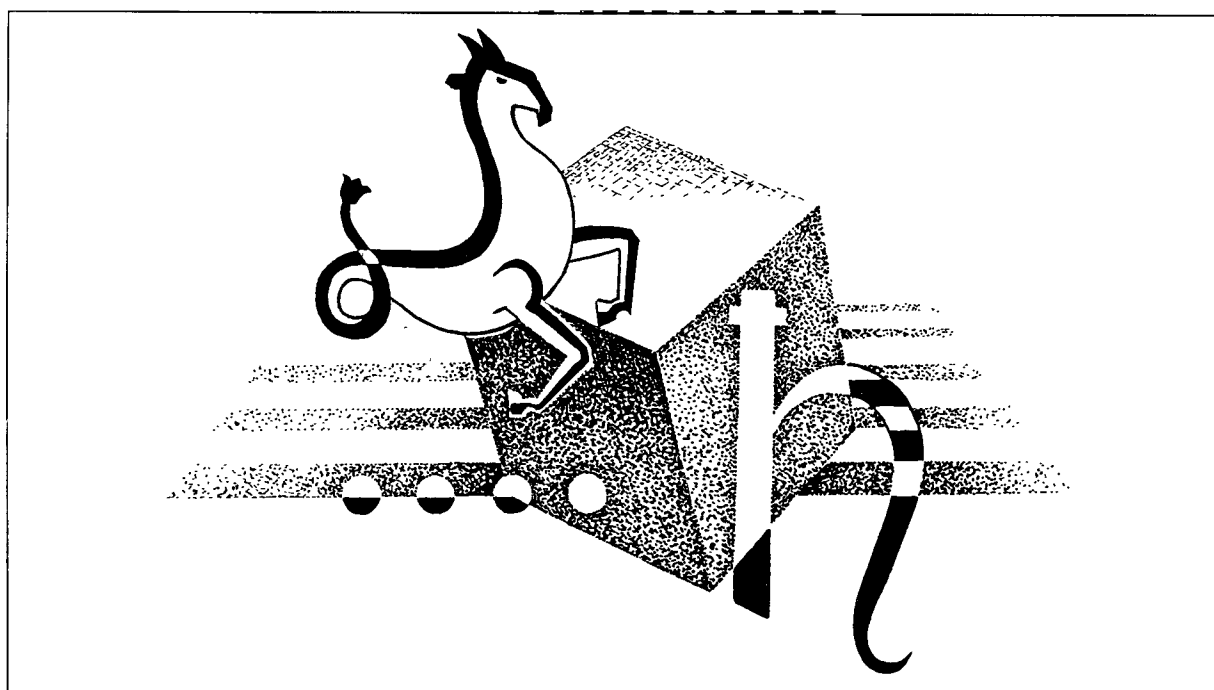


EUROPEAN COMMUNITY ENVIRONMENTAL LEGISLATION 1967 – 1987

Vol. 1

GENERAL POLICY & NATURE PROTECTION



Commission of the European Communities
Directorate-General for Environment,
Consumer Protection and
Nuclear Safety
Brussels

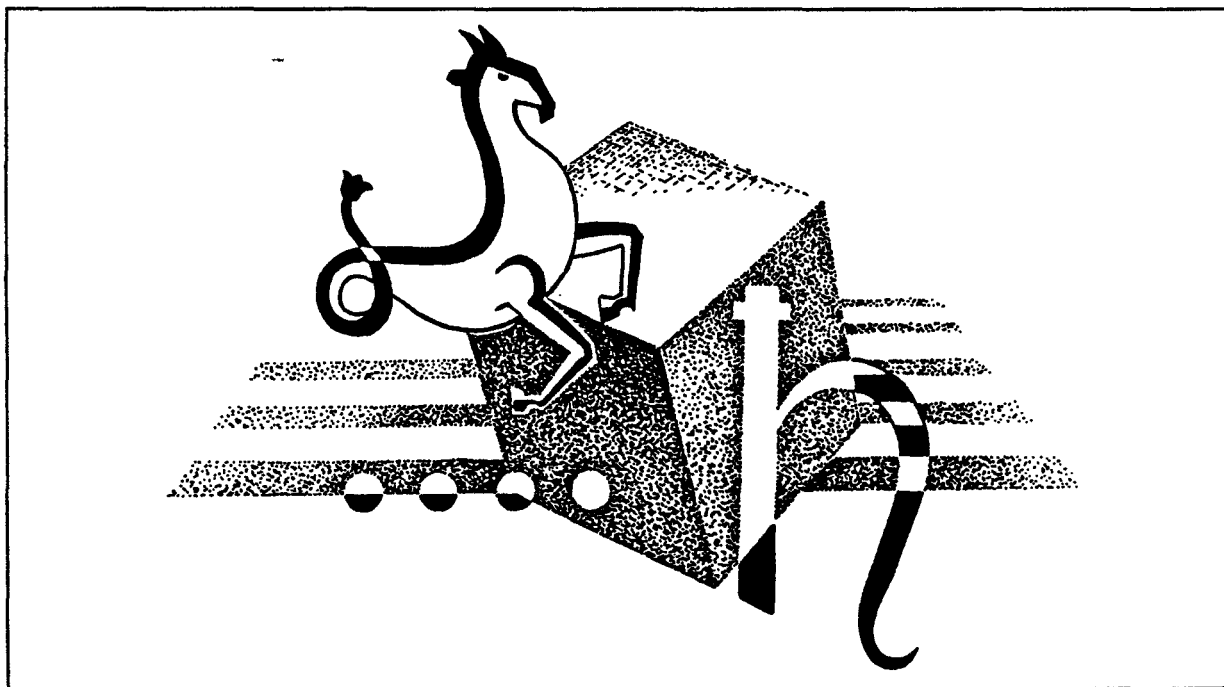
**EUROPEAN YEAR
OF THE ENVIRONMENT**



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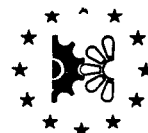
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**EUROPEAN YEAR
OF THE ENVIRONMENT**



European Community Environmental Legislation 1967 – 1987

Volume 1: General Policy & Nature

Document No. XI/989/87

Commission of the European Communities
Directorate-General for Environment,
Consumer Protection and Nuclear Safety

Brussels

European Community Environmental Legislation

Volume 1: General Policy & Nature Protection

Series Editor: Cynthia Whitehead

The editor is grateful for the support of Nigel Haigh in the preparation of the introductions to these volumes. His book *EEC Environmental Policy & Britain, 2nd edition* (Longman: London, December 1987) offers fuller summaries and detailed analyses of the EC environment directives presented here.

The cover illustration, by Pierre Nagant, uses components of different symbolic systems to represent the element *Earth* :

Platonic – the cube; Astrological – Capricorn; Planetary – Saturn; Pythagorean – the bottom row of the Tetractys.

These volumes are also available in Danish, Dutch, French, German, Greek, Italian, Portuguese and Spanish.

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Preface

The Fourth Programme of Action for the Environment 1987-1992 sets out as one of its top priorities the correct application of the European directives for the protection of the environment by all member states. This goal is to be pursued with increased vigour by the Commission of the European Communities and it is to this end that this legislation is collected together in four volumes – in the nine languages of the Community.

The responsible authorities in each member state will have in this way a handy reference on the correct version of a particular directive.

The organisations for the protection of the environment and the public in general can find in these volumes what has been achieved until now for the European environment.

The various economic sectors can find here the directives that affect the organisation of their work.

In addition, there are included here multilateral conventions signed by the Community along with its neighbour countries – as well as many countries of the rest of the world – for the preservation of our planet.

These texts are the result of the collaboration of the member states within the Council of Ministers along with the Commission, under the scrutinizing eyes of the European Parliament and the Economic and Social Committee. All in all they represent an impressive part of the growing domain of European law.

They have been achieved in a rather short time since the beginning of the active pursuit of a European environmental policy in 1973.

Finally these texts owe their existence not in a small measure to the efforts of all those who have been working in the Directorate-General XI for the Environment, Consumer Protection and Nuclear Safety.

They, along with me, proudly dedicate these four volumes to the people of Europe as our contribution to their well-being.

L. J. Brinkhorst
Director General

Introduction

1. The nature of the European Community

The European Community is a unique political entity. It is neither a national government nor just an international organisation. The EC member states are not subnational entities (like the 50 states of the USA or the German Länder) but sovereign states. Still, these states have given the Community law-making and law-enforcing powers that go far beyond those of international organisations such as the United Nations, the Organisation for Economic Co-operation and Development (OECD), or the secretariats set up under numerous international treaties whose primary functions are to gather information and propose actions.

The European Community has institutions which can propose and adopt legislation that is binding on citizens and the member states without further national review or ratification. Further, it can monitor, coordinate and enforce the implementation of its laws.

2. The Institutions of the European Community

The European Community was established by the 1957 Treaty of Rome, the Euratom Treaty, and the Treaty on Coal and Steel; it was strengthened by a series of amendments to the Treaties which are contained in the Single European Act of 1987.

At present, the EC has 12 member states – Belgium, Denmark, the Federal Republic of Germany, France, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain and the United Kingdom.

The EC has an elected Parliament, a Council of Ministers with legislative powers, a Commission to propose and administer laws and regulations, and a Court of Justice to interpret and enforce its laws and the founding Treaties. The Economic and Social Committee advises the Council and Commission on current issues of law and policy.

2.1 The Council

The Council is composed of one minister from each of the member states; in practice the Council is composed of the minister responsible for the subject under discussion. Thus, it has become usual to refer to the 'Agriculture Council' or the 'Environment' or 'Consumer Affairs' Council. The 'European Council', composed of the prime ministers or heads of state, meets at least twice a year to discuss broad policy issues, including environment.

The Presidency of the Council passes from one member state to the next every 6 months (in alphabetical order in the language of each country). It decides the agenda for and presides over the Council meetings.

The Council is the main legislative institution of the Community. It can only act upon a proposal from the Commission. It may request the Commission to make a proposal on a particular subject, but this request is not mandatory.

Each member state maintains a Permanent Representation in Brussels to maintain relations with the EC institutions. The Committee of Permanent Representations (COREPER) and its working groups prepare issues for the Council. The working group is chaired by an official of the member state that holds the Presidency of the Council. Hence, the priorities set during each Presidency affect not only the decisions of the Council during that Presidency but also the agendas for the following 12-18 months.

Most environment legislation falls under the competency of the Environment Council, but some issues might fall under the competency of the Council that deals with the Internal Market or Industrial Affairs, Agriculture or others. Occasionally, as in the case of dangerous chemicals, a special, combined Council will be convened to consider proposed legislation or issues that cut across several areas of competence.

2.2 The Commission

The Commission has the sole, formal power to propose legislation. It is composed of 17 Commissioners, proposed by the member states, who serve for a collective 4-year term of office and must take an oath that they are free from influence by their national government.

The Commissioners meet one day each week, normally Wednesdays, and must agree on all legislation proposed to the Council.

The Commission is supported by a number of administrative units: 'Directorates-General' and 'Services'. The Directorate-General XI (DG XI) is responsible for Environment, Consumer Protection and Nuclear Safety. The DG V – Employment, Social Affairs and Education – is responsible for worker safety and the DG III – Internal Markets and Industrial Affairs – is responsible for much product safety legislation, including pharmaceuticals, veterinary medicines, foodstuffs and food additives, and some dangerous chemical products. The DG VI – Agriculture – is responsible for pesticide regulation.

The Commissioners' responsibilities may cut across the competencies of or be divided among 2 or more Directorates-General.

In addition to its power to propose legislation, the Commission may adopt legislation in certain limited areas. This power, for example, is often used to adapt environmental laws to scientific or technical progress by amending requirements set out in annexes to the legislation; in such cases member states participate in the legislative process through a special committee.

The Commission is also responsible for monitoring the implementation of EC legislation by the member states. It is the 'Guardian of the Treaty' and can bring a member state before the Court of Justice for failure to carry out the obligations laid down in the EC Treaties or legislation.

2.3 The European Parliament

If the Council of Ministers may be said to represent the national interests of the member states, and the Commission to represent the 'Community interest', then the Parliament can be said to represent the voice of the people.

As the legislative role is filled by the Commission and the Council, the European Parliament is left with a largely advisory role. Its opinion must be obtained before certain types of legislation can be adopted by the Council and it has used this power quite frequently to delay legislation to achieve concessions from the Commission and the Council. It can raise new issues in parliamentary inquiries, debates and resolutions. The Parliament's consultative role has been strengthened by the Single European Act.

Members of the European Parliament (MEPs) are elected every 4 years and have divided themselves into political groupings cutting across nationalities.

Most of the work is carried out in the committees.

The Parliament meets once a month for about a week in Strasbourg, and the plenary sessions are open to the public. The committees meet once a month, usually in Brussels. The deliberations of the Environment Committee are open to the public, but this is not the case for many of the other committees.

2.4 The Court of Justice

The Court is composed of judges appointed by agreement with the member states. The judges are assisted by advocates general who analyse and propose decisions on the cases brought before it.

Cases may be brought by:

- the EC institutions against one another
- the Commission against member states
- the member states against the Commission
- natural or legal persons against the member states or the Commission.

National courts have retained the power to review actions taken by national institutions for implementation and enforcement of environmental legislation. They may apply to the Court of Justice for a preliminary ruling on an issue of EC law before reaching a decision.

The Court of Justice does not normally have the power to apply sanctions, but under the Treaty member states are required to comply with its rulings and have generally done so. National courts, of course, do have the power to enforce their decisions, including those concerning Community law.

2.5 The Economic and Social Committee (ESC)

The members of this Committee are nominated by the member states to represent employers, employees, and other public interest organisations, including local government, consumer and environmental organisations. Often, it too must deliver its opinion before EC legislation may be adopted.

