

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM (79) 179 final

Brussels, 10 April 1979

Recommendation for a COUNCIL DECISION authorizing the  
Commission to take part in the negotiations for a convention on  
the conservation of migratory species of wild animals

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## Recommendation of the Commission

1. In the second Action Programme of the European Communities on the Environment (1), the Council and the representatives of the governments of the Member States emphasized, amongst other things, that wild fauna forms part of mankind's common heritage. They stressed the importance of ensuring adequate protection for wild fauna and in particular for migratory species.
2. The conservation of endangered migratory species of wild animals necessitates amongst other things the protection or restoration of the habitats of these species, the prevention of disturbances and obstacles that impede the migration and the prevention or limitation of factors that are likely to influence unfavourably the conservation status of the species.

The appropriate conservation measures should cover the whole of the range of an endangered species. For this reason the range states of an endangered migratory wild animal species should conclude appropriate agreements.

3. The Convention on the conservation of migratory species of wild animals meets these objectives. This Convention was drafted in the context of the United Nations Environment Programme (UNEP). Its nature is that of a framework agreement according to the provisions of which the Parties shall conclude agreements between each other. It starts from the principle that States, in the territories of which populations of endangered migratory species occur, should take concerted measures for conservation and management which are appropriate for the species involved and which depend on whether the species require stringent conservation measures in consequence of their unfavourable conservation status or whether the species can be subject of agreement.
4. For the protection of animal species the Convention envisages measures to control the taking of the species, protection and management plans, networks of suitable habitats and prevention, reduction or control of releases of substances harmful to the migratory species. Such measures are also provided for in the Directive on bird conservation - approved by the Council on December 19, 1978 - which concerns all migratory bird species occurring in the Community. Besides that many endangered migratory species of sea-animals are the subject of the common fisheries policy. This might cause conflicts between Community actions on the one hand and goals in the context of the Convention on the other hand.
5. In view of the above, this Convention falls partly within the Community's jurisdiction and the Member States would be unable to bind themselves in that area with third countries in the absence of the Community.

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Therefore the Commission recommends the Council to adopt the enclosed draft decision.

Recommendation for a

COUNCIL DECISION

authorizing the Commission to take part in the negotiations for a convention on the conservation of migratory species of wild animals

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The Council of the European Communities

Having regard to the Treaty establishing the European Economic Community,

Having regard to the recommendation from the Commission,

Whereas negotiations, in which all Member States will participate, will take place in Bonn from 11 to 23 June 1979 for a convention on the conservation of migratory species of wild animals;

Whereas the Council approved on 19 December 1978 a proposal for a Council directive on bird conservation;

Whereas, for the abovementioned reasons and in view of its powers in this sector, the Community should take part in the negotiations for the conclusion of the said convention,

HAD DECIDED AS FOLLOWS:

Sole article

The Commission is hereby authorised to participate in the negotiations for a convention on the conservation of migratory species of wild animals.

The Commission shall conduct such negotiations in consultation with representatives of the Member States and in accordance with the annexed guideline.

Negotiating guideline

The preliminary draft convention, which is currently being drawn up, should be worded in such a way that the Community can sign and conclude the convention.

