

Proposal for a Council Decision concerning the approval, on behalf of the Community, of amendments to Appendices II and III to the Bern Convention on the conservation of European wildlife and natural habitats adopted at the 17th meeting of the Convention's Standing Committee

(98/C 116/12)

(Text with EEA relevance)

COM(98) 100 final — 98/0068(CNS)

(Submitted by the Commission on 25 February 1998)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 130r(4), the first sentence of Article 228(2), and the first paragraph of Article 228(3) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the European Community is a Contracting Party to the Convention on the conservation of European wildlife and natural habitats by virtue of Council Decision 82/72/EEC of 3 December 1981⁽¹⁾,

Whereas, thanks to decisive support from the Community, four species were added to Appendix II to the Convention and 22 species were added to Appendix III to the Convention at the 17th meeting of the Bern Convention Standing Committee held in Strasbourg from 1 to 5 December 1997; whereas the Commission took part in that meeting on behalf of the Community;

Whereas two of those species are covered by Council Directive 79/409/EEC on the conservation of wild birds⁽²⁾ and three of them are covered by Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora⁽³⁾;

Whereas, in accordance with Article 17 of the Convention, any amendments to the Appendices to the Convention shall enter into force for all Contracting Parties, with the exception of any which notify objections pursuant to paragraph 3 of that Article, three months after its adoption by the Standing Committee;

Whereas the Community must approve the said amendments to Appendices II and III to the Convention adopted at the 17th meeting of the Standing Committee in accordance with Article 17 of the Convention,

HAS DECIDED AS FOLLOWS:

Sole article

The inclusion of the species *Acipenser sturio*, *Puffinus yelkouan*, *Phalacrocorax aristotelis* (in the Mediterranean), and *Valencia leutourneuxi* in Appendix II to the Convention on the conservation of European wildlife and natural habitats, and of the species *Hippospongia communis*, *Spongia agaricina*, *Spongia officinalis*, *Spongia zimocca*, *Antipathes* sp. plur., *Corallium rubrum*, *Paracentrotus lividus*, *Homarus gammarus*, *Maja squinado*, *Palinurus elephas*, *Scyllarides latus*, *Scyllarides pigmaeus*, *Scyllarus arctus*, *Epinephelus marginatus*, *Isurus oxyrinchus*, *Lamna nasus*, *Mobula mobular*, *Prionace glauca*, *Raja alba*, *Sciaena umbra*, *Squatina squatina*, and *Umbrina cirrosa* (all 22 species in the Mediterranean) in Appendix III to that Convention is hereby approved on behalf of the European Community.

⁽¹⁾ OJ L 38, 10.2.1982, p. 1.

⁽²⁾ OJ L 103, 25.4.1979, p. 1.

⁽³⁾ OJ L 206, 22.7.1992, p. 7.