



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 07.07.1997  
COM(97) 349 final

97/0192 (CNS)

Proposal for a

**COUNCIL DECISION**

**ON THE APPROVAL ON BEHALF OF THE COMMUNITY  
ON THE AMENDMENTS TO APPENDICES I AND II TO THE BONN  
CONVENTION  
ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS  
AS DECIDED BY THE FIFTH MEETING OF THE CONFERENCE OF THE  
PARTIES  
TO THE CONVENTION**

(presented by the Commission)



## EXPLANATORY MEMORANDUM

1. The objective of the Bonn Convention is the conservation of migratory species of wild animals. This objective comes under Article 130r of the EC Treaty, i.e. preserving, protecting and improving the quality of the environment. Given that the purpose of the Convention is to protect and conserve migratory species whose migration is not confined within national frontiers, the most appropriate way of applying this Convention is to take action and measures at the widest possible level.
2. The Community concluded the Convention in question by means of Council Decision 82/461/EEC<sup>1</sup>.
3. The fifth meeting of the Contracting Parties to the Bonn Convention was held from 10 to 16 April in Geneva. At this meeting it was decided, amongst other things, that 21 globally threatened species are added to Appendix I of the Convention and 22 species are added to Appendix II of the Convention.
4. In accordance with Article XI of the Convention, an amendment to the Appendices shall enter into force for all Parties ninety days after the meeting of the Conference of the Parties at which it was adopted, except for those Parties which make a reservation in accordance with paragraph 6 of this Article.
5. The approval of the amendments by the Community requires compliance with procedures laid down in Article 228, paragraphs 2 and 3 of the Treaty. In view of the urgency of this matter the Council may lay down a time-limit in which Parliament shall deliver its opinion.
6. In the light of these considerations, the Commission proposes to the Council to adopt the enclosed decision.

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<sup>1</sup> OJEC No L 210, 19.7.1982.

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THE COUNCIL OF THE EUROPEAN UNION

Having regard to the Treaty establishing the European Community and in particular Article 130r, paragraph 4, in conjunction with Article 228, paragraph 2, first sentence, and paragraph 3, first subparagraph,

Having regard to the proposal from the Commission<sup>1</sup>,

Having regard to the opinion of the European Parliament<sup>2</sup>,

Whereas the European Community is a Party to the Convention on the conservation of migratory species of wild animals following Council Decision 82/461/EEC of 24 June 1982<sup>3</sup>,

Whereas at the Fifth Meeting of the Conference of the Parties, held in Geneva on 10 to 16 April 1987, 21 threatened migratory species were included in Appendix I of the Convention and 22 species were included in Appendix II of the Convention; whereas the Commission has participated in this meeting on behalf of the Community.

Whereas 11 of the species are covered by Council Directive 79/409/EEC on the conservation of wild birds<sup>4</sup>,

Whereas, pursuant to Article XI of the Convention, an amendment to the Appendices of the Convention shall enter into force for all Parties ninety days after the meeting of the Conference of the Parties at which it was adopted, except for those Parties which make a reservation in accordance with paragraph 6 of this Article,

Whereas it is necessary for the Community to approve the amendments to Appendices I and II of the Convention adopted at the Fifth Meeting of the Contracting Parties within the deadline laid down in Article XI of the Convention,

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<sup>1</sup> OJ

<sup>2</sup> OJ

<sup>3</sup> OJ NOL 210, 19.7.1982, p.10

<sup>4</sup> OJ NOL 103, 25.4.1979, p.1

DECIDES AS FOLLOWS

*Single Article*

The inclusion of the species *Lutra provocax*, *Lutra felina*, *Pontoporia blainvillei*, *Hippocamelus bisulcus*, *Spheniscus humboldti*, *Diomedea amsterdamensis*, *Phoenicoparrus andinus*, *Phoenicoparrus jamesi*, *Anser erythropus*, *Branta ruficollis*, *Marmaronetta angustirostris*, *Aythya nyroca*, *Polysticta stelleri*, *Aquila clanga*, *Aquila heliaca*, *Falco naumanni*, *Sarothrura ayresi*, *Chettusia gregaria*, *Larus atlanticus*, *Hirundo atrocaerulea*, *Acrocephalus paludicola* in Appendix I of the Convention on the Conservation of the Migratory Species of Wild Animals and of the species *Phocoena spinipinnis*, *Phocoena drioptica*, *Cephalorhynchus eutropia*, *Lagenorhynchus obscurus*, *Spheniscus demersus*, *Diomedea exulans*, *Diomedea epomophora*, *Diomedea irrorata*, *Diomedea nigripes*, *Diomedea immutabilis*, *Diomedea melanophris*, *Diomedea bulleri*, *Diomedea cauta*, *Diomedea chlororhynchus*, *Diomedea chrysostoma*, *Phoebetria fusca*, *Phoebetria palpebrata*, *Sarothrura ayresi*, *Crex crex*, *Amazona tucumana*, *Hirundo atrocaerulea*, *Acrocephalus paludicola*, in Appendix II of this Convention is hereby approved on behalf of the European Community.

Done at...

For the Council

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# DOCUMENTS

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