annually. This estimate is derived from a plausible assumption that each individual consumes 500 grams of fish daily. Nevertheless, the CMP applies this estimate to a population figure of 2 million individuals, based on the aforementioned multiplier of 4.5. However, the latest data from Wetlands International suggests that the actual population ranges between 1.2 and 1.5 million across the three European populations, representing a reduction of 25% to 40% relative to the CMP's figures. Regrettably, the authors have overlooked, despite it being explicitly stated on page 7, that the multiplier of 4.5 may be valid only during the autumn post-nuptial period; population numbers decrease significantly outside this period, as the first-year survival rate is estimated at only 0.4. Most juveniles perish after fledging, making it incorrect to apply this multiplier throughout the entire year.
    - The CMP's assertion that the Great Cormorant consumes as much fish as 16 million people and that the total value of fish consumed by the species exceeds 1 billion euros exemplifies another gross exaggeration intended to mislead uninformed decision-makers concerned with food security. As previously demonstrated, the figure of 365,000 tonnes of fish consumption is based on a substantial overestimation of the cormorant population. The actual value should be approximately 25-40% lower. Even if the claim were accurate, it remains significantly less than the discrepancy between annual fisheries catches and landings, and amounts to approximately half of the 786,000 tonnes of non-food use within the total EU fish landings despite the fact that only 53% of the European Great Cormorant population breeds in the European Union. Hence, the comparison to the EU population would be just a quarter. Additionally, only a small proportion of this fish would consist of commercially valuable species.

- **Reliance on unpublished and forthcoming works:** Unfortunately, many of the CMP's key claims are based on evidence whose credibility cannot be assessed.
    - One example of this is the claim about the impact of the Great Cormorant on food security, which is based on FAO. 2025a. European inventory of fish damages caused by cormorant predation: findings from a joint EIFAAC/EAA/FEAP study. EIFAAC Occasional Paper, No. 60. Rome. (forthcoming).
    - Similarly, claims that fish stocks in Eastern Europe have improved in recent years are also based on the same reference, although it contradicts the findings of Arthur (2025), another EIFAAC report, which does not universally support this claim.
    - Similarly, the assertion that cormorants have led to farm closures and diminished profitability in numerous nations is solely supported by the same FAO, 2025a citation. Nevertheless, one might expect that such a significant issue would have garnered greater attention within the academic community and more evidence would be available.
- **Misleading citations.** In numerous instances, the referenced papers have arrived at conclusions differing from those attributed to them by the CMP. These discrepancies are highlighted in red in Appendix 2; however, we provide a few examples here for illustrative purposes.
    - Citations claimed to support the statement that even rare visits by cormorants have serious consequences for wild river fish populations, but actually reached different conclusions.
        - Harris et al. 2008: *"In summary, there have been few quantitative studies undertaken that have actually demonstrated reductions in population size or productivity as a result of cormorant predation in Scotland. The recent study at Loch Leven indicated that large numbers of fish were removed by cormorants. However, it also highlighted some of the problems that exist in quantifying the scale of the impact on fish stocks and fishery economics, in part due to the uncertainties over fish population sizes."*
        - Boström et al. (2009): *"Predatory impact on salmon was found to be low, as no tags were recovered. Impact on trout was estimated 1.9%. Additional inspections of material within and around nests for tags gave similar estimates within a low range 0.8–2.3%".*
        - Boström et al. (2012): Even the names of trout or salmon cannot be found in this paper. The study shows that the majority (by weight) of fish eaten were Eelpout and Sticklebacks. None of these species have high commercial or recreational value. Commercially valuable fish constituted less than approximately 20% of the food.
        - Vech and Vejrik (2011): *"The only surprise is the very low presence of trout spp. and grayling in the diet of great cormorants at Vyšší Brod when anglers were certain that the birds are responsible for brown trout and grayling*

populations being close to collapse and for the significant decrease in their catches."

- Jepsen et al. (2019): *"Analyses of tag recovery data indicated considerable cormorant predation on tagged flounder, eel and salmon smolts, but the method did not deliver high-quality documentation, mainly because of limitations in pellet sampling.*"
- Evrard et al. (2005): The authors actually state that cormorants consumed between 9.7% and 10.6% of the Roach stock in the studied area, but cormorant predation is lower than the mortality caused by recreational fishing, which is estimated at 15%.

