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'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee (Part 1)/Council

Subject: Draft Council Decision authorising the Commission to submit, on behalf of the Union, a proposal for an amendment of the Appendices to the Convention on the conservation of migratory species of wild animals with a view to the twelfth meeting of the Conference of the Parties

- Adoption
- = Statements

Statement by Germany

This Decision authorizes the Commission to submit the proposal to the Secretariat of the Convention on the conservation of migratory species of wild animals (CMS) on behalf of the Union. As a Decision of the Council, it does not deal with the competences of Member States involved in the listing proposal. This does not change the fact that the matter at hand is a matter of shared environmental competence under Article 4(2)e) of the Treaty on the Functioning of the EU (TFEU). Germany thus accepts the Decision with the understanding that the proposal will be dealt with in the same manner as the proposals of the EU and its 28 Member States for the last 11th Conference of the Parties of CMS. In particular, the listing proposal at the 11th COP for listing *coracias garrulus*, a bird listed in Annex I of the Birds Directive (2009/147/EC), on the Appendix I of CMS was proposed to the CMS Secretariat by the European Union and its 28 Member States.