3. Competence for Environmental Law

3.1 The Treaties of Rome

The Treaty establishing the European Economic Community did not provide for environment protection as such, but for the need to achieve 'the constant improvement of the living and working conditions'. The first environmental laws – those concerning products – were based on Art. 100 of the Treaty, which empowers the Council to issue directives for the approximation of the laws, regulations or administrative actions in member states that directly affect the establishment or functioning of the common market. Later laws were based on Arts. 100 and 235. The latter empowers the Council to take appropriate measures to attain, in the course of the operation of the common market, one of the objectives of the Community where the Treaty has not provided the necessary powers.

3.2 The Single European Act

A new Title VII 'Environment' (Articles 130 R, S & T) has been added to Part Three of the EEC Treaty covering the 'foundations and the policy of the Community', covering also human health and natural resource management. Environmental protection requirements must become a component of other Community policies. Art. 130 S empowers the Council to decide to take certain decisions by qualified majority. The text discusses the relationship between the Community and the member states at length and explicitly empowers the member states to maintain or adopt more stringent protective measures.

The new Article 100 A on the internal market cuts across environmental protection interests by introducing decision-making by a qualified majority, the Council being required to take a 'high level of protection' as its starting point. This clearly applies to product legislation, but is qualified by an escape clause permitting member states, for reasons of worker or environment protection, to continue to apply existing, more stringent legislation, provided it is not protectionist.

The meaning of this overlap between the protection of the common market and the protection of the environment where decisions are taken by qualified majority will before long probably have to be decided by the Court of Justice.

4. Forms of European Community Legislation

The Council can adopt:

- **non-binding recommendations and resolutions**
- **regulations that are binding and directly applicable in all member states**
- **decisions that are directly binding on the persons to whom it is addressed, including member states, individuals and legal persons**
- **directives that must be implemented by the laws or regulations of the member states within a designated time limit.**

Regulations are usually used for very specific purposes such as trade in products and financial matters; they have not often been used for environmental legislation, except for controls on trade in endangered species.

Decisions have been primarily used in environmental legislation to authorise the Community to become a party to international conventions, but also for other purposes, e.g. to set up a system of information exchange on water quality.

The directive is the main tool of Community environmental policy. It empowers the Community to define objectives, standards and procedures but allows the member states some flexibility in that implementation must take place through national legislation and regulation.

In fact, environmental directives have sometimes been similar to regulations by laying down precise limits, controls, or technical, testing or labelling requirements, particularly regarding industrial products.

Some directives have set environmental quality standards combined with implementation plans or monitoring systems. This system allows the member states greater latitude in setting controls on actual emissions of individual polluters while meeting overall goals set by the Community.

Other directives have set broad environmental policy goals and encouraged cooperation among the member states without going so far as to define actual limits to pollution. This can be a useful tool when agreement on precise controls cannot be achieved in the Council.

The legislative process of the European Community is usually very thorough. It involves numerous close consultations with the member states, the European Parliament, the Economic and Social Committee, as well as private organisations, at both national and EC levels. During the process of developing their national positions on proposed EC legislation the member states must often formally consult their national parliaments and carry out informal consultations with national interest groups.

This painstaking process of consultation is a necessary part of the development of laws that must:

- **serve the common interests of the European Community**
- **be integrated into the different legal systems of the member states, and**
- **be implemented by their different and varied administrations and levels of government.**

5. Environmental Action Programmes

Although not legislation, the European Community has adopted three 5-year Action Programmes to guide its activities. The Action Programmes set out the Commission's priorities for the coming period.

The Fourth Environmental Action Programme

On 24 October 1987 the Council formally adopted the Fourth Environmental Action Programme.

The Fourth Programme will mark an important new phase in EC environmental policy. It reflects the fundamental improvement in the status of environmental policy under the Single European Act by calling for protection of the environment to become an integral part of EC and national economic and social policies, in particular the Common Agriculture Policy, and Regional, Social, and Development policies.

Four areas are given top priority:

- **Implementation of EC legislation:** The Commission intends to step up efforts to ensure that member states apply directives fully, controlling both formal legal compliance and practical implementation. It is examining the possibility of appointing Community environment inspectors, and plans to encourage individuals and NGOs to monitor and report implementation problems, and organize workshops where national authorities can discuss their experiences.
- **'Substance'- and 'Source'- oriented pollution control:** The Programme reinforces the Community's commitment to preventive environmental policies by adopting a 'substance-oriented' approach to the regulation of existing problem chemicals such as asbestos, cadmium and lead. This approach is based on the analysis of all emissions of the substance to the environment and its movement and distribution through air, water and soil. It also seeks to revive the 'source-oriented' approach (all emissions from an installation to whatever environmental medium).
- **Information:** In 1987, the Commission has promised to draft a proposal that would expand the rights of citizens to obtain information from government about environmental policies and problems. It will also publish a report on the state of the environment every three years, beginning in 1987.
- **Job creation:** The Commission has proposed a five-year programme of demonstration projects in all member states to examine the job-creation potential of environmental investment.

Cynthia Whitehead

Brussels, 1987

Summaries of the legislation

Environment Information Agreement of 5 March 1973 – Standstill on proposed legislation

This so-called 'gentlemen's agreement' is not Community legislation and was not adopted by the Council. It is a voluntary promise made by the representatives of the governments of the member states meeting *in* Council, although not meeting *as* the Council.

Under the Agreement, the member states promise to inform the Commission as soon as possible of any draft legislative, regulatory or administrative measures and of any international initiative concerning the environment which may directly affect the functioning of the common market or be relevant to Community environmental laws or programmes. The Commission, in turn, must inform the other member states of all information it receives under the Agreement.

The member state must delay adoption of its national measures for 2 months, during which time the Commission must inform the member state of its intention to submit proposals to adopt Community measures. If the Commission goes ahead, the member state must wait up to 5 months for the Commission to submit its proposals.

The Agreement also commits the member states to coordinating their views on international initiatives by means of the same procedure.

On 15 July 1974, the governments of the member states agreed to clarify point 3 of the Agreement (which had been left open) to include national proposals for binding measures liable to affect the implementation of the first Community environmental action programme.

Council Recommendation 75/436/Euratom, ECSC, EEC – 'Polluter pays' principle

The Recommendation describes the application of the 'polluter pays' principle, which states that:

- 'natural or legal persons governed by public or private law who are responsible for pollution must pay the costs of such measures as are necessary to eliminate that pollution or to reduce it so as to comply with the standards or equivalent measures laid down by the public authorities.'

The Recommendation defines different types of standards, the purpose and procedure for the imposition of charges, justified exceptions to the principle, and certain types of publicly funded financing that is considered to be not in violation of the principle.

It states that the member states, in applying the principle, should not make any distinction between pollution affecting their own or other countries.

Council Recommendation 79/3/EEC – Pollution control cost evaluation

The Recommendation offers a brief scheme containing principles, definitions and methods according to which the member states should evaluate the cost of pollution control measures to industry and communicate the results of such studies to the European Commission. Its purpose is the harmonization of the information gathered in the member states and the development of an overview of these costs throughout the Community.

Council Regulation (EEC) No. 1872/84 – ACE

The first Regulation on action by the Community relating to the environment ('ACE') provided 13 million ECU (European Currency Units) for demonstration projects in clean technologies; demonstration projects in environmental measuring and monitoring techniques; and projects aimed at the re-establishment or maintenance of seriously threatened biotopes which are of particular importance to the Community for the conservation of wild migratory birds and the habitat of endangered species.

It was replaced in 1987 by Council Regulation (EEC) No. 2242/87 which not only increased ACE funding to 24 million ECU for a 4-year period but also the list of topics eligible for funds from three to six.

Council Decision 85/338/EEC – CORINE

The Decision set up a 4-year pilot programme to collect information on the state of the environment in the Community in certain specific fields, namely, biotopes of major importance for nature conservation; atmospheric pollution; and the resources and characteristics of the Mediterranean region.

It also has the purpose of facilitating the assessment of the impact of environmental measures by improving the comparability of data and providing a methodological framework for gathering and processing information about the environment in the Community.

Council Decision 76/161/EEC – Inventory of sources of information

The Decision set up a procedure for maintaining an inventory of sources of information on the environment in the Community on the basis of a questionnaire. Its purpose is more adequately fulfilled by the new CORINE programme.

Council Directive 85/337/EEC – Environmental impact assessment

The Directive embodies the 'preventive approach' to environmental protection by requiring that before consent is given by a governmental body, certain development projects likely to have significant effects on the environment by virtue *inter alia*, of their nature, size or location are subjected to an assessment of possible environmental impacts.

Projects that are considered to invariably have significant effects on the environment and are always subject to the environmental impact assessment requirement are listed in Annex I.

Projects which may have significant effects on the environment are listed in Annex II and are to be made subject to the requirement when the member states consider that their characteristics so require.

The developer is to supply the competent authority with detailed information concerning the project; measures to avoid, reduce or remedy significant adverse effects; data required to identify and assess the main environmental effects; and a nontechnical summary of these three points. Details are set out in Annex III.

The Directive requires that the public be informed of the request for development, the information supplied by the developer, and the decision and conditions attached to the consent. It must also be given the opportunity to express an opinion before the decision is taken. Authorities with specific environmental responsibilities must also be given an opportunity to express an opinion on the project.

Annex I projects include: oil refineries; large thermal power stations, nuclear power stations and reactors; radioactive waste storage and disposal installations; iron and steel works; asbestos extracting and processing installations; integrated chemical installations; motorway, expressway, railway line and airport construction; ports and inland waterways; and hazardous waste landfill, incineration or treatment installations.

Annex II projects include 12 areas: agriculture; extractive industry; energy industry; metals processing; glass manufacture; chemicals; food processing; textile, leather, wood and paper industries; rubber industry, infrastructure projects; other projects; and modifications to Annex I projects.

Exemptions may be granted in exceptional cases under strict controls. Projects whose details are adopted by a specific act of national legislation or projects serving national defence are also exempt.

If a project is likely to have significant effects on another member state, the member state must forward the information submitted by the developer to the affected member state. This information is to serve as a basis for any consultations between them.

The member states and the Commission will exchange information on the experience gained under the Directive. In particular, the member states will inform the Commission of any criteria and/or thresholds adopted for the selection of Annex II projects for the application of the environmental impact assessment requirements.

Council Decision 82/72/EEC – Convention on wildlife and habitats

The Decision approves the Convention on the conservation of European wildlife and natural habitats (Berne Convention), which was drawn up by the Council of Europe in 1979. Its purpose is to enable closer cooperation between countries in activities to protect wild flora and fauna in their natural habitats. Flora and fauna species that are to be 'strictly protected' are listed in Appendices I and II.

The parties agree to have regard to the conservation of these habitats in their planning and development policies, and to give special attention to areas that are of importance for the migratory species specified in Appendices II and III (protected species). Annex IV lists means and methods of killing, capture and other forms of exploitation that are to be prohibited.

A Standing Committee is set up to monitor the application of the Convention and report regularly to the Committee of Ministers of the Council of Europe.

Council Directive 79/409/EEC – Wild birds

This Directive establishes a complex scheme for the protection of migratory wild birds and their habitats.

A general duty is placed on the member states to maintain the population of all 'species of naturally occurring birds in the wild state' in the EC 'at a level which corresponds in particular to ecological, scientific and cultural requirements, while taking account of economic and recreational requirements'.

This is to be done by preserving, maintaining or re-establishing a sufficient diversity and area of habitats; that is, by creating protected areas, managing habitats inside and outside protected areas, re-establishing destroyed biotopes and creating new ones.

Subject to certain exceptions, member states must prohibit deliberate killing or capture; the deliberate destruction of/ or damage to nests and eggs; the taking of eggs in the wild; deliberate disturbance during breeding and rearing; and the keeping of birds whose hunting and capture is prohibited.

The 'particularly vulnerable species' listed in Annex I are to be the subject of special habitat conservation measures. The original list of 74 species was increased to 144 species by Council Directive 85/411/EEC in 1985. This is to be done by the member states designating special protection areas, in particular wetlands. They must inform the Commission so that it can ensure that the different measures form a coherent whole.

The 72 species listed in Annex II may be hunted, but the hunting may not jeopardize conservation efforts. The 24 species in Annex II/1 may be hunted anywhere; the 48 species in Annex II/2 may only be hunted in the member states listed there.

A number of restrictions are imposed on hunting: It must comply with the principles of wise use and ecologically balanced control of these species. Certain methods listed in Annex IV(a) are prohibited, including snares, explosives, nets, use of live birds as decoys, and certain semi-automatic or automatic weapons. Annex IV(b) prohibits hunting from aircraft, motor vehicles and boats under certain conditions.

Under certain conditions relating to health and safety, or research, member states may allow hunting or capture, but an annual report of these derogations must be submitted to the Commission.

The sale of wild birds, including any parts or derivatives of live or dead birds, is prohibited. The 7 species listed in Annex III/1 may be sold if they have been killed, captured or otherwise legally acquired. The 10 species listed in Annex III/2 may be exempted from the prohibition by a member state after consultation with the Commission. A further 9 species listed in Annex III/3 are to be the subject of further study by the Commission with a view to inclusion in Annex III/2.

The member states, coordinated by the Commission, are to conduct research in the protection and management of wild birds, in particular for those species listed in Annex V.

The Directive was amended by the Act of Accession of Greece, the Act of Accession of Spain and Portugal, Commission Directive 85/411/EEC (replacing Annex I) and Council Directive 86/122/EEC (adding Spanish and Portuguese names of species to the annexes).

Council Decision 82/461/EEC – Convention on migratory species

The Decision approves the 'Bonn Convention' which was drawn up in June, 1979 to enable countries to take concerted action to preserve and manage endangered migratory species within their borders. The parties pledge to take 'immediate action' to protect the 28 endangered species listed in Appendix I and to 'endeavour to conclude Agreements covering the conservation and management' of the 29 species considered to have an unfavourable conservation status listed in Appendix II.

It sets out guidelines for conservation agreements. Range states are to be listed and the list kept up to date by the secretariat, which is designated as the Executive Director of the United Nations Environment Programme. A Conference of the Parties is to be called every three years.

