



2024/630

20.2.2024

COUNCIL DECISION (EU) 2024/630

of 9 February 2024

on the position to be taken on behalf of the European Union at the fourteenth meeting of the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals as regards proposals from various parties to amend the Appendices to that Convention

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Convention on the Conservation of Migratory Species of Wild Animals (the 'Convention') was concluded by the Union by Council Decision 82/461/EEC ⁽¹⁾ and entered into force on 1 November 1983.
- (2) Pursuant to Article XI of the Convention, the Conference of the Parties to the Convention (the 'Conference of the Parties') may adopt decisions to amend the Appendices to the Convention.
- (3) The Conference of the Parties, during its fourteenth meeting which will take place in Samarkand, Uzbekistan, from 12 to 17 February 2024, is to adopt decisions to amend the Appendices to the Convention.
- (4) It is appropriate to establish the position to be taken on the Union's behalf in the Conference of the Parties, as the decisions amending the Appendices to the Convention will be binding on the Union.
- (5) The Union submitted a proposal for inclusion of the Baltic Proper population of the harbour porpoise, *Phocoena phocoena*, in Appendix I to the Convention. The Union should support its own proposal. That proposed amendment would not require any change in Union law.
- (6) Other parties to the Convention submitted proposals regarding the inclusion of *Lynx lynx balcanicus*, *Pelecanus thagus*, *Pluvianellus socialis*, Southern African population of *Gypaetus barbatus meridionalis*, *Carcharias taurus*, Mediterranean Sea population of *Aetomylaeus bovinus*, Mediterranean Sea population of *Rhinoptera marginata*, *Tursiops truncatus gephyreus* and Mediterranean Sea population of *Glaucostegus cemiculus* in Appendix I to the Convention and regarding the inclusion of *Lynx lynx*, *Felis manul*, *Lama guanicoe*, *Tursiops truncatus gephyreus*, *Pelecanus thagus*, *Carcharias taurus*, *Glaucostegus cemiculus*, *Aetomylaeus bovinus*, *Rhinoptera marginata*, *Brachyplatystoma rousseauxii* and *Brachyplatystoma vaillantii* in Appendix II to the Convention.
- (7) The Union should support all the above-mentioned proposals because they are science-based, in line with the Union's commitment to international cooperation for the protection of biodiversity in accordance with Article 5 of the UN Convention on Biological Diversity, and in line with decisions taken at the Conference of the Parties to that Convention, including the Kunming Montreal Global Biodiversity Framework and its Target 4.
- (8) The proposal to include the species *Carcharias taurus* in Appendix I to the Convention would require a change to Union law, since the current level of protection in the Union does not satisfy the requirements of Article III(5) of the Convention. If such change to Union law has not entered into force within the 90 days period laid down in Article XI(6) of the Convention, the Commission, on behalf of the Union, should enter a reservation pursuant to Article XI(6) of the Convention with regard to the inclusion of that species in Appendix I to the Convention,

⁽¹⁾ Council Decision 82/461/EEC of 24 June 1982 on the conclusion of the Convention on the conservation of migratory species of wild animals (OJ L 210, 19.7.1982, p. 10).

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf at the fourteenth meeting of the Conference of the Parties shall be the following:

- (a) to support the inclusion in Appendix I to the Convention of the following species or subspecies:
- *Lynx lynx balcanicus*,
 - *Pelecanus thagus*,
 - *Pluvianellus socialis*,
 - Southern African population of *Gypaetus barbatus meridionalis*,
 - Mediterranean Sea population of *Aetomylaeus bovinus*,
 - Mediterranean Sea population of *Rhinoptera marginata*,
 - Baltic Proper population of *Phocoena phocoena*,
 - *Tursiops truncatus gephyreus*,
 - Mediterranean Sea population of *Glaucostegus cemiculus*;
- (b) to support the inclusion of the species *Carcharias taurus* in Appendix I to the Convention; in case no change to Union law as regards the protection level of that species has entered into force before the end of the 90 days period laid down in Article XI(6) of the Convention, the Commission, on behalf of the Union, shall enter a reservation pursuant to Article XI(6) of the Convention with regard to the inclusion of that species in Appendix I to the Convention;
- (c) to support the inclusion in Appendix II to the Convention of the following species:
- *Lynx lynx*,
 - *Felis manul*,
 - *Lama guanicoe*,
 - *Tursiops truncatus gephyreus*,
 - *Pelecanus thagus*,
 - *Carcharias taurus*,
 - *Glaucostegus cemiculus*,
 - *Aetomylaeus bovinus*,
 - *Rhinoptera marginata*,
 - *Brachyplatystoma rousseauxii*,
 - *Brachyplatystoma vaillantii*.

Article 2

Refinement of the position referred to in Article 1, in light of the developments at the fourteenth meeting of the Conference of the Parties or where the position referred to in Article 1 is likely to be affected by new scientific or technical information presented after the adoption of this Decision, may be agreed to during on-the-spot coordination meetings without further decision by the Council.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 9 February 2024.

For the Council
The President
H. LAHBIB
