



Council of the  
European Union

003078/EU XXVI. GP  
Eingelangt am 28/11/17

Brussels, 28 November 2017  
(OR. en)

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**Interinstitutional File:**  
**2017/0277 (NLE)**

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ENV 967

#### **LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: COUNCIL DECISION on the position to be taken on behalf of the European Union at the thirty-seventh meeting of the Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats with regard to an amendment to Appendix II to the Convention

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**COUNCIL DECISION (EU) 2017/...**

**of ...**

**on the position to be taken on behalf of the European Union  
at the thirty-seventh meeting  
of the Standing Committee of the Convention on the Conservation  
of European Wildlife and Natural Habitats with regard to  
an amendment to Appendix II to the 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 Council of Europe's Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) ('the Convention') was concluded by the Union by Council Decision 82/72/EEC<sup>1</sup> and entered into force on 1 June 1982. The Convention aims to conserve European wild flora and fauna and their natural habitats, especially those species and habitats whose conservation requires the co-operation of several States.
- (2) Pursuant to Article 17 of the Convention, the Standing Committee may adopt amendments to the appendices to the Convention.
- (3) The Standing Committee, during its thirty-seventh meeting from 5 to 8 December 2017, is to adopt an amendment to Appendix II to the Convention.
- (4) It is appropriate to establish the position to be taken on the Union's behalf in the Standing Committee, as the decision of the Standing Committee will be binding on the Union.

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<sup>1</sup> Council Decision 82/72/EEC of 3 December 1981 concerning the conclusion of the Convention on the conservation of European wildlife and natural habitats (OJ L 38, 10.2.1982, p. 1).

- (5) The Union should support the proposal to add the Balkan lynx, *Lynx lynx* ssp. *balcanicus* to Appendix II to the Convention, a subspecies of the Eurasian lynx, *Lynx lynx* already in Appendix III to the Convention, because it is 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 decisions taken at the Conference of the Parties under that UN Convention, in particular with the global target agreed at the Tenth meeting of preventing by 2020 the extinction of known threatened species and improving and sustaining their conservation status, particularly of those most in decline.
- (6) The Eurasian Lynx, *Lynx lynx* is already listed in Annexes II and IV to Council Directive 92/43/1992<sup>1</sup>, hence adding the subspecies Balkan lynx, *Lynx lynx* ssp. *balcanicus* to Appendix II to the Convention would not require any change in Union law,

HAS ADOPTED THIS DECISION:

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<sup>1</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

### *Article 1*

The position to be taken on the Union's behalf at the thirty-seventh meeting of the Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats ('the Convention'), shall be to support the addition of *Lynx lynx* ssp. *balcanicus* to Appendix II to the Convention.

### *Article 2*

This Decision is addressed to the Commission.

Done at Brussels,

*For the Council*  
*The President*

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