Council Regulation (EEC) No. 3626/82 – Convention on trade in endangered species

'CITES' was drawn up in 1973, and institutes a system of licensing for trade in endangered species, prohibiting trade in most of them. The Regulation, adopted to implement CITES, goes further in some cases by prohibiting trade where the Convention does not do so.

The Regulation has been amended frequently by Council and Commission regulations, mostly introducing minor changes in the lists of species in the annexes and appendices following changes in the Convention's appendices.

Commission Regulation (EEC) No. 3418/83 – CITES documentation

The Regulation introduced a uniform system of documentation within the Community for the importation and trade in endangered species under CITES.

Council Regulation (EEC) No. 348/81 – Cetaceans

The Regulation subjects the import of whale parts and products listed in the Annex to a license, and prohibits the issuance of a license for products to be used for commercial purposes.

The Regulation was amended by the Act of Accession of Spain and Portugal to increase the majority of the Committee on Cetacean Products to 54.

Council Directive 83/129/EEC – Seal pups and products

The Directive requires the member states to prohibit the commercial import of seal products listed in the Annex. The duration of the original ban was limited to 1 October 1985, and then extended by Council Directive 85/444/EEC to 1 October 1989.

It does not apply to products resulting from traditional hunting by the Inuit people.

Council Decision 81/169/EEC – Convention on Antarctic marine living resources

The Decision approves the 'Canberra Convention' of 1980 on the conservation of Antarctic marine living resources. Its purpose is to limit the harvesting of fish, molluscs, crustaceans and

all other species found south of 60° South latitude, in particular krill. The Convention lays down three principles of conservation: prevention of decrease in the size of any harvested population to levels below those which ensure its stable recruitment; maintenance of the ecological relationships between harvested, dependent and related populations and the restoration of depleted populations; prevention of changes or minimization of the risk of changes in the marine ecosystem.

A Commission is set up to help achieve the purposes of the Convention by collecting information, conducting research, analyzing data, formulating conservation measures, and implementing monitoring and inspection measures.

General Policy

**European Community Legislation on General Policy
and Nature Protection**

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**AGREEMENT
OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER
STATES MEETING IN COUNCIL**

of 5 March 1973

**on information for the Commission and for the Member States with a view to possible
harmonization throughout the Communities of urgent measures concerning the
protection of the environment**

THE REPRESENTATIVES OF THE GOVERNMENTS OF
THE MEMBER STATES, MEETING IN COUNCIL,

Whereas the reduction of pollution and nuisances is of particular importance for the European Communities; whereas measures must be taken as a matter of urgency to combat such pollution and nuisances;

Whereas the Commission has proposed to the Council an action programme in this respect which must aim to maintain and, wherever possible, to improve the quality of the environment in the territory of the Member States of the Community;

Whereas measures in this sector are being prepared in most of the Member States;

Whereas some of these measures, if they are not harmonized, could affect the functioning of the common market and the implementation of the Communities' programme for the reduction of pollution and nuisances and the protection of the natural environment;

Whereas, nevertheless, the pursuit of harmonization must not delay the adoption of essential measures for better protection of the environment;

Whereas knowledge of the intentions of Member States in this respect must be available to the Commission and the Member States, especially to enable the latter to propose Community measures where appropriate;

Whereas it is therefore necessary to establish a procedure for giving information concerning the intentions of the Governments of the Member States and concerning measures which they have in draft; especially where such measures are likely to affect the functioning of the common market and the implementation of the Communities' programme for the reduction of pollution and nuisances and the protection of the natural environment;

Whereas such information must be given as early as possible before the entry into force of the measures envisaged;

Whereas the Governments of the Member States must however be able, by way of exception, to take immediate action at national level when this is urgently necessary for reasons of safety or health;

HAVE AGREED (1) AS FOLLOWS:

In order to ensure that the Commission and the Governments of the Member States are kept informed and in order to allow the Commission, where appropriate, to submit suitable proposals to the Council:

(1) The Representatives of the Governments of the Member States, meeting in Council, take note that this Agreement is a gentlemen's agreement.

1. The Commission shall be informed as soon as possible of any draft legislative, regulatory or administrative measures and of any international initiative concerning the protection or improvement of the environment which

— may directly affect the functioning of the common market, or

— are relevant to the Communities' programme for the reduction of pollution and nuisances and the protection of the natural environment,

or

— are of particular interest to the Communities and the Member States from the point of view of the protection of public health or of the natural environment, particularly where these measures may have repercussions for other Member States.

The Governments of the Member States take note that the Commission will, as soon as possible, communicate to the Governments of the Member States all information acquired pursuant to this Agreement.

2. The legislative, regulatory or administrative measures referred to in item 1, which are liable to have a direct effect on the functioning of the common market shall only be adopted if the Commission does not notify the Governments concerned, within two months of receiving such information, of its intention to submit to the Council proposals to adopt Community measures on this subject. Such proposals must take into account the aims of the national measures in question from the point of view of environmental protection.

However, if the Commission does not submit to the Council a proposal within five months of receipt of such said information, the Government concerned may proceed immediately with the proposed measures. The same shall apply if the Council has not acted on the proposal from the Commission within five months of its receipt.

3. In appropriate cases ⁽¹⁾, the procedure described in item 2 will be extended to draft measures liable to affect the implementation of the Communities' programme, as adopted by the Council, for the reduction of pollution and nuisances and to the protection of natural environment.

4. Notwithstanding the foregoing and by way of exception, legislative, regulatory or administrative measures may be adopted if these are urgently necessary for serious reasons of safety or health. The Governments of the Member States will immediately communicate the texts concerning such measures to the Commission which will transmit them to the Governments of the other Member States as soon as possible.

5. The Governments of the Member States will coordinate their views on any international initiative in respect of the environment likely to affect the functioning of the common market or the implementation of those parts of the Communities' programme for the reduction of pollution and nuisances and the protection of the natural environment to which the procedure laid down in item 2 applies by virtue of item 3, without prejudice to the application of the Treaties and in particular of Article 113 and 116 of the Treaty establishing the European Economic Community.

⁽¹⁾ These cases will be determined at the time of defining the programme for the reduction of pollution and nuisances and the protection of the natural environment.

**AGREEMENT OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES OF THE EUROPEAN COMMUNITIES,
MEETING IN COUNCIL**

of 15 July 1974

**supplementing the Agreement of 5 March 1973 on information for the
Commission and for the Member States with a view to possible
harmonization throughout the Communities of urgent measures concerning
the protection of the environment**

**THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE
EUROPEAN COMMUNITIES, MEETING IN COUNCIL,**

Whereas an Agreement ⁽¹⁾ on information for the Commission and for the Member States with a view to possible harmonization throughout the Communities of urgent measures concerning the protection of the environment, was concluded on 5 March 1973; whereas the application of point 3 of this Agreement should be more precisely defined, as provided for in the footnote relating to this point,

HAVE AGREED AS FOLLOWS:

Initially, the appropriate cases referred to in point 3 of the aforesaid Agreement shall concern the draft legislative, regulatory or administrative measures, i.e. measures of a binding nature, which are liable to affect the implementation of the programme of action of the European Communities on the environment ⁽²⁾, approved on 22 November 1973, wherever it is laid down that, for the implementation of this programme, the Commission shall submit proposals for relevant measures of the Communities inasmuch as the latter provisions are required to take the form of Regulations or Directives.

⁽¹⁾ OJ No C 9, 15.3.1973, p. 1.

⁽²⁾ OJ No C 112, 20.12.1973, p. 1.

COUNCIL RECOMMENDATION

of 3 March 1975

regarding cost allocation and action by public authorities
on environmental matters

(75/436/Euratom, ECSC, EEC)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the Euro-
pean Coal and Steel Community;

Having regard to the Treaty establishing the Euro-
pean Economic Community;

Having regard to the Treaty establishing the Euro-
pean Atomic Energy Community;

Having regard to the draft recommendation sub-
mitted by the Commission;

Having regard to the Opinion of the European
Parliament ⁽¹⁾;

Having regard to the Opinion of the Economic
and Social Committee ⁽²⁾;

Whereas in the framework of the declaration of
the Council of the European Communities and of
the representatives of the Governments of the
Member States meeting with the Council of 22
November 1973 ⁽³⁾ on the programme of action of
the European Communities on the environment,
the 'polluter pays' principle was adopted;

Whereas the costs associated with the protection
of the environment against pollution should be
allocated according to the same principles through-

out the Community, in order to avoid distortions
in trade and competition incompatible with the
proper functioning of the common market and
with the aim of balanced economic expansion
pursued by the Community and in order to further
the aims set out in the programme of action of
the European Communities on the environment;

Whereas in order to facilitate application of the
said principle, the European Communities and the
Member States must define it more clearly by laying
down procedures for its application, and by making
provision for certain exceptions to be made to it
such as may be made on grounds of difficulties
encountered in its application and because of the
interplay between other policies and the environ-
mental protection policy;

RECOMMENDS, within the meaning of the EEC
Treaty, that in respect of allocation of costs and
of action by public authorities in the field of envi-
ronmental protection, the Member States conform
to the principles and the rules governing their appli-
cation which are contained in the Commission
communication annexed to this recommendation.

Done at Brussels, 3 March 1975.

For the Council

The President

J. KEATING

⁽¹⁾ OJ No C 76, 3. 7. 1974, p. 31.

⁽²⁾ OJ No C 116, 30. 9. 1974, p. 35.

⁽³⁾ OJ No C 112, 20. 12. 1973, p. 1.

ANNEX

Communication from the Commission to the Council regarding cost allocation and action by public authorities on environmental matters

Principles and detailed rules governing their application

1. In the framework of the declaration of the Council of the European Communities and of the representatives of the Governments of the Member States meeting within the Council of 22 November 1973 on the programme of action of the European Communities on the environment, the 'polluter pays' principle was adopted. The programme of action provides that the Commission submit to the Council a proposal concerning the application of this principle, including possible exceptions thereto.

Charging to polluters the costs of action taken to combat the pollution which they cause encourages them to reduce that pollution and to endeavour to find less polluting products or technologies thereby enabling a more rational use to be made of the resources of the environment. Moreover, it satisfies the criteria of effectiveness and equitable practice.

In order to avoid distortions of competition affecting trade and the location of investments which would be incompatible with the proper functioning of the common market, the costs connected with the protection of the environment against pollution should be allocated according to the same principles throughout the Community.

2. To achieve this, the European Communities at Community level and the Member States in their national legislation on environmental protection must apply the 'polluter pays' principle, under which natural or legal persons governed by public or private law who are responsible for pollution must pay the costs of such measures as are necessary to eliminate that pollution or to reduce it so as to comply with the standards or equivalent measures which enable quality objectives to be met or, where there are no such objectives, so as to comply with the standards or equivalent measures laid down by the public authorities⁽¹⁾.

Consequently, environmental protection should not in principle depend on policies which rely on grants of aid and place the burden of combating pollution on the Community.

3. A polluter is someone who directly or indirectly damages the environment or who creates conditions leading to such damage⁽²⁾.

If identifying the polluter proves impossible or too difficult, and hence arbitrary, particularly where environmental pollution arises from several simultaneous causes

('cumulative pollution')⁽³⁾ or from several consecutive causes ('pollution chain')⁽⁴⁾, the cost of combating pollution should be borne at the point in the pollution chain or in the cumulative pollution process, and by the legal or administrative means which offer the best solution from the administrative and economic points of view and which make the most effective contribution towards improving the environment.

Thus, in the case of pollution chains, costs could be charged at the point at which the number of economic operators is least and control is easiest or else at the point where the most effective contribution is made towards improving the environment, and where distortions to competition are avoided.

4. Under the 'polluter pays' principle, standards and charges, or a possible combination of the two, are the major instruments of action available to public authorities for the avoidance of pollution.

(a) Standards include:

- (i) 'environmental quality standards' which, with legally binding force, prescribe the levels of pollution or nuisance not to be exceeded in a given environment or part thereof;
- (ii) 'product standards' (the term product is used here in its broadest meaning) which:
 - set levels for pollutants or nuisance which are not to be exceeded in the composition or the emissions of a product, or
 - specify properties or characteristics of design of a product, or
 - are concerned with the way in which products are used⁽⁵⁾.

Where appropriate, product standards include specifications for testing, packaging, marking and labelling products;

(iii) standards for fixed installations, sometimes called 'process standards', such as:

- (a) 'emission standards', which set levels for pollutants or nuisances not to be exceeded in emissions from fixed installations;

⁽¹⁾ As long as such a level has not been laid down by the public authorities, measures taken by such authorities to avoid pollution should also be paid for by the polluters, in accordance with the 'polluter pays' principle.

⁽²⁾ The concept of polluter, as defined in this sentence, does not affect provisions concerning third-party liability.

⁽³⁾ Where, in a built-up area, for example, several polluters, such as householders, users of motor vehicles and industrial plants, are simultaneously responsible for polluting the atmosphere with SO₂.

⁽⁴⁾ For example, in cases of environmental pollution by motor vehicle exhaust fumes, not only the user of the vehicle but also the manufacturers of the vehicle and of the fuel are responsible for causing atmospheric pollution.

⁽⁵⁾ Such methods of use and specifications may be issued in the form of 'codes of practice'.

- (b) 'installation design standards', which determine the requirements to be met in the design and construction of fixed installations in order to protect the environment;
 - (c) 'operating standards', which determine the requirements⁽¹⁾ to be met in the operation of fixed installations in order to protect the environment.
- (b) The purpose of charges shall be to encourage the polluter to take the necessary measures to reduce the pollution he is causing as cheaply as possible (incentive function) and/or to make him pay his share of the costs of collective measures, for example purification costs (redistribution function). The charges should be applied, according to the extent of pollution emitted, on the basis of an appropriate administrative procedure.

Charges should be fixed so that primarily they fulfil their incentive function.

In so far as the main function of charges is redistribution, they should at least be fixed within the context of the abovementioned measures so that, for a given region and/or qualitative objective, the aggregate amount of the charges is equal to the total cost to the Community of eliminating nuisances.