- Citations that were misused to support the claim that cormorant predation depletes fish stocks in lakes:
  - Britton et al. (2002): It actually concluded that *"Despite subsequent, heavy depredation by over-wintering cormorants recorded in this study, the fish populations compensated for the losses incurred by cormorants by accelerating their growth rate. This minimised the size window when they were most vulnerable to depredation, lowered their age of sexual maturity and increased their fecundity for age. This ensured long-term sustainability in the fish populations in the face of the depredation and was due to a decrease in inter- and intra-specific competition in the fish populations."* This observation aligns with the ecological impact of the practice of thinning fishing in carp fishponds.
  - Dirksen et al (1995): The paper concluded that *"As most of the fish consumed belongs to species potentially hazardous to water quality (transparency) the Cormorants seem to support biological management."*
  - Rudtsam et al. (2004): This paper deals with the Double-crested Cormorant (*P. auritus*), a North American species. It provides no evidence concerning the impact of the Great Cormorant (*P. carbo*).
- Similarly, the numerous citations supporting the claim that the Great Cormorant consumes a significant proportion of the marine fish stocks.
  - Birt et al. (1987): This paper focuses once more on the Double-crested Cormorant, a North American species, rather than the Great Cormorant.
  - Veneranta et al. (2020): *"The cormorants' share of the >2-year-old perch biomass and production would be 8%, while that of other natural mortality would be 63% and that of fishing 29% in 55H1. The yield-per-recruit-results should be interpreted as an estimate of maximum cormorant effect because the dependence of predation rate on prey density was not accounted for, and density-dependence of growth, mortality, and reproduction of perch could partly compensate the loss."*
  - Arlinghaus et al. (2021): Present a less a more nuanced view as it concluded that *"... the foraging niches of cormorants and of both fishers and anglers*

differed strongly as evidenced by largely non-overlapping sets of species that were caught and removed by cormorants and by commercial as well as recreational fishers. However, for individual species of commercial and recreational interest, specifically perch, cormorants were responsible for a major fraction of total biomass extraction, suggesting that at the individual fish species level competition with fishers and anglers may still occur. "

- Mustamäki et al. (2014): This is also partly misleading as they concluded that *"In all study sites overfishing seemed to cause adverse population trends, and [only] in Galtfjärden cormorant predation could partly contribute to the decline by predation on small pikeperch".*
- Heikinheimo et al. (2016): The conclusion of this study actually suggests that impacts are often overestimated: *"The average annual cormorant-induced mortality accounted for 5–34% of the total mortality in these age groups. The sensitivity analyses proved that the rates of mortality from other sources largely affect the estimated mortality from cormorant predation. In cases with strong fluctuations in the abundance of the prey fish stocks, ignoring the size- and density-dependence of the natural mortality may lead to overestimation of the significance of cormorants as competitors of fisheries."*

- **Confirmation bias.** The CMP relies on papers that support the fisheries sector's position while omitting or downplaying evidence that contradicts this viewpoint.
  - When evaluating the influence of cormorants on fish species, the authors omitted numerous references that oppose their viewpoint regarding the effects on fish populations. E.g.:
    - Suter, W. (1995). The effect of predation by wintering cormorants *Phalacrocorax carbo* on grayling *Thymallus thymallus* and trout (*Salmonidae*) populations: two case studies from Swiss rivers. Journal of Applied Ecology, 29-46. It states: "*No evidence was found to support predictions of a negative effect on fish population dynamics by cormorants. Predation intensity on grayling was positively correlated with yield in the largest grayling population of Switzerland. In the other river, grayling yield was unusually low after a cormorant influx in one winter. This had been taken widely as evidence of population depredation, but yield variation was mainly a function of angling effort and age structure in the grayling population. However, some compensatory effect between angling success and bird predation is possible. At the same time,a sudden decrease in trout yield was caused primarily by altered regulations for trout fishing. Variations in growth rate, age structure and age at first maturity in the large grayling population were not related to cormorant predation, but to the strength of the recruiting cohort (age class 2)."*
    - Lyach, R. (2020). The effect of fishing effort, fish stocking, and population density of overwintering cormorants on the harvest and recapture rates of

three rheophilic fish species in central Europe. Fisheries Research, 223, 105440. https://doi.org/10.1016/j.fishres.2019.105440. The study determined that fishing effort is the primary factor influencing the harvest of rheophilic fish species. Cormorant population density was found not to impact the harvest of these species. Additionally, fish stocking was observed to have only a partial effect on the harvest of rheophilic fish species.

