



Council of the
European Union

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'A' ITEM NOTE

From:	General Secretariat of the Council
To:	Council
Subject:	Draft Council Decision authorising the Commission to propose, on behalf of the Union, an amendment of Appendix II 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, Slovakia and Sweden

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). We thus accept the Decision with the understanding that the proposals 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 by the European Union and its 28 Member States.