Income from charges may be used to finance either measures taken by public authorities or to help finance installations set up by an individual polluter, provided that the latter, at the specific request of the public authorities, is seen to render a particular service to the Community, by reducing his pollution level to below that set by the competent authorities. In the latter instance, the financial aid granted must be limited to compensating for the services thus rendered by the polluter to the Community.

In line with Article 92 *et seq.* of the EEC Treaty, income from charges may also be used to finance the installations of individual polluters for protecting the environment, in order actively to reduce existing pollution. In this case, the measures for financing should be incorporated in an official multi-annual finance programme by the competent authorities.

Where the overall revenue exceeds the total expenditure by the public authorities when applying the two preceding paragraphs, the surplus should preferably be used by each government for its national environmental policies; however, the surplus may be used for granting aid only under the conditions specified in paragraphs 6 and 7 below.

As far as possible, the Community should endeavour to standardize the methods of calculation used by the Member States to set charges.

- (c) In order to avoid distortions of competition affecting trade and the location of investment in the Community, it will undoubtedly be necessary to harmonize more and more closely at Community level the various instruments where they are applied in similar cases.

Until this is achieved, the question of the allocation of anti-pollution costs will never be entirely resolved at Community level. This Commission communica-

tion therefore constitutes merely a first step in the application of the 'polluter pays' principle. The first step must be followed up as quickly as possible by the harmonization within the Community of the instruments for implementing the said principle, when they are applied to similar cases, as stated in the third subparagraph of paragraph 8 of this document.

5. Depending on the instruments used and without prejudice to any compensation due under national law or international law, and/or regulations to be drawn up within the Community, polluters will be obliged to bear:

- (a) expenditure on pollution control measures (investment in anti-pollution installations and equipment, introduction of new processes, cost of running anti-pollution installations, etc.), even when these go beyond the standards laid down by the public authorities;
- (b) the charges.

The costs to be borne by the polluter (under the 'polluter pays' principle) should include all the expenditure necessary to achieve an environmental quality objective, including the administrative costs directly linked to the implementation of anti-pollution measures.

The cost to the public authorities of constructing, buying and operating pollution monitoring and supervision installations may, however, be borne by those authorities.

6. Exceptions to the 'polluter pays' principle may be justified in limited cases:

- (a) Where the immediate application of very stringent standards or the imposition of substantial charges is likely to lead to serious economic disturbances, the rapid incorporation of pollution control costs into production costs may give rise to greater social costs. It may then prove necessary:
 - to allow some polluters time to adapt their products or production processes to the new standards;
 - and/or to grant aid for a limited period and possibly of a degressive nature.

Such measures may, in any case, apply only to existing production plants⁽²⁾ and existing products.

- (b) Where, in the context of other policies (e.g. regional, industrial, social, and agricultural policies or scientific research and development policy), investment affecting environmental protection benefit from aid intended to solve certain industrial, agricultural or regional structural problems.

Aids referred to under (a) and (b) may, of course, only be granted by Member States in compliance with the provisions on State aid set out in the Treaties establishing the European Communities, and in particular Articles 92 *et seq.* of the EEC Treaty. In applying Articles 92 *et seq.* of the EEC Treaty to these aids, account will be taken of the requirements

⁽¹⁾ Such methods of use and specifications may be issued in the form of 'codes of practice'.

⁽²⁾ The enlargement or the transfer of existing production plants will be considered as the creation of new plants where this represents an increase in productive capacity.

which such aids satisfy as regards environmental protection.

7. The following shall not be considered contrary to the 'polluter pays' principle⁽¹⁾:

- (a) financial contributions which might be granted to local authorities for the construction and operation of public installations for the protection of the environment, the cost of which could not be wholly covered in the short term from the charges paid by polluters using them. In so far as other effluent as well as household waste is treated in these installations, the service thus rendered to undertakings should be charged to them on the basis of the actual cost of the treatment concerned;
- (b) financing designed to compensate for the particularly heavy costs which some polluters would be obliged to meet in order to achieve an exceptional degree of environmental cleanliness;
- (c) contributions granted to foster activities concerning research and development with a view to implement-

⁽¹⁾ This list may be modified by the Council, on a proposal from the Commission.

ing techniques, manufacturing processes and products causing less pollution.

8. In carrying out its tasks within the framework of the Community environment policy, the Commission will comply particularly with the abovementioned definitions and methods of application of the abovementioned 'polluter pays' principle.

The Commission asks the Council to take note of these definitions and conditions of application and to recommend that the Member States conform to them in their legislation and administrative measures involving the allocation of costs in the environmental field.

The Commission will submit all the necessary proposals in this field to the Council in due course, particularly as regards the harmonization of instruments for administering the 'polluter pays' principle, and its specific application to the problems of transfrontier pollution.

Each Member State should apply the 'polluter pays' principle to all forms of pollution within its own country and without making any distinction as to whether the pollution affects that country or another.

COUNCIL RECOMMENDATION
of 19 December 1978
to the Member States regarding methods of evaluating the cost of pollution
control to industry

(79/3/EEC)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the draft recommendation submitted
by the Commission ⁽¹⁾,

Having regard to the opinion of the European Parlia-
ment ⁽²⁾,

Having regard to the opinion of the Economic and
Social Committee ⁽³⁾,

Whereas in the Programme of Action of the European
Communities on the Environment adopted on 22
November 1973 ⁽⁴⁾, it is noted *inter alia* that if the
Member States were to differ in their estimates as to
the cost of anti-pollution measures, particularly if
these estimates were not based on comparable legisla-
tive measures and a uniform definition of costs, the
possible consequences of this for policies at the
national level would severely hamper the implementa-
tion of a common policy ;

Whereas the cost evaluation is intended to determine
the size of the burden to be borne by the economy as
a whole or by individual sectors of industry where
specific measures are taken by the authorities to
protect the environment, to provide data on the most
cost-effective ways of reducing pollution and, under
certain conditions, to help to determine quality objec-
tives and/or emission standards ;

Whereas the evaluation of the costs of existing pollu-
tion control plants not only provides information on
the costs of measures already taken but can also be
used to facilitate the forecasting of the costs of future
measures ;

Whereas it is of great advantage to both national and
local authorities and for decision-making at Commu-
nity level, to have access to comparable data on the
costs of existing pollution control plants in industry
from various Member States ;

Whereas for this purpose it would be beneficial for
the Member States to use as similar methods of evalua-
tion as possible by adopting a common set of princi-
ples for the future studies of pollution control costs in
industry ;

Recommends, that for the evaluation of the cost of
pollution control in industry, the Member States use
the principles, definitions and methods contained in
the Annex and that whenever possible they communi-
cate to the Commission the results of all the studies
carried out in this field.

Done at Brussels, 19 December 1978.

For the Council

The President

G. BAUM

⁽¹⁾ OJ No C 10, 12. 1. 1978, p. 6.

⁽²⁾ OJ No C 131, 5. 6. 1978, p. 82.

⁽³⁾ OJ No C 283, 27. 11. 1978, p. 25.

⁽⁴⁾ OJ No C 112, 20. 12. 1973, p. 3.

ANNEX

PRINCIPLES, DEFINITIONS AND METHODS

1. The pollution control costs to be evaluated in the industries concerned should relate to measures based on environmental considerations contributing to the prevention, elimination or reduction of pollution of the following kind :
 - (a) water pollution ;
 - (b) air pollution ;
 - (c) noise or vibrations ;
 - (d) solid or liquid waste.

2. (a) The actual collection of cost data should be preceded by technical surveys of the industry concerned in those sectors where a survey seems desirable. This will be appropriate primarily where the sector concerned consists of a large number of firms and a relatively small number of different production processes. This descriptive phase should identify the different production technologies used in the industry, their environmentally harmful by-products, and the primary and secondary pollution control processes (including changes in the production process) used to reduce these. Other factors of the processes which are likely to give rise in practice to considerable differences in cost for otherwise similar pollution control processes should also be identified. Such factors may include, for example, the age of the plant or the characteristics of the raw materials it uses. In such a case the same process operated by equipment of different ages or using different raw materials should be treated as several separate processes for the collection of cost data.
 - (b) Such a survey would result in a catalogue of different technical pollution control measures. For each of these measures, in so far as these are considered relevant by the competent authorities for the pollution under consideration, the cost data should then be collected.
 - (c) For each measure in the final catalogue the survey should determine the probable lifetimes of the plant and equipment concerned. It should also determine the frequency of use and relative importance of each pollution control process within the industry.

3. As regards measures taken only partially for environmental reasons, an absolute amount attributable to pollution control should be determined as precisely as possible and the criteria used for its derivation stated. The amount should be expressed as a proportion of the total cost of the measures concerned (pollution control relevancy factor).

4. (a) Cost data concerning the cost of pollution control measures should be collected in such a way that an evaluation of each of the following cost categories is available separately for each pollution control technique identified in the technical survey⁽¹⁾ :

Investment costs (new or replacement to be shown separately) :

 - (i) expenditure on the construction or acquisition of plant and equipment ;
 - (ii) expenditure on the construction or acquisition of buildings ;
 - (iii) expenditure on the acquisition of land and/or the market value of land already owned ;
 - (iv) expenditure on improvements ;
 - (v) expenditure on loss of output during transition.

⁽¹⁾ Reference is made to the definitions in the European System of National Accounts (ESA), as published by the Office for Official Publications of the European Communities in 1970.

Running costs :

- (vi) expenditure on labour ;
- (vii) expenditure on energy ;
- (viii) expenditure on materials other than energy ;
- (ix) expenditure on services ;
- (x) expenditure on rents ;
- (xi) expenditure on repairs.

- (b) If detailed figures are not available in industry for each of these cost categories, they should be estimated.
 - (c) The abovementioned data should not include value-added tax for those categories on which it is payable and should be calculated as gross costs, without making deduction for any subsidies. The years to which categories (i) to (v) refer should be identified, whereas categories (vi) to (xi) should refer to costs incurred in the preceding financial year.
5. The above cost data should be accompanied by the following information *inter alia* :
- (a) the market value of any materials recovered or saved as a result of the operation of the pollution control plant in question, irrespective of whether such materials are sold or used internally, and, where appropriate, a financial assessment of other factors entailing a reduction in costs ;
 - (b) the exact levels of the values of emissions by the relevant production plant in a specified time-period both before and after introduction of the pollution control measure to which the costs refer and, where possible, the impact of the measure on the quality of the environment ;
 - (c) the annual production capacity and the annual production volume of the production process to which the pollution control costs refer.
6. The following information should also be obtained :
- (a) the amount of any pollution taxes or levies paid by a firm in addition to, or instead of, pollution control measures, both before and after installation of the pollution control plant in question ⁽¹⁾ ;
 - (b) the nature and amount of any financial aid, whether in the form of subsidies, tax concessions or preferential loans received by industry in respect of the pollution control installations concerned.
7. Any data other than the above which it is deemed desirable to collect should be expressed as separate figures, without being incorporated into any of the categories defined above.

Confidentiality

8. (a) Information acquired as a result of the application of this recommendation may be used only for the purposes of this recommendation.
- (b) The Commission and the competent authorities of the Member States, their officials and other servants shall not disclose information acquired by them pursuant to this recommendation and of a kind covered by the obligation of professional secrecy.
 - (c) Subparagraphs (a) and (b) shall not prevent publication of general information or surveys which do not contain information relating to particular undertakings or associations of undertakings.

⁽¹⁾ Reference is made to the definitions in the European System of National Accounts (ESA), as published by the Office for Official Publications of the European Communities in 1970.

COUNCIL REGULATION (EEC) No 1872/84
of 28 June 1984
on action by the Community relating to the environment

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas, pursuant to Article 2 of the Treaty the Community has as its task *inter alia* to promote throughout the Community a harmonious development of economic activities, a continuous and balanced expansion and an increase in stability;

Whereas in its declaration of 22 November 1973 ⁽⁴⁾ the Council adopted an action programme of the European Communities on the environment which was continued and extended on 17 May 1977 ⁽⁵⁾; whereas, in their resolution of 7 February 1983, the Council and the representatives of the Governments of the Member States meeting within the Council approved the general guidelines of an action programme of the European Communities on the environment (1982 to 1986) ⁽⁶⁾;

Whereas, in order to ensure that the objectives formulated in this action programme are fully realized, it is necessary that the Community should contribute financially towards the carrying out of certain specific measures;

Whereas the development of clean technologies is a particularly appropriate way of ensuring a preventive reduction in pollution and a more careful use of natural resources in the most economically sensible fashion;

Whereas the development of clean technologies is likely to have a positive effect on innovation and employment;

Whereas use should be made of certain results of the Community research and development programmes relating to the environment ⁽⁷⁾ and raw materials ⁽⁸⁾;

Whereas experience has shown that it is necessary to encourage the development of new techniques and methods for monitoring the quality of the natural environment;

Whereas it is appropriate that the Community should be able to make a contribution towards the maintenance and re-establishment of seriously treated biotopes, which are the habitat of endangered species, pursuant to Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds ⁽⁹⁾;

Whereas it is necessary that the Community should, within the limits of the budget funds available, grant financial support for projects relating to clean technologies and to methods for monitoring the quality of the natural environment and for schemes for the conservation of nature protection areas of Community importance in connection with the implementation of Directive 79/409/EEC;

Whereas an Advisory Committee should be set up to assist the Commission in selecting the projects for which financial support may be granted;

⁽¹⁾ OJ No C 30, 4. 2. 1983, p. 8.

⁽²⁾ OJ No C 128, 16. 5. 1983, p. 88.

⁽³⁾ OJ No C 176, 4. 7. 1983, p. 1.

⁽⁴⁾ OJ No C 112, 20. 12. 1973, p. 1.

⁽⁵⁾ OJ No C 139, 13. 6. 1977, p. 1.

⁽⁶⁾ OJ No C 46, 17. 2. 1983, p. 1.

⁽⁷⁾ OJ No L 101, 11. 4. 1981, p. 1.