- Lyach, R., & Čech, M. (2017). The effect of cormorant predation on newly established Atlantic salmon population. Folia Zoologica, 66(3), 167-174. The study found that the cormorant's diet consisted of 24 fish species from six families, yet no salmon were consumed. The salmon stocking programme yields a considerable number of smolts; however, the return rates of adults are significantly low. The primary cause for the low return rates is not attributed to cormorant predation in nursery streams but is most likely due to a low survival rate during downstream migration.
- Lyach, R. (2022). Do Cormorants and recreational anglers take fish of the same species and sizes?. Ardea, 109(3), 629-638. The findings of this study can be summarised as the majority of fish caught by cormorants were under the minimum legal catchable size for anglers. Species of moderate interest to anglers (mainly Roach Rutilus rutilus) dominated in cormorant diets, while Common Carp *Cyprinus carpio* dominated in catches of anglers. In conclusion, the direct competition for fish between anglers and cormorants appeared low. However, as cormorants consumed small fish that serve as prey for piscivorous fish species and that could potentially grow into legally sized fish for angling purposes, this still allows for indirect competition between cormorants and sport fisheries.
- Govedič, M., Govedič, T. B., Pajtnar, A., & Torkar, G. (2022). Great Cormorants (Phalacrocorax carbo) in the Subalpine Soča River System, Slovenia: The Possible Effect of Avian Predators in a Sensitive Biogeographic Region for Fish. Ardea, 109(3), 395-415. The authors argue that cormorants constitute only a minor component of a broader issue in the conservation of the river ecosystem and demonstrate that greyling populations commenced declining years prior to the arrival of the cormorants in the area.
- Van Rijn, S. (2022). Winter diet of Great Cormorants (*Phalacrocorax carbo*) in the River Geul, The Netherlands: The significance of prevalent small riverine fish species. *Ardea*, 109(3), 417-428. The study demonstrates a minimal impact of cormorants on Brown Trout populations within the Geul River in the Netherlands.
- van Eerden, M. R., & van Rijn, S. (2022). Time shift in the exploitation of fish stocks by Great Cormorants Phalacrocorax carbo at Lake IJsselmeer: how wintering birds began competing for fish with breeding conspecifics. Ardea, 109(3), 457-470. Wintering and breeding cormorants consumed 5% and 15%

of the fish stocks during the periods 1985-2000 and 2001-2015, respectively. Although the overall fish stocks have declined, the population of Ruffe has increased despite being a primary food source for the cormorants. This clearly indicates that the reduction in fish stocks was attributable to intensive fishing activities rather than an increase in the cormorant population cormorants.

- Cosolo, M., Privileggi, N., & Sponza, S. (2022). Diet of Great Cormorants Phalacrocorax carbo in Relation to Fish Resources in the Upper Adriatic Sea. *Ardea*, 109(3), 481-490. Confirmed that cormorants foraged mainly not on the reared fish species, and their impact was minimal.
- van Rijn, S., & van Eerden, M. R. (2022). Food choice and prey selection by Great Cormorants Phalacrocorax carbo in a shallow coastal zone in the Dutch delta area: importance of local flatfish stocks. Ardea, 109(3), 507-528. Consumption of flatfish by seals was about nine times higher than by cormorants.
- Liordos, V., Zogaris, S., & Papandropoulos, D. (2011). Great cormorant Phalacrocorax carbo food and human perceptions at the Amvrakikos Gulf, western Greece. In *Proceedings 7th Intl. Conf. Cormorants* Liordos et al (p. 102). Fish species of low commercial value dominated the cormorants' diet, contrary to fishermen's belief.
- Carpentier, A., Marion, L., Paillisson, J.-M., Acou, A., & Feunteun, E. (2009). Effects of commercial fishing and predation by cormorants on the Anguilla anguilla stock of a shallow eutrophic lake. *Journal of Fish Biology*, 74(11), 2354–2369. https://doi.org/10.1111/j.1095-8649.2009.02234.x. Predation levels by cormorants are modest compared to fishery mortality; it highlights the risk of overestimating the impact of cormorants.
- Troynikov, V. S., Svarvar, P., & Cederbaum, C. (2013). Feeding ecology of Great Cormorants and overlap with commercial fisheries in the Curonian Lagoon, Lithuania. *Fisheries Research*, 145, 45. They found negligible overlap in size selectivity between cormorants and commercial fishing nets. It indicates that direct competition with fisheries is limited.

- On page 18, the CMP claims that management plans implemented at Lakes Huron and Ontario demonstrate the feasibility of successfully reducing cormorant predation on a large scale. However, the authors neglect to mention that_
  - The spatial scope of these plans is not comparable to that of the proposed Pan-European Cormorant Management Plan. The surface area of Lake Huron is approximately 59,600 km² and that of Lake Ontario is approximately 19,000 km². Thus, the combined area of these two lakes is smaller than the territory of Hungary, a smaller European nation, and constitutes less than 0.8% of Europe's total area. This demonstrates a markedly different scale compared to the objectives of the CMP.

- Furthermore, the North American cormorant management plans are not as successful as claimed by the authors. In Appendix 3, we provide a review of the effectiveness of these plans. In summary, cormorant management plans in North America can be effective for specific, localised objectives, but complex population dynamics, ecological interactions, and social factors limit their broader ecological effectiveness and justification.

