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'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)
No. Cion doc.:	5232/20 - COM(2020) 8 final
Subject:	COUNCIL DECISION on the position to be taken on behalf of the European Union in the thirteenth meeting of the Conference of the Parties of the Convention on the conservation of migratory species of wild animals (CMS) with regard to proposals from various parties to amend the Appendices to that Convention, and on the withdrawal of a reservation notified to that Convention - Decision to use the written procedure for adoption

1. The Convention on the Conservation of Migratory Species of Wild Animals (the Convention) aims to conserve terrestrial, marine and avian migratory species throughout their range. The EU has been a Party to the Convention since 1 November 1983. All the EU Member States are also Parties.
2. The Conference of the Parties is the decision-making body of the Convention with powers to assess the conservation status of migratory species and, subsequently, to amend Appendices I and II to the Convention which list the migratory species to be conserved. In accordance with Article XI of the Convention, proposals for amendment to the Appendices may be made by any Party.

3. With a view to the thirteenth meeting of the Conference of the Parties (CMS COP 13), which will take place in Gandhinagar, India, on 15 to 22 February 2020, Parties to the Convention have presented proposals to give protection to several additional species by amending the Appendices to the Convention. The EU has proposed to add the species *Tetrax tetrax* to Appendix I and to add the species *Tetrax tetrax*, *Galeorhinus galeus* and *Sphyrna zygaena* Appendix II to the Convention¹.
4. On 13 January 2020, the Council received the Commission's proposal² for a Council Decision on the position to be adopted, on behalf of the European Union, at the CMS COP 13 with regard to proposals from various Parties to the Convention for amending Appendices I and II.
5. The Working Party on International Environment Issues (WPIEI - Biodiversity) and Working Party on the Environment (WPE) considered the Commission's proposal for a Council Decision at their meetings on 16 January and 23 January, respectively. Based on discussions held at these meetings and on delegations' comments, the Presidency prepared a draft Council Decision. After an informal silence procedure that ended on 29 January, the WPE agreed to the draft Council Decision.
6. The Permanent Representatives Committee is, therefore, invited to:
 - a) agree to the use of the written procedure for the adoption of this Decision, in accordance with Article 12(1) of the Council Rules of Procedure. Due to the urgency of the matter, the written procedure should be launched immediately after the Committee's agreement, with the deadline for replying to be set for Thursday, 13 February cob,

¹ Council Decision (EU) 2019/1581 of 16 September 2019 on the submission, on behalf of the European Union, of proposals to amend Appendices I and II to the Convention on the Conservation of Migratory Species of Wild Animals (CMS) with a view to the thirteenth meeting of the Conference of the Parties (OJ L 245, 25.9.2019, p. 7).

² Doc. 5232/20 - COM(2020) 8 final.

The Permanent Representatives Committee is also invited to recommend to the Council to:

- b) adopt, by qualified majority, the draft Council Decision set out in document 5702/20 (text finalised by the Jurist-Linguists);
- c) decide to inform the European Parliament of the adoption.