⁽⁸⁾ OJ No L 174, 21. 6. 1982, p. 23.

⁽⁹⁾ OJ No L 103, 25. 4. 1979, p. 1.

HAS ADOPTED THIS REGULATION :

Article 1

1. Under the conditions laid down below, the Community may grant financial support for :

- (a) demonstration projects aimed at developing new 'clean' technologies, i.e. technologies which cause little or no pollution and which may also be more economical in the use of natural resources, in the specific areas listed in Annex I ;
- (b) demonstration projects aimed at developing new techniques and methods for measuring and monitoring the quality of the natural environment ;
- (c) projects providing an incentive and aimed at contributing towards the maintenance or re-establishment of seriously threatened biotopes which are the habitat of endangered species and are of particular importance to the Community, under Directive 79/409/EEC.

Projects which fall within other Community programmes shall not be eligible.

2. The estimated amount necessary for implementation of the planned projects is 13 million ECU comprising 6,5 million ECU for projects coming under paragraphs 1 (a) and (b) and 6,5 million ECU for projects coming under paragraph 1 (c).

The appropriations shall be entered in the general budget of the European Communities.

3. Community financial support shall not exceed 30 % of the cost of the projects referred to in paragraph 1 (a), 30 % of the cost of the projects referred to in paragraph 1 (b) and 50 % of the cost of the projects referred to in paragraph 1 (c).

Article 2

1. To be eligible for financial support, a project must be of interest to the Community and in terms of protection of the environment and/or the management of natural resources.

2. The projects referred to in Article 1 (1) (a) must :
- implement innovatory technologies or procedures for which the research phase may be assumed to have been completed but which are still untested or not yet in existence in the Community,
 - by their demonstration value, be such as to encourage the creation of other similar installations which are capable of noticeably reducing adverse effects on the environment,
 - first and foremost concern installations or procedures which, either because of the large amounts

or the particularly dangerous nature of their emissions, seriously harm the environment, while at the same time a reduction in the use of natural resources should be aimed at.

3. The projects referred to in Article 1 (1) (b) must cover first and foremost the major air, water and soil pollutants and contribute towards harmonization of methods of measurement and comparability of measurement results obtained within the Community.

4. Financial support for the projects referred to in Article 1 (1) (c) shall be commensurate with the importance of the area to the Community and with the urgency of the need for the financial support in question.

Article 3

1. Applications for financial support for projects of the types referred to in Article 1 (1) (a) and (b) that have been drawn up in response to an invitation to submit projects which has been prepared by the Commission and published in the *Official Journal of the European Communities* shall be sent to the Commission, with copies to the competent authorities of the Member State concerned, and shall contain the information specified in Annex II.

2. Applications for financial support for the projects referred to in Article 1 (1) (c) shall be sent to the Commission by the Member States and contain the information specified in Annex III.

Article 4

1. An Advisory Committee consisting of representatives of the Member States and chaired by a Commission representative is hereby set up. The Committee shall draw up its rules of procedure.

2. The Commission shall consult the Advisory Committee on *inter alia* :

- (i) the general conditions governing submission of the applications for financial support referred to in Article 3 ;
- (ii) preparation of the invitations to submit projects referred to in Article 3 (1) ;
- (iii) the additional criteria to be applied in selecting projects for which applications for financial support have been submitted ;
- (iv) the general levels of financial support to be granted to projects ;
- (v) the choice of projects for which financial support is to be granted in accordance with Article 5 ;
- (vi) the arrangements for ownership and dissemination of results.

Article 5

1. The Commission shall decide whether to grant or refuse financial support for projects after consulting the Advisory Committee referred to in Article 4 and on the basis of the opinions delivered by that Committee.

2. The Commission's decision shall be communicated forthwith to the European Parliament, the Council and the Member States. It shall apply upon expiry of a period of 20 working days, if no Member State has referred the matter to the Council within that period.

3. Where the matter is referred to the Council, the latter shall take a decision on the Commission's decision by a qualified majority in accordance with Article 148 of the Treaty within 40 working days following such referral.

Article 6

Financial support under this Regulation may be granted to the natural persons, or the legal persons constituted in accordance with the law of the Member States, who are responsible for the project.

If the creation of a legal entity for the purpose of carrying out a project involves additional costs for the participating undertakings the project may be carried out simply by cooperation between natural or legal persons. In that case, responsibility for complying with the obligations resulting from Community support must be specified in the contract to be concluded with the Commission.

Article 7

The Commission shall negotiate and conclude the necessary contracts.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 28 June 1984.

Recipients of Community financial support shall send the Commission, each year or at its request, a report on the fulfilment of the contractual obligations towards the Commission, and in particular, on the progress of work on the project and the expenditure incurred in carrying it out.

Article 8

The benefits granted by the Community must not affect conditions of competition in a manner incompatible with the principles embodied in the relevant provisions of the Treaty.

Article 9

In the event of commercial exploitation of the results of a project, the Community may request repayment of its financial contribution in accordance with arrangements to be laid down in the contract.

Article 10

A list of the measures for which Community financial support has been granted shall be published each year in the *Official Journal of the European Communities*.

Article 11

The Commission shall submit an annual report on the implementation of this Regulation to the European Parliament and the Council.

Article 12

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

It shall apply for three years.

For the Council

The President

H. BOUCHARDEAU

ANNEX I

CLEAN TECHNOLOGIES — FIELDS OF APPLICATION

1. Surface treatments

- Reduction of the amount of surface scouring solvents (in particular chlorinated solvents) in effluent,
- lacquering processes producing little residue and recovery of solvents used in industrial lacquering processes,
- galvanizing and cadmium-plating processes producing little residue, designed to avoid mixed metal hydroxide sludge (special waste),
- replacement of cadmium in surface treatment processes.

2. Leather industry

- Reduction of the amount of chromium salts and organic residues (mainly fats) in effluent by altering tanning processes,
- processing of solid waste.

3. Textile industry

- Reduction of the amount of not-easily degradable chemicals used in textile finishing processes (de-sizing, bleaching, dyeing, preparation for printing and dressing) which are contained in effluent; use of non-polluting additives.

4. Cellulose and paper industries

- Reduction of effluent by developing zero-discharge layouts for these industries,
- pulp-bleaching processes causing less pollution,
- cellulose desintegration processes causing little pollution,
- development of de-inking processes.

5. Mining and quarrying

- Recovery and processing of wastes.

6. Chemical industry

- Alteration or replacement of processes, in order to reduce pollution caused by production residues containing chlorinated hydrocarbons produced during processes using organo-chlorine compounds,
- development of sulphurizing processes producing little residue in the organic chemistry sector, the waste products and effluent of which are highly dangerous,
- recovery and processing of solvents.

7. Agri-food industry

- Reduction of effluent pollution by perfecting processes using zero-discharge layouts, for example in sugar refineries and oil mills and in the manufacture of margarine,
- knackers' yards,
- reduction of the amount of ammonium and ammonia in effluent,
- processing and recovery of by-products and waste products of the agri-food industries.

*ANNEX II***LIST OF THE PARTICULARS TO BE PROVIDED UNDER ARTICLE 3 (1)**

- A detailed description of the project, including in particular the organization of its management and the result expected,
- the timetable for carrying out the project,
- the nature and extent of the technical and economic problems inherent in the project,
- the cost of the project, its viability and the financing arrangements proposed,
- the extent to which experience in the matter may encourage introduction of the technique, process or product on a broad scale in the Community, the prospects for general application of the technique, process or product and the benefits that may result from it for the environment and the economy as a whole,
- any other factor which may justify the Community financial support requested,
- how it is proposed to disseminate the results of the project.

*ANNEX III***LIST OF THE PARTICULARS TO BE PROVIDED UNDER ARTICLE 3 (2)**

- A detailed description of the project, and in particular the organization of its management and the results expected,
 - the timetable for carrying out the project,
 - the nature and extent of the problems which the project is intended to solve,
 - the cost of the project, its viability and the financing arrangements proposed,
 - the extent to which Community financial support is necessary to enable the project to be carried out and the degree of urgency with which such support is required,
 - any other factor which may justify the application,
 - how it is proposed to disseminate the results of the project.
-

COUNCIL DECISION

of 27 June 1985

on the adoption of the Commission work programme concerning an experimental project for gathering, coordinating and ensuring the consistency of information on the state of the environment and natural resources in the Community

(85/338/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas in order to implement the action programme of the European Communities on the environment (1982 to 1986), whose general approach the Council of the European Communities and the representatives of the Governments of the Member States, meeting within the Council, approved in their resolution of 7 February 1983 ⁽⁴⁾, it is necessary to have consistent and comparable information on the state of the environment and natural resources in the Community, in particular for the purpose of action by the Community in the following priority areas contained in the said

programme : incorporating the environmental dimension into the other Community policies, combating local and transfrontier atmospheric pollution, protecting biotopes of major importance for nature conservation in the Community and protecting the environment in the Mediterranean region ;

Whereas this Decision is guided by the considerations set out in the resolution of 7 February 1983, i.e. the desirability of action at the appropriate level and the need to coordinate work at international level, to assess the costs and benefits of the actions envisaged, to take account of the differing situations existing in the Community and to make adequate technical and political preparations for such action ;

Whereas the aim is to assemble basic information on the state of the environment in the Community in respect of measures in the following specific fields : biotopes of major importance for nature conservation in the Community, atmospheric pollution problems and the resources and characteristics of the environment in the Community's Mediterranean region ; whereas such information should also facilitate implementation of environmental policies at Community, national or regional levels and should be used to inform public opinion ; whereas it should also be used to facilitate an assessment, on the basis of comparable data, of the impact of measures taken or planned in other sectors of Community, national or regional policy on the environment ;

⁽¹⁾ OJ No C 291, 27. 10. 1983, p. 8.

⁽²⁾ OJ No C 337, 17. 12. 1984, p. 421.

⁽³⁾ OJ No C 140, 28. 5. 1984, p. 24.

⁽⁴⁾ OJ No C 46, 17. 2. 1983, p. 1.

Whereas it is necessary to have an appropriate methodological framework for rational organization of the work of gathering and processing information on the state of the environment in the Community, and make it possible to assess overall how environmental phenomena interact and to monitor the development of the environment ;

Whereas, in view of the present state of knowledge concerning environmental phenomena and the interaction of environments, the characteristics of the data available at present and the geographical extent of Community territory, an experimental project should be implemented ;

Whereas practical results are urgently needed on a number of priority matters in this area ;

Whereas it is necessary, in the case of certain regions, to improve the availability of data which are comparable at Community level ;

Whereas compatibility must be ensured between the experimental project and other existing or planned activities at Community, national or international level, in particular as regards their data-processing aspects ;

Whereas implementing and directing the action require close cooperation between the Commission and the Member States, including support by the agencies concerned in Member States, so as to facilitate access to the data ;

Whereas, since the Treaty has not provided the necessary powers for gathering, coordinating and ensuring the consistency of such information, recourse must be had to Article 235 thereof,

HAS DECIDED AS FOLLOWS :

Article 1

The Commission work programme concerning an experimental project for gathering, coordinating and ensuring the consistency of information on the state of

the environment and natural resources in the Community, hereinafter referred to as 'the programme', is hereby adopted for a period of four years starting on 1 January 1985.

The text of the programme is set out in the Annex hereto.

The Commission shall be responsible for the implementation of the programme with the assistance of a Committee consisting of representatives from the Member States.

Article 2

The funds estimated as necessary for the implementation of the programme amount to 4 million ECU.

Article 3

At the end of the second year of the period referred to in Article 1, the Commission shall, for information, submit a report on the programme's progress and on future guidelines to the European Parliament and to the Council.

At the end of the said period, it shall submit a final report on the results obtained. In the light of those results the Commission shall, if it considers it appropriate, submit suitable proposals to the Council on any follow-up.

Article 4

This Decision is addressed to the Member States.

Done at Luxembourg, 27 June 1985.

For the Council

The President

A. BIONDI

ANNEX

COMMISSION WORK PROGRAMME CONCERNING AN EXPERIMENTAL PROJECT FOR GATHERING, COORDINATING AND ENSURING THE CONSISTENCY OF INFORMATION ON THE STATE OF THE ENVIRONMENT AND NATURAL RESOURCES IN THE COMMUNITY

(1985 to 1988)

I. CONTENT OF THE PROGRAMME

The programme will provide results which will be of direct use in implementing the Community's environmental policy and make it possible to judge the advisability of going ahead with the establishment of an information system on the state of the environment in the Community.

In this connection, account should be taken, in particular, of whether all existing possibilities for obtaining data can be fully exploited, in order to avoid any duplication and ensure the most economical approach possible.

The following activities are not listed in order of priority. Their complementary character implies that, in practice, all such work will be carried out concurrently.

A. Priority application of the programme to Community-scale problems**(a) *Biotopes of major importance for nature conservation***

The aim is to identify and describe biotopes of major importance for nature conservation in the Community.

The work will be based, on the one hand, on the preliminary results of the test study 'Biotopes of significance for nature conservation', in particular on its conclusions concerning the criteria for selecting biotopes and the characteristics to be adopted in describing them and, on the other hand, on the scientific knowledge acquired as a result of the activities of international organizations in this field.

Work will be carried out in close coordination with the Council of Europe.

(b) *Acid deposition*

The aim is to contribute to the solution of the problem of local and transfrontier atmospheric pollution commonly referred to as 'acid rain'.

The work will aim at collating and making consistent the data produced by schemes already under way at Community level or in other bodies (in particular, the OECD and the Economic Commission for Europe) as well as detecting sectors in which data are inadequate and providing an information base for drawing up proposals likely to contribute towards combating the phenomenon of acid rain.

Work will focus :

- firstly, on gathering and organizing consistent information on emissions into the air at Community level,
- secondly, on making use of the whole range of research carried out in this field in order to give an overall picture at Community level of the distribution and extent of both actual and potential damage (irrespective of its origin) in the case of biotopes and soils.