  - The most significant omission concerns the final report of the EU-funded **CormoDist project** titled "*Dynamics of Great Cormorant Population in Europe*", produced under Service Contract N° 070307/2013/6577079/ETU/B3 for the DG Environment (attached as Appendix 4). **This study clearly demonstrates, based on migration analysis and population modelling, that a Pan-European culling of the Great Cormorant is unlikely to result in a proportional reduction in human-wildlife conflicts.** These conflicts primarily occur in proximity to breeding colonies and roost sites, or in areas that are especially attractive to the species. (Arguments against a Pan-European culling and alternative solutions are highlighted in yellow in Chapter 7 of the CormoDist report).

- **Statements lacking supporting evidence.** The CMP is filled with making high-impact statements without any supporting evidence.

  - On Page 9, the CMP states: *"Estimates suggest that cormorants are the leading cause of eel mortality, exerting a far greater impact than both fishing and hydropower/water pumping stations combined."*

    - Nevertheless, predation by the great Cormorant is entirely absent from the 2025 report of the Joint EIFAAC/ICES/GFCM Working Group on Eels (WGEEL)[7], which represents the most authoritative official scientific guidance provided by eel specialists from the European Union Member States. [8]

    - Although the European IUCN Red List assessment takes note of assertions concerning the eel consumption by the Great Cormorant, its predation was not included and assessed as a major threat in the associated threat table. Furthermore, the European IUCN Red List assessment states: *"Anguilla anguilla is susceptible to a number of natural and anthropogenic threats. These threats include but are not limited to; barriers to migration, climate change, habitat loss/degradation, invasive species, parasitism, pollution, predation and unsustainable exploitation (Drouineau et al. 2018, Righton et al. 2021). The occurrence and significance of these threats varies considerably from area to area across the species range. The significance of any single threat, or the synergy it may have with other threats is still poorly understood (Dekker 2004, Jacoby et al. 2015, Miller et al. 2016). It is therefore important to highlight that management measures focusing on a single threat, in isolation of other identified pressures (listed below), are less likely to have a significant positive effect on the stock than a combined approach."*

[7] https://doi.org/10.17895/ices.pub.27233457
[8] https://www.iucnredlist.org/species/60344/216177498

- Additionally, on page 9, the CMP attributes the 43% decline in inland fisheries in Europe to the Great Cormorant without citing any supporting evidence, despite numerous referenced sources previously mentioned that challenge this assertion statement.
- One of the most significant statements without any evidence is that national mitigation measures have largely failed to reduce the impact of cormorant predation (Pages 1 and 25). This is the central thesis of the CMP, which is used to justify the need for actions at a Pan-European scale. However, the document lacks a review of the effectiveness of national cormorant management plans or a thorough analysis of concrete studies on the effectiveness of cormorant management measures. It is regrettable that EIFAAC did not conduct a proper evaluation of existing national cormorant management measures, instead relying on anecdotal evidence only.
    - Fortunately, there is some evidence collected through more rigorous processes that shows breeding numbers can be stabilised through only national actions. The evaluation of the previous Danish national plan also reveals that regulating breeding colonies reduces local food demand in spring–summer but has little effect on autumn–winter consumption due to migrants. Sporadic shooting of adults has limited effect, but continuous, coordinated scaring is required at non-breeding areas.
    - Similarly, the evaluation of provincial management plans in Bavaria contradicts the CMP's statements on the ineffectiveness of measures. The Cormorant Management Toolbox (Russell et al. 2012) and other evidence-based assessments also challenge the CMP's claims.

The quality of the plan

Given the weak scientific foundation, it is not surprising that the CMP establishes an impractical, inconsistent management framework, which is likely to incur huge costs.

An unrealistic plan

The CMP advocates for a coordinated culling initiative adhering to the principles of adaptive management. Nevertheless, it would be unprecedented to execute adaptive population management on such a scale. The North American Cormorant Management Plan encompasses a region that constitutes merely 1% of Europe and it has also faced severe difficulties.

A Pan-European Cormorant Management Plan would also be impractical during Russia's unlawful conflict with Ukraine. The two nations harbour approximately one-third of Europe's Great Cormorant breeding populations. The majority of Ukrainian and Russian colonies are situated around the Azov Sea, a region actively impacted by the war and likely to remain inaccessible for an extended period for the purposes of controlling and monitoring the Great Cormorant population, even following the cessation of hostilities. The culling of cormorants will probably remain a low priority for these countries for many years to come. Consequently, the Russian and Ukrainian breeding populations are expected to serve as reservoirs for the replenishment of European cormorant populations, particularly throughout the Black Sea and Mediterranean regions.

The CMP anticipates the adaptive management of the European Great Cormorant population predicated on the triannual evaluation of both the cormorant and fish populations' statuses. The execution of comprehensive breeding population censuses for the Great Cormorant across Europe would pose significant challenges even amidst peacetime conditions, and this difficulty would be exponentially compounded under the prevailing political circumstances. The implementation of requisite fish monitoring programmes at an equivalent scope would present even greater challenges and would be unprecedented in nature.

