

Brussels, 16 October 2024
(OR. en)

14552/24

PECHE 407

NOTE

From: General Secretariat of the Council
To: Delegations

Subject: Need for revised rules to allow for ecosystem-based hunting of cormorants and seals in order to protect sensitive fish stocks
- Information from Sweden, supported by Estonia, Finland, and Latvia.

Delegations will find attached an information note by the Swedish delegation, supported by the Estonian, Finnish and Latvian delegations, on the above-mentioned subject with a view to the meeting of the Council (Agriculture and Fisheries) on 21-22 October 2024, where it will be presented under “Any Other Business”

Need for revised rules to allow for ecosystem-based hunting of cormorants and seals in order to protect sensitive fish stocks

Information from Sweden, supported by Estonia, Finland, and Latvia.

According to Commission's Article 12 reports, stemming from Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (Birds Directive), cormorants are increasing in most EU Member States. With more than 200 000 nesting pairs, the cormorant is now an abundant bird in the Baltic.

The population of gray seals in the Baltic Sea has grown at an average of 5% per year during the past twenty years and the number of gray seals is now estimated between 55,000 and 73,000 individuals. In the Baltic Sea and Kattegat, there are also populations of ringed seals and harbor seals. The ringed seal population has increased significantly especially in the Bothnian Bay.

The strong population increase in both seals and cormorants has consequences, not least for the fish stocks in the Baltic Sea. Both seals and cormorants can have a significant limiting effect on certain fish species, particularly in coastal areas and in situations where predatory fish stocks are low. According to DTU Aqua, an adult cormorant eats 300 – 600 grams of fish per day. Gray seals eat between 3 and 8 kg fish per day and prefer large individuals of fish of for example herring and cod, which are quite rare today. Studies from Scotland and Canada have shown that seal predation can be a limiting factor in the recovery of cod stocks and that limiting commercial fishing is not enough to bring about a recovery of cod stocks. Similar result has been shown for herring in the Baltic Sea. Birds and seals consume two-three times more coastal fish than are caught by the fisheries.

The increasing number of seals cause damage to catches and fishing gear in coastal small-scale fisheries, which threatens this traditional livelihood and cultural heritage.

Based on the above, the increasing predator populations pose challenges for the recovery of certain marine fish stocks. In particular two EU legal acts prohibit the necessary measures to address this situation.

The cormorant is a protected species according to the Birds Directive. Derogations can be made from the protection of cormorants through Article 9 of the Birds Directive. However, it is clear that the derogations do not allow for hunting of cormorants that limit the population growth on the scale likely to be needed to reduce the negative effect that cormorants can have on certain vulnerable fish stocks, eel as one example. Hunting to limit populations of cormorants is needed, especially in coastal areas and in situations where predatory fish stocks, such as salmon, sea trout, pikeperch, pike, and perch, are low. Therefore cormorant should be listed in Annex IIb of the Birds Directive concerning those Member States that are affected by the increasing cormorant population.

Regulation (EC) No. 1007/2009 of the European Parliament and the Council of 16 September 2009 on trade in seal products implies a ban on trade in seal products with some limited exceptions, which in practice prevents an ecosystem-based hunt from being carried out. Given the very positive population development in the last twenty years, there is a need for hunting to regulate the populations of seals to protect vulnerable ecosystems and to make opportunities for the fish stocks to develop a natural stock structure with large individuals and stocks at sustainable levels. We should encourage active management of predators, such as seals, to protect the recovery of vulnerable fish stocks. If seal products could be taken care of, processed, and sold, there would be better incentives than today for hunters to hunt seals.

Based on the above, **Sweden and signatory MS therefore requests**

- **the Commission to put forward a proposal where cormorants are listed in Annex IIb of the Birds Directive as a huntable species in Estonia, Finland, Latvia, Sweden to contribute to the recovery of vulnerable fish stocks.**
- **the Commission to conclude as soon as possible its fitness check of Regulation (EC) No. 1007/2009 on trade in seal products and its implementing regulation and based on its findings propose appropriate and sustainable ecosystem-based solutions.**