(c) *Protection of the environment in the Mediterranean region*

The aim is to gather and organize consistent information concerning the environmental resources and characteristics most directly affected by development programmes. Particularly those resulting from the implementation of Community policies in the Mediterranean region of the Community.

Work will focus on land use and quality, soil erosion, water quality and resources and seismic risks, as well as the problems of coastal areas.

B. Improvement in the comparability and availability of data and in the methods of analyzing data in order to ensure the consistency of results at Community level

(a) Comparability and availability of environmental data collected in the Member States and at international level

- organization of a process of mutual exchange of information on work under way or envisaged and the setting up of an inventory of sources, categories and definitions of data and information systems on the environment which will be updated at regular intervals,
- transfrontier projects intended to improve the comparability of data,
- support given to the work of Member States or international organizations in order to improve the availability of comparable data on a Community scale.

(b) Data analysis methods

- choice of methods of processing remote sensing data,
- choice of computer techniques for the management of information on the state of the environment in the Community and for ensuring the consistency of national or regional information systems.

II. GUIDELINES FOR IMPLEMENTING THE PROGRAMME

A. The programme will be implemented following, where appropriate, the guidelines set out in the Commission communication to the Council entitled 'A methodological approach to an information system on the state of the environment and the natural resources in the European Community'.

The methodological approach is characterized, in particular, by :

- observance of the principles of consistency, flexibility, transparency, scientific rigour and cost-effectiveness,
- a modular structure enabling the information base to be built up progressively and to be adopted to advances in knowledge,
- the acquisition of information enabling the state of the environment to be described from three points of view : the quality and sensitivity of the environment and the pressures on it,
- the limitation of the Community data base to information needed to implement the Community's environmental policy,
- the use of information techniques for the storage, collection and preliminary processing of data as well as public access to the basic data for the purpose of scientific checks.

B. Assisted by the Committee referred to in Article 1 of the Decision, the Commission will define the exact nature of the data to be collected, the collection procedures and the data-processing methods.

In order to facilitate communications between experts, the various bodies concerned and the Commission, in particular as regards access to data, Member States will inform the Commission of the person(s) or body (bodies) able to assist in such liaison.

III. USE AND DISSEMINATION OF INFORMATION

A. Use of information

Information on the state of the environment, generated by the programme, should be usable in implementing environmental policies at Community level and also at national and regional levels as well as in informing public opinion.

B. Dissemination of information

The information will be made public, subject to its compliance with the rules of the Commission and Member States on the dissemination of information, particularly with regard to confidentiality.

COUNCIL DECISION

of 8 December 1975

establishing a common procedure for the setting up and constant updating of an inventory of sources of information on the environment in the Community

(76/161/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas the programme of action of the European Communities on the environment ⁽³⁾ provides for the preparation of a permanent inventory of sources of information on the environment and its integration, as a Community contribution, into the International Referral System (IRS) of the United Nations Environment Programme, into other appropriate international systems and into the European Documentation Network referred to in Council Decision 75/200/EEC of 18 March 1975 adopting an initial three-year Community plan of action in the field of scientific and technical information and documentation ⁽⁴⁾;

Whereas this inventory could facilitate the access to existing sources of information for all users in the Community, particularly for those responsible for the supervision, protection and management of the environment; whereas it will also make it possible to determine what coordination or harmonization of information sources would be desirable, to propose the creation of new systems of information on the basis of requirements not yet covered and to integrate such sources into a harmonized European network;

Whereas such an inventory seems necessary in order to achieve, within the context of the functioning of the common market, one of the objectives of the

Community in the field of protection of the environment and of the quality of life; whereas the powers of action required in this matter were not provided for in the Treaty;

Whereas this inventory, which will be published by the Commission in the form of an inventory of sources of information on the environment in the Community, must make known for each Member State the scientific and technical information and documentation centres, the specialist centres and independent experts and the current or scheduled research projects;

Whereas, in order that an inventory can be drawn up, the Member States must forward to the Commission the information relating to the different national sources of information; whereas an updating procedure for the inventory should also be established,

HAS ADOPTED THIS DIRECTIVE:

Article 1

A common procedure is hereby established for the setting up and updating of a permanent inventory of sources of information on the environment in the Community.

This inventory shall include for each Member State a list:

- of scientific and technical information and documentation centres and services;
- of specialist centres and independent experts;
- of current or scheduled research projects.

Article 2

Member States shall assemble the information requested in the questionnaire set out in the Annex and shall forward the information to the Commission in a manner and form compatible with the latter's requirements.

⁽¹⁾ OJ No C 157, 14. 7. 1975, p. 93.

⁽²⁾ OJ No C 263, 17. 11. 1975, p. 36.

⁽³⁾ OJ No C 112, 20. 12. 1973, p. 3.

⁽⁴⁾ OJ No L 100, 21. 4. 1975, p. 26.

The information shall be collected annually to enable the inventory to be updated. This information will be forwarded to the Commission not later than four months after the end of the reference year.

Article 3

Each Member State shall designate the national authority which will be responsible for assembling and forwarding to the Commission the information referred to in Articles 1 and 2, and shall inform the Commission thereof.

Article 4

The Commission shall develop the software and the methods of indexing and encoding the information referred to in Articles 1 and 2. It shall undertake the automated processing of this information and shall supply Member States with a copy of the inventory on magnetic tape or on any other medium and with the software necessary for its use.

Article 5

The Commission shall forward to the International Referral System (IRS) of the United Nations Environment Programme a magnetic tape containing the appropriate information which the Member States wish it to supply to this system.

Article 6

In the light of any experience gained, the list of information constituting the inventory and the methods of preparing the inventory may be revised by the Commission in collaboration with the competent national authorities referred to in Article 3, due account being taken of the measures taken by the Community for the harmonization of the inventories of research projects.

Article 7

Member States shall forward the information requested in the questionnaire set out in the Annex for the first time within three months of the publication of this Decision in the *Official Journal of the European Communities*.

Article 8

This Decision is addressed to the Member States.

Done at Brussels, 8 December 1975.

For the Council
The President
M. PEDINI

ANNEX

INVENTORY OF INFORMATION SOURCES IN ENVIRONMENTAL
PROTECTION

QUESTIONNAIRE

GENERAL

G1. Is your organization involved in

A. RESEARCH YES NO

(i.e. work undertaken on a systematic basis to increase the stock of knowledge and to use this stock of knowledge to devise and assess new applications).

If YES please complete the section of the questionnaire covering:

- (i) general aspects of your organization, pages 10 to 12,
- (ii) research activities, pages 13 to 18.

B. INFORMATION/DOCUMENTATION SERVICES YES NO

(i.e. a system of resources, personnel, activities and materials for providing specific users with data information and documents. *Only the following services should be included* (a) those covering a national range of users (b) those whose primary responsibility is the provision of environmental information (c) those whose primary responsibility lies elsewhere but are deemed to be in a favourable position to supply environmental information).

If YES, please complete the section of the questionnaire covering:

- (i) general aspects of your organization, pages 10 to 12,
- (ii) information/documentation services, pages 19 to 24

C. PROVISION OF EXPERTISE YES NO

(i.e. any organization ⁽¹⁾ possessing skills in the field of environmental protection and which is prepared to give advice on the basis of this technical competency. This excludes those involved in research).

If YES, please complete the section of the questionnaire covering:

- (i) general aspects of your organization, pages 10 to 12,
- (ii) centres of expertise, pages 25 to 28.

Note:

Each of the three sections contains questions seeking information on personnel. For the purposes of this questionnaire, *professional* is understood to mean those holdings degree earned at universities, specialized institutes of university status and equivalent qualifications awarded by occupational associations, etc., while *supporting staff* consists of other personnel who assist professional personnel in carrying out their tasks.

⁽¹⁾ Independent persons, i.e. professional persons or independent consultants not related to any organization, could appear under a personal name in G2.

G2. Name of organization:

.....

Address: Street:.....

City: County/Province

Land/Department

Post/Pin code: Postbox: Country:

Telephone: Telex/Cable:

Telegraphic address:

G3. Person completing this form:

A. Name:

Position:

Address: (tick if appropriate information is given in G2

B. Date of completion of this questionnaire:

C. Date of currency of information provided (if different from G3.B):

.....

G4. Funding of organization (see NOTES, page 12)
Please give:

A. Total costs incurred by organization during the last financial year for which data is available,

B. Percentage (%) of costs of organization provided by the sources listed below:

	Capital	Current	Financial year (please specify)
A. Total costs (please specify financial unit)
B. Percentage (%) provided by:	Capital	Current	
Government	
Business sector	
Higher education	
Private non-profit	
International organization	
Other (please specify)

Notes:

- Government** — organizations which furnish but do not normally sell to the community those services which otherwise cannot conveniently or economically be provided and act as the administrative agency for the economic and social policy of the Community.
- Business** — all firms, organizations and institutions whose primary activity is the production of goods or services for sale to the general public at a price intended approximately at least to cover the cost of production.
- Higher education** — all universities, colleges of technology and other institutions of post-secondary education whatever their source of finance or legal status together with units under the direct control of such establishments.
- Private non-profit** — mainly private organizations which are not established primarily with the aim of earning a profit.
- International organization** — any organization which is constituted by agreement among States; its membership may consist of states or corporate bodies designated to represent Member States.

RESEARCH

R1. ORGANIGRAMME

Research groups	(i) Name of person directly responsible for day-to-day activities of the group (ii) Names of professional (1) staff
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	
11.	
12.	

(1) For definitions, see note on page 10.

R2. List any special equipment/facilities which are available to the research groups (e.g. remote sensing equipment, facilities for large numbers of animals, physical models, etc.)

.....

.....

.....

.....

R3. For each of the research groups listed under R1, please give the following information:

	Research groups		
	1	2	3
A. Title/brief description of research			
B. Objectives of research			
C. Methods employed			
D. Indicate the potential applications/beneficiaries of research			
E. Duration of research: (i) date of commencement (ii) (estimated) date of completion			
F. Personnel (1): numbers of: (i) professional staff (ii) supporting staff			

(1) For definitions, see note on page 10.

R3. (cont'd)

	Research groups		
	4	5	6
A. Title/brief description of research			
B. Objectives of research			
C. Methods employed			
D. Indicate the potential applications/beneficiaries of research			
E. Duration of research: (i) date of commencement (ii) (estimated) date of completion			
F. Personnel (1): numbers of: (i) professional staff (ii) supporting staff			

(1) For definitions, see note on page 10.

R3. (cont'd)

	Research groups		
	7	8	9
A. Title/brief description of research			
B. Objectives of research			
C. Methods employed			
D. Indicate the potential applications/beneficiaries of research			
E. Duration of research: (i) date of commencement (ii) (estimated) date of completion			
F. Personnel ⁽¹⁾ : numbers of: (i) professional staff (ii) supporting staff			

(1) For definitions, see note on page 10.

R3. (cont'd)

	Research groups		
	10	11	12
A. Title/brief description of research			
B. Objectives of research			
C. Methods employed			
D. Indicate the potential applications/beneficiaries of research			
E. Duration of research: (i) date of commencement (ii) (estimated) date of completion			
F. Personnel ⁽¹⁾ : numbers of: (i) professional staff (ii) supporting staff			

⁽¹⁾ For definitions, see note on page 10.

R4. Please list any documents (e.g. reports, working papers, articles, etc.) which have been prepared by the research groups listed in R1 and R2.

Author(s)	Title	Availability (please specify any restrictions)	Publication details (e.g. name of journal/conference, date of publication, page Nos, volume, etc.)

DOCUMENTATION/INFORMATION SERVICES

Notes:

For the purposes of this inventory, information/documentation services have been subdivided into the following types of units:

- Library — an organized collection of published books and periodicals and of other reading and audio-visual materials.
- Referral centre — an organization for directing searchers for information and data to suitable sources but which does not itself supply documents or data.
- Clearinghouse — an organization which collects and maintains records of research, provides documents derived from these activities and provides referral services to other sources for information relating to these activities.
- Information analysis centre — an organization dedicated to the critical evaluation of work being done in a field.
- Data bank — a collection of quantitative data relating to a specific topic.
- Information centre — a service providing SDI and retrospective search facilities.
- Translation services — the translation of specialized material.
- Liaison/advisory services — the promotion of direct contact with the user by the employment of personnel to develop and maintain contact with users.

D1. Does your organization accept enquiries?

YES NO

If YES, should enquiries be addressed by

letter YES NO / telephone YES NO / telex YES NO

If YES, to whom should enquiries be addressed?

Name:

Position:

Address: (tick if appropriate information is given in G2 G3):

Section (if applicable):

(Parent) Organization:

Street:

City: County/Province
Land/Department:

Post/Pin code: Postbox: Country:

Telephone: Telex/Cable:

Telegraphic address:

D2. Equipment available to all services.

List any special equipment available for use by the information/documentation services:

.....

.....

D3. For each of the services provided by your organization, please provide the following information:

Service	Personnel (1): professional	supporting	Charges to users	Restrictions on users (please specify)
<input type="checkbox"/> Library	YES <input type="checkbox"/> NO <input type="checkbox"/>	
<input type="checkbox"/> Referral centre	YES <input type="checkbox"/> NO <input type="checkbox"/>	
<input type="checkbox"/> Clearinghouse	YES <input type="checkbox"/> NO <input type="checkbox"/>	
<input type="checkbox"/> Information analysis centre	YES <input type="checkbox"/> NO <input type="checkbox"/>	
<input type="checkbox"/> Data bank	YES <input type="checkbox"/> NO <input type="checkbox"/>	
<input type="checkbox"/> Information centre	YES <input type="checkbox"/> NO <input type="checkbox"/>	
<input type="checkbox"/> Translation services	YES <input type="checkbox"/> NO <input type="checkbox"/>	
<input type="checkbox"/> Liaison/advisory services	YES <input type="checkbox"/> NO <input type="checkbox"/>	
<input type="checkbox"/> Other (please specify)	YES <input type="checkbox"/> NO <input type="checkbox"/>	

(1) If it is impossible to distinguish between staff involved in different services, the total number of staff employed can be given at the bottom of the column for personnel. For definitions, see note on page 10.

