




| Basic information   |                     |
|---|---------------------|
| <b>2004/0181(CNS)</b><br>CNS - Consultation procedure<br>Decision   | Procedure completed |
| Protection of wild fauna: conclusion of the 1995 Agreement on the conservation of African-Eurasian migratory waterbirds<br><br><b>Subject</b><br>3.70.01 Protection of natural resources: fauna, flora, nature, wildlife, countryside; biodiversity |                     |

| Key players         |  |                              |   |                  |             |
|---------------------|--|------------------------------|---|------------------|-------------|
| European Parliament | <b>Committee responsible</b>                           |                              | <b>Rapporteur</b>                             | <b>Appointed</b> |             |
|                     | <b>ENVI</b> Environment, Public Health and Food Safety |                              | FLORENZ Karl-Heinz (PPE-DE)                   | 20/09/2004       |             |
|                     | <b>Committee for opinion</b>                           |                              | <b>Rapporteur for opinion</b>                 | <b>Appointed</b> |             |
|                     | <b>BUDG</b> Budgets                                    |                              | The committee decided not to give an opinion. |                  |             |
|                     | <b>Committee for opinion on the legal basis</b>        |                              | <b>Rapporteur for opinion</b>                 | <b>Appointed</b> |             |
|                     | <b>JURI</b> Legal Affairs                              |                              | MEDINA ORTEGA Manuel (PSE)                    | 20/09/2004       |             |
|                     | Council of the European Union                          | <b>Council configuration</b> |   | <b>Meetings</b>  | <b>Date</b> |
|                     |  | Agriculture and Fisheries    |   | 2676             | 2005-07-18  |
|                     |  |                              |   |                  |             |
| European Commission | <b>Commission DG</b>                                   |                              | <b>Commissioner</b>                           |                  |             |
|                     | Environment  |                              |   |                  |             |

| Key events |   |  |         |
|------------|---|--|---------|
| Date       | Event   | Reference  | Summary |
| 03/08/2004 | Legislative proposal published                                  | COM(2004)0531<br> | Summary |
| 07/03/2005 | Committee referral announced in Parliament                      |  |         |
| 13/06/2005 | Vote in committee   |  | Summary |
| 15/06/2005 | Committee report tabled for plenary, 1st reading/single reading | A6-0187/2005   |         |

|            |   |   |                         |
|------------|---|---|-------------------------|
| 05/07/2005 | Decision by Parliament                                  | <a href="#">T6-0263/2005</a>  | <a href="#">Summary</a> |
| 05/07/2005 | Results of vote in Parliament                           |  |                         |
| 18/07/2005 | Act adopted by Council after consultation of Parliament |   |                         |
| 18/07/2005 | End of procedure in Parliament                          |   |                         |
| 08/12/2006 | Final act published in Official Journal                 |   |                         |

| Technical information             |   |
|-----------------------------------|---|
| <b>Procedure reference</b>        | 2004/0181(CNS)  |
| <b>Procedure type</b>             | CNS - Consultation procedure  |
| <b>Nature of procedure</b>        | International agreement   |
| <b>Legislative instrument</b>     | Decision  |
| <b>Legal basis</b>                | EC Treaty (after Amsterdam) EC 300-p2/3-a1<br>EC Treaty (after Amsterdam) EC 175-p1 |
| <b>Stage reached in procedure</b> | Procedure completed   |
| <b>Committee dossier</b>          | ENVI/6/23326  |

| Documentation gateway   |  |   |                         |                         |
|---|--|---|-------------------------|-------------------------|
| <b>European Parliament</b>                                      |  |   |                         |                         |
| Document type   | Committee  | Reference   | Date                    | Summary                 |
| Committee opinion   | <a href="#">JURI</a>   | <a href="#">PE357.965</a>   | 25/05/2005              |                         |
| Committee report tabled for plenary, 1st reading/single reading |  | <a href="#">A6-0187/2005</a>  | 15/06/2005              |                         |
| Text adopted by Parliament, 1st reading/single reading          |  | <a href="#">T6-0263/2005</a><br><a href="#">OJ C 157 06.07.2006, p. 0017-0054 E</a> | 05/07/2005              | <a href="#">Summary</a> |
| <b>European Commission</b>                                      |  |   |                         |                         |
| Document type   | Reference  | Date  | Summary                 |                         |
| Legislative proposal  | <a href="#">COM(2004)0531</a><br> | 03/08/2004  | <a href="#">Summary</a> |                         |
| Commission response to text adopted in plenary                  | <a href="#">SP(2005)2923</a>   | 14/07/2005  |                         |                         |

| Additional information |                         |      |
|------------------------|-------------------------|------|
| Source                 | Document                | Date |
| European Commission    | <a href="#">EUR-Lex</a> |      |

| Final act |
|-----------|
|           |

## Protection of wild fauna: conclusion of the 1995 Agreement on the conservation of African-Eurasian migratory waterbirds

2004/0181(CNS) - 05/07/2005 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Karl-Heinz FLORENZ (EPP-ED,DE), making a few amendments to the proposal and approving the conclusion of the Agreement. (Please see the document of 13/06/2005.)

## Protection of wild fauna: conclusion of the 1995 Agreement on the conservation of African-Eurasian migratory waterbirds

2004/0181(CNS) - 03/08/2004 - Legislative proposal

PURPOSE : to conclude the Agreement on the Conservation of African-Eurasian Migratory Waterbirds.

PROPOSED ACT : Council Decision.

CONTENT : The Community is a Contracting Party to the Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention – CMS). Article IV of the Bonn Convention provides for the conclusion of regional agreements which for Appendix II species (those with an unfavourable conservation status) should be concluded as soon as possible.

