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**ENV 830
PECHE 464**

"I/A" ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Proposal for a Council Decision establishing the position to be adopted on behalf of the European Union with regard to proposals for amending Appendices I and II to the Convention on the conservation of migratory species of wild animals at the eleventh meeting of the Conference of the Parties
- Adoption

1. The Convention on the Conservation of Migratory Species of Wild Animals (CMS) aims to conserve terrestrial, marine and avian migratory species throughout their range. The EU has been a Party to the CMS since 1 November 1983. The 28 EU Member States are also Parties.
2. The Conference of the Parties (CoP) is the decision-making body of the CMS with powers to assess the conservation status of migratory species and, subsequently, to amend Appendices I and II to the CMS. The migratory species to be conserved are listed in Appendices I (endangered species) and II (species to be the subjects of agreements) to the CMS.
3. In accordance with Article XI of the CMS, proposals for amendment may be made by any Party to the CMS. Parties have presented proposals to give protection to several new species by amending the Appendices to the CMS. Five of these proposals have been made by the EU.

4. On 2 September 2014, the Council received the proposal ¹ by the Commission for a Council Decision establishing the position to be adopted on behalf of the EU with regard to proposals for amending Appendices I and II to the CMS at the eleventh meeting of the CoP to be held in Quito (Ecuador) from 4 to 9 November 2014. With this proposal, the Commission seeks authorisation from the Council to support, on behalf of the EU, the proposals to amend the Appendices to the CMS at CoP 11.
5. The Working Party on International Environment Issues (WPIEI) and Working Party on the Environment (WPE) considered the Commission's proposal for a Council Decision at their meetings on 10 and 11 September respectively. Taking into account the outcome of these meetings and the written comments received from delegations afterwards, the Presidency prepared a draft Council Decision ² the text of which should be agreeable to the Council.

UK maintains a parliamentary scrutiny reservation at this stage and has announced its intention to vote against the proposal and make a statement (14232/14 ADD 1).

6. It would therefore be appropriate for the Committee of Permanent Representatives to recommend that the Council, at one of its forthcoming sessions:
 - a) adopts, by qualified majority, the draft Decision as set out in document 13675/14 (text finalised by the Quality of Legislation Directorate of the Council's Legal Service ³) as an "A" item of its agenda;
 - b) decides not to publish the decision in the Official Journal; and
 - c) decides to inform the European Parliament of the adoption.

¹ 12755/14 COM (2014) 544 final.

² 13430/14.

³ DQL - Juristes-Linguistes.