Analysing the interactions between the Great Cormorant population and fish populations, considering the impacts of commercial and recreational fisheries, along with the numerous other factors affecting fish communities across the continent, would either result in overly coarse assessments (as evidenced by the CMP) or require the creation of a digital twin of Europe's inland, coastal, and marine waters. Such an undertaking is unprecedented and likely exceeds the scientific and financial capacities of European governments and institutions. Moreover, it would be difficult to justify this effort solely for addressing the damages caused by the Great Cormorant, especially considering that, as demonstrated through multiple EU projects, these issues could be more effectively managed through targeted local, national, or regional management strategies.

Poor formulation of objectives, actions, outputs and indicators

The CMP fails to articulate appropriate management objectives. Objectives are defined as the targets a plan endeavours to accomplish, such as safeguarding fish populations from cormorant predation or maintaining cormorants in a favourable conservation status. However, the CMP merely presents a series of actions, such as monitoring the status of cormorants, as objectives in Section 3.4.

Within the logical framework, the outputs are often inaccurately associated with the actions. For instance, under Action 1, the CMP aims to "Establish and operate a standardised pan-European system for monitoring cormorant population trends and breeding sites," yet the corresponding output is "Monitoring of cormorant breeding success at nesting sites in protected areas." This constitutes not only an inappropriate output but also an incomplete representation of the action, as no alternative output has been specified to encompass other elements of the action. Furthermore, the identified output is not linked to the indicators such as (i) regular updates of the status and trends in cormorant population distribution and abundance, including breeding and overwintering populations; (ii) an open access European monitoring information system updated biennially; and (iii) a review of the cormorant population distribution and abundance across Europe.

Similar inconsistencies and inadequate formulation of actions, outputs, and indicators appear throughout the logical framework matrix, signifying limited planning expertise on the part of the authors.

An unrealistic and inconsistent timeline

The CMP delineates two schedules for its implementation. One appears on Page 37, and another is incorporated within the logical framework in Chapter 5. Although the specific details are not explicitly articulated in the text, it is presumed that the initial two years are allocated to the development of a comprehensive management plan (Years 1–2), subsequently followed by a six-year implementation phase (Years 3-8).

Regrettably, the two timelines exhibit inconsistencies. For instance, the key milestones outlined on Page 37 anticipate the development of a single species management plan in Year 2. However,

according to Section 4.2.3, the CMP indicates that they would only consider the preparation of an AEWA plan subsequent to the mid-term evaluation of the current plan.

Rather illogically, the CMP allocates Years 1–5 to Activities 9) Mitigation measures and 12) Systematic lethal control under Step 2, which is about determining management measures, while Action 13) Spatial management to years 3–5. However, this step should be part of the management planning process and should be completed before submitting the plan for adoption as these are essential elements of the plan.

It is also unclear how the timing of Years 3–10 for Actions 23) Habitat modification and 24) Restore habitats would fit into a six-year planning horizon.

Creating a parallel management structure

In Europe, the competent national authorities bear responsibility for the management of the Great Cormorant, rather than an FAO advisory body such as EIFAAC. Accordingly, while EIFAAC may engage in a management planning process as an advisor, it lacks the authority to formally adopt such plans within its organisational framework. This responsibility ultimately resides with AEWA and the European Member States through the appropriate structures designated for the implementation of the Birds Directive. I

It is unclear in what form the competent national authorities will be able to exercise their right to collectively govern the CMP's implementation and revision. The EIFAAC membership is not representative of the competent national authorities and therefore no substitute for a dedicated governance structure. Although, the CMP proposes the establishment of some structures (a Secretariat, a Cormorant Management Advisory Group and the Compliance Committee), but these do not have a governance role and they have only advisory role. In addition, the establishment of the Compliance Committee would be incompatible with the voluntary nature of species management plans under AEWA and the EU Birds Directive. In addition, it would operate in parallel with existing EU and AEWA bodies and would be only suitable for naming and shaming countries that do not want to implement the CMP. Consequently, we hereby register our strong opposition to these structures.

We believe that the International Species Working Group structure applied under AEWA would be a more appropriate fit for the nature of cormorant management. This model engages national delegates, including policy officers, nationally appointed experts, and stakeholders. Furthermore, international organisations representing stakeholders may also participate as observers. This structure is better suited to facilitate the intergovernmental co-decision process necessary for the adaptive management of shared populations under a voluntary plan compared to the one proposed by the CMP.

Annex 3. The CMP is inconsistent with the provisions of the EU Birds Directive

EIFAAC is requesting the adoption[9] of the CMP from the European Parliament, which would be unprecedented. However, the European Parliament cannot adopt any proposal that would contradict the existing EU legislation including the Birds Directive (Directive 2009/147/EC).

