Basic information

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

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ENVI Environment, Public Health and Food Safety	FLORENZ Karl-Heinz (PPE-DE)	20/09/2004

Committee for opinion	Rapporteur for opinion	Appointed
BUDG Budgets	The committee decided not to give an opinion.	

Committee for opinion on the legal basis	Rapporteur for opinion	Appointed
JURI Legal Affairs	MEDINA ORTEGA Manuel (PSE)	20/09/2004

Council of the European Union

Council configuration	Meetings	Date
Agriculture and Fisheries	2676	2005-07-18

European Commission

Commission DG	Commissioner
Environment	

Key events

Date	Event	Reference	Summary
03/08/2004	Legislative proposal published	COM(2004)0531	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	T6-0263/2005	Summary
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

Procedure reference	2004/0181(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Decision
Legal basis	EC Treaty (after Amsterdam) EC 300-p2/3-a1 EC Treaty (after Amsterdam) EC 175-p1
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/6/23326

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee opinion	JURI	PE357.965	25/05/2005	
Committee report tabled for plenary, 1st reading/single reading		A6-0187/2005	15/06/2005	
Text adopted by Parliament, 1st reading/single reading		T6-0263/2005 OJ C 157 06.07.2006, p. 0017-0054 E	05/07/2005	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2004)0531	03/08/2004	Summary
Commission response to text adopted in plenary	SP(2005)2923	14/07/2005	

Additional information

Source	Document	Date

European Commission	EUR-Lex	

Final act
Decision 2006/0871 OJ L 345 08.12.2006, p. 0024-0072 Summary

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 Palaearctic 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 conservations 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 cam 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 a spelt 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.