D4. LIBRARY

A. Please provide the following information on the library

	Stock	% directly relevant to environmental protection	Rate of annual increase in total stock
Books
Periodicals
Conference papers
Theses
Patents
Abstract journals
Indexing journals

B. Does the library produce? If YES, please give details ⁽¹⁾:

- Accession lists YES NO
- Bibliographies YES NO
- Current awareness bulletins YES NO
- Retrospective searches YES NO
- Other (please specify) YES NO

C. Does the library have any distinct characteristics of direct relevance to environmental protection?

- YES NO

If YES, please give details

.....

.....

D5. REFERRAL SERVICE

Does the referral service produce? If YES, please give details ⁽¹⁾:

- Directories YES NO
- Registers YES NO
- Inventories YES NO
- Other (please specify) YES NO

D6. CLEARINGHOUSE

A. Does the clearinghouse make any special effort in the field of environmental protection?

- YES NO

⁽¹⁾ If possible, please attach a list of publications giving frequency of issue, prices, availability, etc.

B. Does the clearinghouse produce? If YES, please give details ⁽¹⁾:

- Bibliographies YES NO
- Current awareness bulletins YES NO
- Other (please specify) YES NO

D7. INFORMATION ANALYSIS CENTRE

A. What is the main focus of the work of the information analysis centre?

B. Does the centre produce? If YES, please give details ⁽¹⁾:

- Critical reviews YES NO
- Handbooks YES NO
- Data sheets YES NO
- Other (please specify) YES NO

D8. INFORMATION CENTRE

A. Does the centre use bibliographic data-bases from external producers to provide services?

YES NO

If YES, please list the data-bases taken:

.....

.....

.....

.....

.....

B. Does the centre merge records from different bibliographic data-bases in order to provide a service on environmental protection?

YES NO

C. To how many users are services provided?

Selective dissemination of information:

Retrospective search facilities:

D. To what extent are the processing facilities automated?

Not at all Completely Partially (please specify)

.....

.....

.....

⁽¹⁾ If possible, please attach a list of publications giving frequency of issue, prices, availability, etc.

D9. TRANSLATION SERVICES

A. Does the centre provide special translation facilities for material directly relevant to environmental protection?

YES NO

B. Specify from which languages and into which languages the centre undertakes translations:

from to from to
from to from to
from to from to
from to from to
from to from to

D10. LIAISON/ADVISORY SERVICES

A. To what extent does the service focus on problems of environmental protection?

Exclusively Partially

B. Is the service directed to one particular group/section of the Community?

YES NO

If YES, please specify.

D11. DATA BANK
 Please provide the following information on the files held in the data bank

Title/brief description of records	Total number of records on file	Rate of annual increase	Please specify extent to which file processing is automated <input type="checkbox"/> Not at all <input type="checkbox"/> Completely <input type="checkbox"/> Partially (specify)	Please specify medium of storage (e.g. punched tape/card, magnetic device)	Code (if applicable e.g. EBCDIC)
1.
2.
3.
4.
5.

EXPERTISE

E1. A. For each of the following fields of activities in which the centre is involved, please provide the following information

General aspects	Pollution of/by					For each field of activity, please give the name of person to whom requests should be directed (not necessarily names of experts)
	1. Air	2. Noise	3. Soil	4. Water	5. Other	
A. Biology					
B. Chemistry					
C. Economics					
D. Law					
E. Statistics					
F. Technology					
G. Other (please specify)					

E1. B. Please give further details of activities ticked in E1.A above:

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

E2. A. List those topics/problems on which the centre is prepared to offer a consultancy service (tick if appropriate information is given in E1

.....
.....
.....
.....
.....

B. Give some examples of previous work done on the topics/problems referred to in E2.A:

.....
.....
.....
.....
.....

C. Tick off the language(s) through which personnel of the centre can carry out work specified in E2.A:

Danish English German
Dutch French Italian
Other:

E3. A. Are the services of the centre restricted to certain categories of user/enquirer?

YES NO

If YES, please specify restrictions:

.....
.....
.....
.....

B. Are the services of the centre provided free?

YES NO

If NO, on what basis are fees charged?

Cost per man-hour only Fee per service only

Other (please specify):
.....
.....

E4. Is the centre willing to answer substantial technical enquiries?

YES NO

If YES, please give the following details of the source to which enquiries should be addressed (tick if appropriate information is given in G2 G3).

Name:

Address Street:

City: County/Province
Land/Department:

Post/Pin code: Postbox: Country:

Telephone: Telex/Cable:

Telegraphic address:

E5. Personnel ⁽¹⁾: How many:

— professional personnel

— supporting personnel

are employed by the centre on activities directly related to environmental protection?

⁽¹⁾ For definitions, see note on page 10.

E6 Does the centre hold any patents on innovations directly relevant to environmental protection?

If YES, please specify: YES NO

Title	Filing date:		Patent No
	country of first application	date of first application	
1.			
2.			
3.			
4.			

E7. Please list any special documents (directly relevant to environmental protection) which have been prepared by the centre

Title	Author(s)	Date of publication	Availability:	
			restricted	non-restricted
1.				
2.				
3.				
4.				

COUNCIL DIRECTIVE

of 27 June 1985

on the assessment of the effects of certain public and private projects on the environment

(85/337/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 100 and 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the 1973 ⁽⁴⁾ and 1977 ⁽⁵⁾ action programmes of the European Communities on the environment, as well as the 1983 ⁽⁶⁾ action programme, the main outlines of which have been approved by the Council of the European Communities and the representatives of the Governments of the Member States, stress that the best environmental policy consists in preventing the creation of pollution or nuisances at source, rather than subsequently trying to counteract their effects; whereas they affirm the need to take effects on the environment into account at the earliest possible stage in all the technical planning and decision-making processes; whereas to that end, they provide for the implementation of procedures to evaluate such effects;

Whereas the disparities between the laws in force in the various Member States with regard to the assessment of the environmental effects of public and private projects may create unfavourable competitive conditions and thereby directly affect the functioning of the common market; whereas, therefore, it is necessary to approximate national laws in this field pursuant to Article 100 of the Treaty;

Whereas, in addition, it is necessary to achieve one of the Community's objectives in the sphere of the protection of the environment and the quality of life;

Whereas, since the Treaty has not provided the powers required for this end, recourse should be had to Article 235 of the Treaty;

Whereas general principles for the assessment of environmental effects should be introduced with a view to supplementing and coordinating development consent procedures governing public and private projects likely to have a major effect on the environment;

Whereas development consent for public and private projects which are likely to have significant effects on the environment should be granted only after prior assessment of the likely significant environmental effects of these projects has been carried out; whereas this assessment must be conducted on the basis of the appropriate information supplied by the developer, which may be supplemented by the authorities and by the people who may be concerned by the project in question;

Whereas the principles of the assessment of environmental effects should be harmonized, in particular with reference to the projects which should be subject to assessment, the main obligations of the developers and the content of the assessment;

Whereas projects belonging to certain types have significant effects on the environment and these projects must as a rule be subject to systematic assessment;

Whereas projects of other types may not have significant effects on the environment in every case and whereas these projects should be assessed where the Member States consider that their characteristics so require;

Whereas, for projects which are subject to assessment, a certain minimal amount of information must be supplied, concerning the project and its effects;

Whereas the effects of a project on the environment must be assessed in order to take account of concerns to protect human health, to contribute by means of a better environment to the quality of life, to ensure maintenance of the diversity of species and to maintain the reproductive capacity of the ecosystem as a basic resource for life;

⁽¹⁾ OJ No C 169, 9. 7. 1980, p. 14.

⁽²⁾ OJ No C 66, 15. 3. 1982, p. 89.

⁽³⁾ OJ No C 185, 27. 7. 1981, p. 8.

⁽⁴⁾ OJ No C 112, 20. 12. 1973, p. 1.

⁽⁵⁾ OJ No C 139, 13. 6. 1977, p. 1.

⁽⁶⁾ OJ No C 46, 17. 2. 1983, p. 1.

Whereas, however, this Directive should not be applied to projects the details of which are adopted by a specific act of national legislation, since the objectives of this Directive, including that of supplying information, are achieved through the legislative process;

Whereas, furthermore, it may be appropriate in exceptional cases to exempt a specific project from the assessment procedures laid down by this Directive, subject to appropriate information being supplied to the Commission,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. This Directive shall apply to the assessment of the environmental effects of those public and private projects which are likely to have significant effects on the environment.

2. For the purposes of this Directive:

'project' means:

- the execution of construction works or of other installations or schemes,
- other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources;

'developer' means:

the applicant for authorization for a private project or the public authority which initiates a project;

'development consent' means:

the decision of the competent authority or authorities which entitles the developer to proceed with the project.

3. The competent authority or authorities shall be that or those which the Member States designate as responsible for performing the duties arising from this Directive.

4. Projects serving national defence purposes are not covered by this Directive.

5. This Directive shall not apply to projects the details of which are adopted by a specific act of national legislation, since the objectives of this Directive, including that of supplying information, are achieved through the legislative process.

Article 2

1. Member States shall adopt all measures necessary to ensure that, before consent is given, projects likely

to have significant effects on the environment by virtue *inter alia*, of their nature, size or location are made subject to an assessment with regard to their effects.

These projects are defined in Article 4.

2. The environmental impact assessment may be integrated into the existing procedures for consent to projects in the Member States, or, failing this, into other procedures or into procedures to be established to comply with the aims of this Directive.

3. Member States may, in exceptional cases, exempt a specific project in whole or in part from the provisions laid down in this Directive.

In this event, the Member States shall:

- (a) consider whether another form of assessment would be appropriate and whether the information thus collected should be made available to the public;
- (b) make available to the public concerned the information relating to the exemption and the reasons for granting it;
- (c) inform the Commission, prior to granting consent, of the reasons justifying the exemption granted, and provide it with the information made available, where appropriate, to their own nationals.

The Commission shall immediately forward the documents received to the other Member States.

The Commission shall report annually to the Council on the application of this paragraph.

Article 3

The environmental impact assessment will identify, describe and assess in an appropriate manner, in the light of each individual case and in accordance with the Articles 4 to 11, the direct and indirect effects of a project on the following factors:

- human beings, fauna and flora,
- soil, water, air, climate and the landscape,
- the inter-action between the factors mentioned in the first and second indent,
- material assets and the cultural heritage.

Article 4

1. Subject to Article 2 (3), projects of the classes listed in Annex I shall be made subject to an assessment in accordance with Articles 5 to 10.

2. Projects of the classes listed in Annex II shall be made subject to an assessment, in accordance with Articles 5 to 10, where Member States consider that their characteristics so require.

To this end Member States may *inter alia* specify certain types of projects as being subject to an assessment or may establish the criteria and/or thresholds necessary to determine which of the projects of the classes listed in Annex II are to be subject to an assessment in accordance with Articles 5 to 10.

Article 5

1. In the case of projects which, pursuant to Article 4, must be subjected to an environmental impact assessment in accordance with Articles 5 to 10, Member States shall adopt the necessary measures to ensure that the developer supplies in an appropriate form the information specified in Annex III inasmuch as:

- (a) the Member States consider that the information is relevant to a given stage of the consent procedure and to the specific characteristics of a particular project or type of project and of the environmental features likely to be affected;
- (b) the Member States consider that a developer may reasonably be required to compile this information having regard *inter alia* to current knowledge and methods of assessment.

2. The information to be provided by the developer in accordance with paragraph 1 shall include at least:

- a description of the project comprising information on the site, design and size of the project,
- a description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects,
- the data required to identify and assess the main effects which the project is likely to have on the environment,
- a non-technical summary of the information mentioned in indents 1 to 3.

3. Where they consider it necessary, Member States shall ensure that any authorities with relevant information in their possession make this information available to the developer.

Article 6

1. Member States shall take the measures necessary to ensure that the authorities likely to be concerned by the project by reason of their specific environmental responsibilities are given an opportunity to express their opinion on the request for development consent. Member States shall designate the authorities to be consulted for this purpose in general terms or in each case when the request for consent is made. The information gathered pursuant to Article 5 shall be forwarded to these authorities. Detailed arrangements for consultation shall be laid down by the Member States.

2. Member States shall ensure that:

- any request for development consent and any information gathered pursuant to Article 5 are made available to the public,
- the public concerned is given the opportunity to express an opinion before the project is initiated.

3. The detailed arrangements for such information and consultation shall be determined by the Member States, which may in particular, depending on the particular characteristics of the projects or sites concerned:

- determine the public concerned,
- specify the places where the information can be consulted,
- specify the way in which the public may be informed, for example by bill-posting within a certain radius, publication in local newspapers, organization of exhibitions with plans, drawings, tables, graphs, models,
- determine the manner in which the public is to be consulted, for example, by written submissions, by public enquiry,
- fix appropriate time limits for the various stages of the procedure in order to ensure that a decision is taken within a reasonable period.

Article 7

Where a Member State is aware that a project is likely to have significant effects on the environment in another Member State or where a Member State likely to be significantly affected so requests, the Member State in whose territory the project is intended to be carried out shall forward the information gathered pursuant to Article 5 to the other Member State at the same time as it makes it available to its own nationals. Such information shall serve as a basis for any consultations necessary in the framework of the bilateral relations between two Member States on a reciprocal and equivalent basis.

Article 8

Information gathered pursuant to Articles 5, 6 and 7 must be taken into consideration in the development consent procedure.

Article 9

When a decision has been taken, the competent authority or authorities shall inform the public concerned of:

- the content of the decision and any conditions attached thereto,
- the reasons and considerations on which the decision is based where the Member States' legislation so provides.

The detailed arrangements for such information shall be determined by the Member States.

If another Member State has been informed pursuant to Article 7, it will also be informed of the decision in question.

Article 10

The provisions of this Directive shall not affect the obligation on the competent authorities to respect the limitations imposed by national regulations and administrative provisions and accepted legal practices with regard to industrial and commercial secrecy and the safeguarding of the public interest.