The Great Cormorant is a species protected under the Birds Directive in the European Union. As it is not listed in any of the annexes of the directive, it falls under the general regime of protection provided by Article 5 of the Directive, which requires the **prohibition of the deliberate killing** or capture of the birds, the **deliberate destruction of, or damage to their nests and eggs** or the removal of their eggs, their **deliberate disturbance** and their keeping. Member States should also prohibit the use of means and methods that can cause large-scale or non-selective capture of killing of birds, in particular those listed in Annex IV, point (a) or the use of transport, under conditions mentioned in Annex IV, point (b) of the Birds Directive.

Furthermore, and contrary to the incorrect assertion made by the CMP, Member States are also obligated to safeguard sites that satisfy the criteria for wetlands of international importance in accordance with Article 4(2) of the Birds Directive.

In accordance with Article 9 of the Birds Directive, Member States are permitted to derogate from the provisions set forth in Articles 5 and 8 for reasons including, but not limited to, preventing significant damage to crops, livestock, forests, fisheries, and water or for the protection of flora and fauna, provided that no alternative satisfactory solution exists. Member States are required to designate their national or regional authorities authorised to determine the existence of the necessary conditions for derogation, as well as to establish the procedures or methods permissible within specified limits and who can carry the action. Additionally, Member States must submit annual reports to the European Commission detailing the derogations granted, including the number of individuals allowed and those affected. Pursuant to Article 9(4), the European Commission bears the responsibility to ensure that the consequences of such derogations do not conflict with the objectives and provisions of the Directive.

Similar to any EU directive, the Birds Directive does not exert immediate legal effect on the citizens and companies within the Member States. Instead, it must be incorporated into national legislation, or where applicable, subnational legislation across all Member States. Grounded in the subsidiarity principle that underpins EU environmental legislation, these transpositions must adhere to the provisions of the Directive, while also allowing for the establishment of more stringent rules, and neither the European Commission nor any body of a legally non-binding species management plan can force the Member States to follow a particular course of action as long as they rules and acts comply with the provisions and the objectives of the Directive.

[9] The CMP uses the words ‘endorsed’ and ‘adopted’ interchangeably, which ignores the legal differences between the two.

The European Commission has produced a detailed guidance document specifically dealing with the application of the derogation system in the case of the Great Cormorant[10] already in 2013.

The principal provisions of the CMP that raise specific concerns in relation to the Birds Directive are as follows:e:

1. **Implement targeted lethal control measures to decrease the population until regionally agreed targets for breeding pairs are achieved (Page 35 and Actions 12, 25).** Nonetheless, Advocate General Sharpston stated, *"Article 9(1) does not give Member States carte blanche to derogate. It allows them to do so only in so far that it is strictly necessary and provided that the other objectives pursued by the Directive are not jeopardised. More particularly, Article 9(1) of the Wild Birds Directive cannot be interpreted in a way that turns it (i.e. the derogation) into the rule (rather than the exception)."* The CormoDist project report explicitly demonstrates that the damages attributable to the Great Cormorant are only directly related to the number of breeding pairs within the vicinity of the colonies. Elsewhere, however, there exists no direct correlation between the number of breeding pairs and the extent of damage. Such damages are more likely concentrated in the most suitable habitats for the Great Cormorant, and reducing cormorant populations through a Pan-European culling programme would not necessarily lead to effective mitigation of these damages. Conversely, alternative, more satisfactory solutions may be available under these circumstances and should be considered instead of culling.
2. **Establish population thresholds to trigger lethal control (Page 32, Action 5).** Given the previously mentioned point regarding the indirect and somewhat tenuous relationship between population levels and damage, implementing population thresholds for lethal control appears inconsistent with the provisions of the Birds Directive. The European Commission's guidance delineates three general criteria to demonstrate the occurrence of serious damage at a specific location: *"(a) Significant numbers of cormorants are actively foraging at a site, (b) The population structure and combination of fish species present at the site indicate that the foraging birds preying on fish stocks are the most likely cause of reduced fish catches, or injuries to fish, leading to verifiable situation of 'serious damage' to the fishery; and (c) Other factors are not likely to be responsible for serious damage to the fish stocks worth protecting at the site. All the above three conditions (a, b, and c) have to be met at the same time. None of them, taken in isolation, is sufficient to suggest 'serious damage' due to Great Cormorants."* Additionally, the European Commission emphasises that "the general notion of 'serious damage' caused by cormorant populations is relative and should be assessed on a case-by-case basis, where and when a conflict arises. " This logic implies that the severity of damage should be evaluated on the same scale applicable to the implementation of lethal measures (e.g., site, subnational, national, EU, or European levels). However, the highest authority authorised to approve derogations is the national level. Consequently, the derogation system should be implemented at the national or subnational level in accordance with relevant national or subnational conservation legislation.

