Council of the European Union

Brussels, 26 June 2018
(OR. en)

10344/18

Interinstitutional File:
2018/0221 (NLE)

ENV 459

'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)
Subject:	Draft Council Decision on the submission, on behalf of the European Union, of a proposal for amending Annexes 2 and 3 to the Agreement on the Conservation of African-Eurasian Migratory Waterbirds - Decision to use the written procedure for the adoption

1. The Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) ('the Agreement') aims to conserve migratory waterbirds and their habitats across Africa, Europe, the Middle East, Central Asia, Greenland and the Canadian Archipelago. It was concluded by the Union by Council Decision 2006/871/EC and entered into force on 1 October 2005.

2. The Meeting of the Parties (MOP) is the principal decision-making body of the Agreement and has powers to amend its Annex 2 (species to conserve) and Annex 3 (Action Plan for priority species). As a Party to the Agreement, the Union may make proposals for amendment of the Annexes to the Agreement.

3. On 5 June 2018, the Commission submitted its proposal for a Council Decision on the submission, on behalf of the European Union, of a proposal for amending Annexes 2 and 3 of the Agreement * with a view to the 7th Session of the Meeting of the Parties (MOP 7) (South Africa, 4-8 December 2018). According to Article X(3) of the Agreement, proposals for amendments to the Annexes must reach the AEWA Secretariat no later than 7 July 2018.

4. The Working Party on International Environment Issues first examined the proposal, based on Articles 192(1) and 218(9) TEU, at its meeting on 13 June and the Working Party on the Environment reached agreement on the Commission's proposal at its meeting on 14 June, with Denmark announcing its intention to vote against and making the statement in the Addendum to this Note.

5. In view of the above and taking into account the need to submit the proposals for amendments to the Annexes of the Agreement before 7 July 2018, it is suggested that the Permanent Representatives Committee recommends that the Council:

- agrees to the use of the written procedure for the adoption of this Decision, in accordance with Article 12 of the Council Rules of Procedure;
- adopts, by qualified majority, the draft Council Decision set out in document 10326/18 (text finalised by the Jurist-Linguists);
- decides to inform the European Parliament of the adoption; and
- enters the statement in the Addendum to this Note in the minutes following the written procedure.

---

* Doc. 9739/18 - COM (2018) 399 final.