The waterbirds of the African-Eurasian flyways, which are Appendix II species, merit immediate attention in order to improve their conservation status and to gather information as a basis for sound management decisions. An Agreement was finally adopted by consensus by sixty-three Range States and by the European Community. The Agreement was opened for signature from 16 October 1995. It was signed on behalf of the Community on 1 September 1997.

The Agreement aims at creating the legal framework for a concerted conservation policy of the Range States of migratory waterbirds species and populations, individuals of which migrate in the Western Palearctic and Africa, irrespective of their current conservation status.

The Agreement covers:

-235 species of birds ecologically dependent on wetlands for at least part of their annual cycle;

- an area of 60 million square kilometres encompassing 116 Range States and covering the entire continents of Africa and Europe as well as part of Asia.

The Agreement text includes three annexes:

- a map showing the geographical area covered by the Agreement,

- a list of migratory waterbirds species covered by the Agreement,

- an action plan.

The Agreement requests in particular coordinated measures to achieve and maintain a favourable conservation status for African-Eurasian Migratory Waterbirds. Article III of the Agreement provides for the conservation measures to be taken. Annex III (the Action plan) specifies actions which the Parties shall undertake in relation to priority species consistent with the general conservation measures specified in Article III of the Agreement.

The Agreement mainly refers to matters falling within Community competence which at the internal level are regulated by Council Directive 79/409/EEC on the conservation of wild birds and 92/43/EEC on the conservation of natural habitats and of wild fauna and flora. Furthermore, the Community is a Party to the Bern Convention on the Conservation of European Wildlife and Natural Habitats and of the Barcelona Convention for the Protection of the Mediterranean Sea against Pollution and to its protocols, in particular to the Protocol on Specially Protected Areas.

Accordingly, having signed the Agreement, it is appropriate that the Community should now conclude the Agreement on the Conservation of African-Eurasian Migratory Waterbirds.

FINANCIAL IMPLICATIONS :

- Budget lines and headings : 07 02 02 (formerly B7-811)

- Overall figures:

- Total allocation for action : EUR 34,700 (2004-2006);

- Period of application: 2004 – 2005 and subsequent years.

The budget of AEWA is established every three years at the Meeting of the Parties. The current budget has been set for 2003, 2004 and 2005 (a year with higher expenditure, as it will hold the next Meeting of the Parties). For these three years, the participation of the Community is an estimate based on a contribution of 2.5% of the overall budget. For the years 2006 and beyond, expenditure for subsequent years is just a forecast, considering expected evolution of the budget.

- Overall multiannual estimate of expenditure: EUR 34,700 in commitments and payments.
- Overall financial impact of human resources and other administrative expenditure : EUR 180 000;
- Total EUR 214,700.

## Protection of wild fauna: conclusion of the 1995 Agreement on the conservation of African-Eurasian migratory waterbirds

2004/0181(CNS) - 18/07/2006 - Final act

PURPOSE: the conclusion of an Agreement on the "Conservation of African-Eurasian Migratory Waterbirds".

LEGISLATIVE ACT: Council Decision on the conclusion on behalf of the European Community of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds.

BACKGROUND: the EU is a Contracting Party to the 1982 "Convention on the Conservation of Migratory Species of Wild Animals", referred to as the Bonn Convention. This Convention provides for the conclusion of regional agreements which, for species with an unfavourable conservation status and which are listed in Appendix II to the Convention, should be concluded as soon as possible.

The waterbirds of the African-Eurasian flyways (listed in Appendix II of the Bonn Convention), are in need of urgent attention. In 1995, consensus was found and an "Agreement on the Conservation of African-Eurasian Migratory Waterbirds" was approved. This Agreement came into effect on 1 November 1999.

CONTENT: the purpose of this Council Decision is to approve, on behalf of the European Community, the Agreement on the Conservation of African-Eurasian Migratory Waterbirds.

### Annex 1:

The geographical coverage of the Agreement is listed in Annex I to the Agreement and is referred to as the "Agreement Area".

All Parties to the Agreement agree to take co-ordinated measures to maintain migratory waterbirds species in a favourable conservation status to restore them to such a status. In addition they agree to:

- Conserve migratory waterbirds and to give special attention to endangered species and those in an unfavourable conservation status.
- Accord strict protection measures for endangered migratory waterbird species.
- Ensure that any use of migratory waterbirds is based on best available knowledge of their ecology.
- Identify sites and habitats for migratory waterbirds occurring within their territory.
- Encourage the protection, management, rehabilitation and restoration of these sites.
- Co-ordinate efforts to ensure that a network of suitable habitats is maintained.
- Investigate problems posed by human activities.
- Co-operate in emergency situations requiring an international response.
- Prohibit the deliberate introduction of non-native waterbird species into the environment.
- Initiate and support research into the biology and ecology of migratory waterbirds.
- Develop and maintain programmes to raise awareness and understanding of migratory waterbird conservation issues.
- Exchange information and research results.
- Co-operate with a view to assisting each other in order to implement the Agreement – particularly in the field of research and monitoring.

### Annex 3:

Annex 3 consists of an Action Plan, which the Parties agree to undertake in relation to priority species and issues. The headings of the Action Plan are: species conservation; habitat conservation; management of human activities; research and monitoring; education and information; and implementation.

Provisions are spelled out regarding implementation and financing; the meeting of the Parties; the establishment and composition of a technical committee; the functions of the Secretariat; the Agreement's relations with other international bodies; the settlement of disputes; and reservations.

ENTRY INTO FORCE: The Agreement enters into force on the first day of the third month after at least 14 Range States or regional economic integration organisations (comprising at least seven from Africa and seven from Eurasia) have signed without reservation.

As soon as the Agreement enters into force, a certified copy will be transmitted by the Depository (the Netherlands) to the Secretariat of the United Nations.