[10] https://op.europa.eu/en/publication-detail/-/publication/eb3840b0-937d-4f0b-b616-107fe9825801

3. **Introduce a standardised, fast-track, streamlined protocol to apply for derogation for common use by stakeholders and competent authorities in all countries (Page 33, Action 7).** The European Court of Justice has ruled that *"It must also be noted, with regard to a derogation system such as that provided for in Article 9 of the Birds Directive, which must be interpreted strictly and impose on the authority taking the decision the burden of proving that those conditions are present for each derogation, that Member States are required to ensure that all action affecting the protected species is authorised only on the basis of decisions containing a clear and sufficient statement of reasons which refers to the reasons, conditions and requirements laid down in that article."* As mentioned in the introduction to this annex, all EU Member States were mandated to establish their respective national or subnational regulations for granting derogations as part of their transposition of the Birds Directive into national legislation. In practice, this provision of the CMP could be only implemented through the revision and amendment of the legal provisions in all the EU Member States and regions even though it remains the responsibility of the designated national and subnational authorities to assess, on a case-by-case basis, whether the conditions for derogations are met, whether there are alternative satisfactory solutions, and to determine the conditions applicable to the derogations.
4. **The CMP states that "*The justification [for derogation] will be to protect, and conserve threatened and endangered fish populations and improve population status of impacted fish populations.*" (Page 34).** In light of the minimal attention given to threatened fish species in the CMP, and the geographically specific nature of the threat that cormorants present to them, this generic justification appears to be proposing an insincere excuse for derogations. In addition, it is also logically inconsistent with the substantially broader spectrum of causes for derogations outlined in the CMP (e.g. damages to fisheries, forests and water). The evaluation of damages and the protection of flora and fauna should be grounded in a robust, scientifically rigorous assessment of the affected locations and the economic or ecological impacts of each case, rather than relying on such a generic and unsupported claim across the EU.

Annex 4. The CMP does not comply with the provisions of AEWA

Three European populations of the Great Cormorant are listed in Table 1 of the UNEP Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA).

Paragraph 4.3.4 of Annex 3 to the Agreement stipulates the development of international species management plans (ISMP) for waterbird populations causing significant damage to crops or fisheries. It explicitly states that the *"Agreement secretariat shall coordinate the development and harmonisation of such plans."* Nevertheless, this has not been accomplished in the case of the CMP. The EIFAAC has not collaborated with the AEWA Secretariat, nor has it engaged with the relevant authorities of Contracting Parties to AEWA or its Standing and Technical Committees in seeking guidance on the development of this plan. Consequently, the CMP in its current form would not be admissible for adoption by the AEWA bodies and would require restarting the management plan with the coordination of the AEWA Secretariat.

Based on our comprehension of the United Nations procedures, the FAO can provide scientific advice and technical expertise concerning matters related to fisheries. However, it does not possess the authority to assume responsibilities designated to another United Nations secretariat nor to formulate management plans for avian species that are the subject of United Nations treaties. Furthermore, the FAO cannot assume the role of coordinating the execution of management plans pertaining to such species. The management of these species should be carried out through the established procedures of the relevant treaties, namely, by AEWA in this case.

Furthermore, pursuant to Resolution 8, the Meeting of the Parties to AEWA has adopted comprehensive guidelines pertaining to the development, format, and content of international species action plans [Doc UNEP/AEWA MOP8.24]. Wetlands International, as a permanent member of the AEWA Technical Committee, contributed to the development of these guidelines and also participated as a compiler in the development of most existing AEWA International Species Management Plans (ISMPs). Consequently, it is positioned to assess the compliance of the CMP with AEWA's requirements regarding the development process and its content. Despite the claims of the authors, who lack prior experience with this planning process, we strongly hold the opinion that the CMP fails to meet the standards established for AEWA ISMPs. Our evaluation is founded upon the subsequent deficiencies:

- The AEWA guidance clearly states that a management planning process can only commence following a mandate received from the AEWA MOP.
- It is the sole responsibility of the AEWA Secretariat to lead the process for developing international species management plans in the Agreement Area for AEWA-listed species. No other organisation is authorised to undertake this responsibility.
- It is also incumbent upon the AEWA Secretariat to designate the compiler(s) of the plan.
- The planning workshop(s) should also be organised and facilitated by the AEWA Secretariat. AEWA Contracting Parties and other stakeholders should have been properly represented through officially mandated delegates, which was not the case with the IFAAC-organised workshop. Additionally, the agenda should have been structured according to the provisions of the AEWA guidance document to facilitate reaching an agreement amongst the Range

States on the objectives and the framework for actions of the plan. As demonstrated in Annex 1 to this letter, this was not the case for the CMP.

- The structure and content of the CMP also do not comply with the formal requirements outlined in the AEWA guidelines as we have demonstrated in Annex 2.
- Finally, but most importantly, the competent national authorities responsible for implementing AEWA and/or the EU Birds Directive were not formally consulted throughout the entire planning process.

Despite the treaty's explicit requirements, the CMP only suggests the possibility of compliance with the AEWA requirements, with uncertain timelines (see Pages 33, 36, 37, 40), rather than establishing a binding obligation that it commits to uphold. This deficiency underscores a regrettable lack of effective collaboration of EIFAAC with another United Nations secretariat.

Annex 5. Inconsistency with FAO's own guidance documents

FAO's guidance on managing human-wildlife conflicts

We express concern that the CMP is not aligned with FAO's established guidance on the management of human-wildlife conflicts (HWC)[11, 12]. These guidelines emphasise:

- **Prevention-focused, integrated, and context-specific management:** FAO frames HWC) management by prioritising conflict prevention through strategies such as land-use planning, barriers, husbandry, and livelihood measures. It emphasises the use of non-lethal tools initially and customising responses to align with local ecological and social circumstances. These approaches are downplayed in the CMP. Given the prevention-first, proportionality, and conservation safeguards above, a "continental-scale" culling campaign of Great Cormorant would not meet FAO's stated criteria and is therefore inadmissible in practice for HWC management of native species.
- **Lethal control constitutes a measure of last resort, contingent upon explicit criteria.** FAO documentation explicitly advocates for well-defined, pre-established criteria and authorisation for any lethal control methods (e.g., culling), which should be employed only after non-lethal alternatives have been demonstrated as inadequate and within a framework that complies with legal, ethical, and welfare standards. Although the CMP superficially recognises these requirements and offers unsubstantiated claims regarding the ineffectiveness of non-lethal methods and local or national measures, as highlighted in Annex 2, it primarily advocates for a continental-scale cull of the Great Cormorant under less stringent legal oversight than currently in place.
- **Legal authorisation and due process:** FAO's HWC guidance suggests that actions must be conducted within a designated permitting framework that specifies permissible actors, conditions, and methods, which is currently the case in the EU under the provisions of Article 9 of the Birds Directive. However, the CMP intends to diminish the rigour of the current system under the Birds Directive, advocating for a standardised, fast-track permitting system across the EU, compelling all Member States to cull the Great Cormorant even if they do not see the need for it.
- **Targeted and proportionate action:** FAO documents also advocate focusing on specific problem individuals or clearly defined populations rather than broad or indiscriminate removal. FAO's materials do not endorse such indiscriminate or large-scale culling approaches for native wildlife advocated by the CMP.

Compliance with FAO's Environmental and Social Management Guidelines

In our assessment, the CMP appears to be also non-compliant with the FAO's Environmental and Social Management Guidelines. A continental-scale culling of the Great Cormorant would only be permissible under stringent conditions and is likely classified as a High Risk activity. The Guidelines

[11] https://www.fao.org/4/i1048e/i1048e00.htm
[12] https://openknowledge.fao.org/server/api/core/bitstreams/ea0bb06a-a090-4888-a2b4-d78dafc64bd2/content

stipulate the necessity of: early screening and classification as High Risk; an independent Environmental and Social Impact Assessment (ESIA) including alternatives analysis and evaluation of cumulative and transboundary biodiversity impacts; documented and meaningful stakeholder engagement with timely disclosure; verification of compliance with FAO ESS and applicable legal requirements prior to approval; and strict adherence to the mitigation hierarchy and a precautionary approach to biodiversity. A broad, indiscriminate, or poorly justified cull would probably be incompatible with ESS 2 and related obligations if such reviews were conducted.

- **High Risk classification** criteria encompass potentially significant, irreversible, and/or cumulative impacts; impacts extending beyond the project footprint; and controversy among stakeholders. A continent-wide cull of a native, mobile wild bird species with transboundary populations precisely aligns with these criteria, thereby activating High Risk procedures, including a comprehensive Environmental and Social Impact Assessment (ESIA) conducted by independent experts. Such an independent ESIA was not commissioned in the case of the CMP, and comments from NGOS were largely dismissed.
- **Biodiversity safeguards that constrain lethal control at large scales (ESS 2)** are pertinent in this context. A Pan-European culling directly impacts biodiversity and natural habitats; consequently, ESS 2 is applicable. Implementing a blanket cull may have detrimental effects on ecosystem functions and could potentially affect protected areas across multiple jurisdictions. Therefore, precautionary measures, avoidance strategies, and rigorous justification of any residual lethal interventions are necessary. The mitigation hierarchy mandates demonstrating avoidance and minimization efforts- such as the use of robust non-lethal alternatives- prior to considering lethal measures. As evidenced in Annex 2, the CMP has systematically overlooked and minimised evidence that contradicts the authors' and fisheries stakeholders' preference for a Pan-European population management approach.