Where Article 7 applies, the transmission of information to another Member State and the reception of information by another Member State shall be subject to the limitations in force in the Member State in which the project is proposed.

Article 11

1. The Member States and the Commission shall exchange information on the experience gained in applying this Directive.

2. In particular, Member States shall inform the Commission of any criteria and/or thresholds adopted for the selection of the projects in question, in accordance with Article 4 (2), or of the types of projects concerned which, pursuant to Article 4 (2), are subject to assessment in accordance with Articles 5 to 10.

3. Five years after notification of this Directive, the Commission shall send the European Parliament and the Council a report on its application and effective-

ness. The report shall be based on the aforementioned exchange of information.

4. On the basis of this exchange of information, the Commission shall submit to the Council additional proposals, should this be necessary, with a view to this Directive's being applied in a sufficiently coordinated manner.

Article 12

1. Member States shall take the measures necessary to comply with this Directive within three years of its notification⁽¹⁾.

2. Member States shall communicate to the Commission the texts of the provisions of national law which they adopt in the field covered by this Directive.

Article 13

The provisions of this Directive shall not affect the right of Member States to lay down stricter rules regarding scope and procedure when assessing environmental effects.

Article 14

This Directive is addressed to the Member States.

Done at Luxembourg, 27 June 1985.

For the Council

The President

A. BIONDI

⁽¹⁾ This Directive was notified to the Member States on 3 July 1985.

*ANNEX I***PROJECTS SUBJECT TO ARTICLE 4 (1)**

1. Crude-oil refineries (excluding undertakings manufacturing only lubricants from crude oil) and installations for the gasification and liquefaction of 500 tonnes or more of coal or bituminous shale per day.
2. Thermal power stations and other combustion installations with a heat output of 300 megawatts or more and nuclear power stations and other nuclear reactors (except research installations for the production and conversion of fissionable and fertile materials, whose maximum power does not exceed 1 kilowatt continuous thermal load).
3. Installations solely designed for the permanent storage or final disposal of radioactive waste.
4. Integrated works for the initial melting of cast-iron and steel.
5. Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos: for asbestos-cement products, with an annual production of more than 20 000 tonnes of finished products, for friction material, with an annual production of more than 50 tonnes of finished products, and for other uses of asbestos, utilization of more than 200 tonnes per year.
6. Integrated chemical installations.
7. Construction of motorways, express roads⁽¹⁾ and lines for long-distance railway traffic and of airports⁽²⁾ with a basic runway length of 2 100 m or more.
8. Trading ports and also inland waterways and ports for inland-waterway traffic which permit the passage of vessels of over 1 350 tonnes.
9. Waste-disposal installations for the incineration, chemical treatment or land fill of toxic and dangerous wastes.

⁽¹⁾ For the purposes of the Directive, 'express road' means a road which complies with the definition in the European Agreement on main international traffic arteries of 15 November 1975.

⁽²⁾ For the purposes of this Directive, 'airport' means airports which comply with the definition in the 1944 Chicago Convention setting up the International Civil Aviation Organization (Annex 14).

ANNEX II

PROJECTS SUBJECT TO ARTICLE 4 (2)

1. Agriculture

- (a) Projects for the restructuring of rural land holdings.
- (b) Projects for the use of uncultivated land or semi-natural areas for intensive agricultural purposes.
- (c) Water-management projects for agriculture.
- (d) Initial afforestation where this may lead to adverse ecological changes and land reclamation for the purposes of conversion to another type of land use.
- (e) Poultry-rearing installations.
- (f) Pig-rearing installations.
- (g) Salmon breeding.
- (h) Reclamation of land from the sea.

2. Extractive industry

- (a) Extraction of peat.
- (b) Deep drillings with the exception of drillings for investigating the stability of the soil and in particular:
 - geothermal drilling,
 - drilling for the storage of nuclear waste material,
 - drilling for water supplies.
- (c) Extraction of minerals other than metalliferous and energy-producing minerals, such as marble, sand, gravel, shale, salt, phosphates and potash.
- (d) Extraction of coal and lignite by underground mining.
- (e) Extraction of coal and lignite by open-cast mining.
- (f) Extraction of petroleum.
- (g) Extraction of natural gas.
- (h) Extraction of ores.
- (i) Extraction of bituminous shale.
- (j) Extraction of minerals other than metalliferous and energy-producing minerals by open-cast mining.
- (k) Surface industrial installations for the extraction of coal, petroleum, natural gas and ores, as well as bituminous shale.
- (l) Coke ovens (dry coal distillation).
- (m) Installations for the manufacture of cement.

3. Energy industry

- (a) Industrial installations for the production of electricity, steam and hot water (unless included in Annex I).
- (b) Industrial installations for carrying gas, steam and hot water; transmission of electrical energy by overhead cables.
- (c) Surface storage of natural gas.
- (d) Underground storage of combustible gases.
- (e) Surface storage of fossil fuels.
- (f) Industrial briquetting of coal and lignite.
- (g) Installations for the production or enrichment of nuclear fuels.
- (h) Installations for the reprocessing of irradiated nuclear fuels.
- (i) Installations for the collection and processing of radioactive waste (unless included in Annex I).
- (j) Installations for hydroelectric energy production.

4. Processing of metals

- (a) Iron and steelworks, including foundries, forges, drawing plants and rolling mills (unless included in Annex I).
- (b) Installations for the production, including smelting, refining, drawing and rolling, of non-ferrous metals, excluding precious metals.
- (c) Pressing, drawing and stamping of large castings.
- (d) Surface treatment and coating of metals.
- (e) Boilermaking, manufacture of reservoirs, tanks and other sheet-metal containers.
- (f) Manufacture and assembly of motor vehicles and manufacture of motor-vehicle engines.
- (g) Shipyards.
- (h) Installations for the construction and repair of aircraft.
- (i) Manufacture of railway equipment.
- (j) Swaging by explosives.
- (k) Installations for the roasting and sintering of metallic ores.

5. Manufacture of glass**6. Chemical industry**

- (a) Treatment of intermediate products and production of chemicals (unless included in Annex I).
- (b) Production of pesticides and pharmaceutical products, paint and varnishes, elastomers and peroxides.
- (c) Storage facilities for petroleum, petrochemical and chemical products.

7. Food industry

- (a) Manufacture of vegetable and animal oils and fats.
- (b) Packing and canning of animal and vegetable products.
- (c) Manufacture of dairy products.
- (d) Brewing and malting.
- (e) Confectionery and syrup manufacture.
- (f) Installations for the slaughter of animals.
- (g) Industrial starch manufacturing installations.
- (h) Fish-meal and fish-oil factories.
- (i) Sugar factories.

8. Textile, leather, wood and paper industries

- (a) Wool scouring, degreasing and bleaching factories.
- (b) Manufacture of fibre board, particle board and plywood.
- (c) Manufacture of pulp, paper and board.
- (d) Fibre-dyeing factories.
- (e) Cellulose-processing and production installations.
- (f) Tannery and leather-dressing factories.

9. Rubber industry

Manufacture and treatment of elastomer-based products.

10. Infrastructure projects

- (a) Industrial-estate development projects.
- (b) Urban-development projects.
- (c) Ski-lifts and cable-cars.
- (d) Construction of roads, harbours, including fishing harbours, and airfields (projects not listed in Annex I).
- (e) Canalization and flood-relief works.
- (f) Dams and other installations designed to hold water or store it on a long-term basis.
- (g) Tramways, elevated and underground railways, suspended lines or similar lines of a particular type, used exclusively or mainly for passenger transport.
- (h) Oil and gas pipeline installations.
- (i) Installation of long-distance aqueducts.
- (j) Yacht marinas.

11. Other projects

- (a) Holiday villages, hotel complexes.
- (b) Permanent racing and test tracks for cars and motor cycles.
- (c) Installations for the disposal of industrial and domestic waste (unless included in Annex I).
- (d) Waste water treatment plants.
- (e) Sludge-deposition sites.
- (f) Storage of scrap iron.
- (g) Test benches for engines, turbines or reactors.
- (h) Manufacture of artificial mineral fibres.
- (i) Manufacture, packing, loading or placing in cartridges of gunpowder and explosives.
- (j) Knackers' yards.

12. Modifications to development projects included in Annex I and projects in Annex I undertaken exclusively or mainly for the development and testing of new methods or products and not used for more than one year.

*ANNEX III***INFORMATION REFERRED TO IN ARTICLE 5 (1)**

1. Description of the project, including in particular :
 - a description of the physical characteristics of the whole project and the land-use requirements during the construction and operational phases,
 - a description of the main characteristics of the production processes, for instance, nature and quantity of the materials used,
 - an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed project.
2. Where appropriate, an outline of the main alternatives studied by the developer and an indication of the main reasons for his choice, taking into account the environmental effects.
3. A description of the aspects of the environment likely to be significantly affected by the proposed project, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the inter-relationship between the above factors.
4. A description ⁽¹⁾ of the likely significant effects of the proposed project on the environment resulting from :
 - the existence of the project,
 - the use of natural resources,
 - the emission of pollutants, the creation of nuisances and the elimination of waste ;and the description by the developer of the forecasting methods used to assess the effects on the environment.
5. A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
6. A non-technical summary of the information provided under the above headings.
7. An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the developer in compiling the required information.

⁽¹⁾ This description should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the project.

Nature Protection

COUNCIL DECISION

of 3 December 1981

concerning the conclusion of the Convention on the conservation of European wildlife and natural habitats

(82/72/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas a programme of action of the European Communities on the environment was adopted by the declaration of 22 November 1973 ⁽³⁾, and supplemented by the resolution of 17 May 1977 ⁽⁴⁾; whereas the aim of an environment policy in the Community, as defined in these acts, is to improve the setting and quality of life and the surroundings and living conditions of the peoples of the Community; whereas to this end it is, in particular, necessary to ensure the sound management of resources and of the natural environment and avoid any exploitation of them which causes significant damage to the ecological balance; whereas, further, common solutions to environment problems with

States outside the Community should be sought, particularly in international organizations;

Whereas, as part of the Community programme of action on the environment, the Council adopted Directive 79/409/EEC on the conservation of wild birds ⁽⁵⁾, which covers the protection, management and control of these species and lays down rules for their exploitation;

Whereas the Community has participated in negotiations within the Council of Europe for a Convention on the conservation of European wildlife and natural habitats; whereas that Convention was signed on 19 September 1979;

Whereas participation by the Community in the implementation of the said Convention is necessary in order to attain one of the objectives of the Community; whereas the powers necessary for this end are not provided for by the Treaty, other than Article 235 thereof;

Whereas the Community will take part in such implementation by exercising the powers resulting from existing common rules and those acquired by it by virtue of future acts adopted by the Council as well as by making use of the results of Community action (research — exchange of information) undertaken in the areas concerned;

Whereas it is necessary for the Community to approve the said Convention;

⁽¹⁾ OJ No C 175, 14. 7. 1980, p. 17.

⁽²⁾ OJ No C 53, 3. 3. 1980, p. 50.

⁽³⁾ OJ No C 112, 20. 12. 1973, p. 1.

⁽⁴⁾ OJ No C 139, 13. 6. 1977, p. 1.

⁽⁵⁾ OJ No L 103, 25. 4. 1979, p. 1.

Whereas the conditions of life for wild flora and fauna in Greenland are fundamentally different from those of wild flora and fauna in the other regions of the Community because of the general circumstances and in particular the climate, the low density of population and the exceptional size and geographical situation of the island; whereas, because of this fact, the Council has already had to exclude Greenland from the scope of the Directive on the conservation of wild birds; whereas therefore Greenland should also be excluded from the scope of the Convention,

HAS DECIDED AS FOLLOWS:

Article 1

The Convention on the conservation of European wildlife and natural habitats is hereby approved on behalf of the European Economic Community.

The text of the Convention is annexed to this Decision.

Article 2

The President of the Council shall deposit the instrument of approval as provided for in Article 19 of the Convention (*) for the territories in which the Treaty establishing the European Economic Community is applied under the conditions laid down in that Treaty, with the exception of Greenland.

Done at Brussels, 3 December 1981.

For the Council

The President

T. KING

Information concerning the date of entry into force of the Bern Convention on the conservation of European wildlife and natural habitats for the territories in which the Treaty establishing the European Economic Community is applied, with the exception of Greenland (*)

As the Community's instrument of approval of the Bern Convention on the conservation of European wildlife and natural habitats was deposited on 7 May 1982, this Convention entered into force, in accordance with Article 19 thereof, on 1 September 1982 for the territories in which the Treaty establishing the European Economic Community is applied under the conditions laid down in that Treaty, with the exception of Greenland.

(*) OJ No L 38, 10. 2. 1982, p. 1.

CONVENTION

on the conservation of European wildlife and natural habitats

PREAMBLE

THE MEMBER STATES OF THE COUNCIL OF EUROPE AND THE OTHER SIGNATORIES HERETO,

Considering that the aim of the Council of Europe is to achieve greater unity between its members;

Considering the wish of the Council of Europe to cooperate with other States in the field of nature conservation;

Recognizing that wild flora and fauna constitute a natural heritage of aesthetic, scientific, cultural, recreational, economic and intrinsic value that needs to be preserved and handed on to future generations;

Recognizing the essential role played by wild flora and fauna in maintaining biological balances;

Noting that numerous species of wild flora and fauna are being seriously depleted and some of them threatened with extinction;

Aware that the conservation of natural habitats is a vital component of the protection and conservation of wild flora and fauna;

Recognizing that the conservation of wild flora and fauna should be taken into consideration by the governments in their national goals and programmes, and that international cooperation should be established to protect migratory species in particular;

Bearing in mind the widespread requests for common action made by governments or by international bodies, in particular the requests expressed by the United Nations Conference on Human Environment 1972 and the Parliamentary Assembly of the Council of Europe;

Desiring particularly to follow, in the field of wildlife conservation, the recommendations of resolution 2 of the Second European Ministerial Conference on the Environment,

HAVE AGREED AS FOLLOWS:

CHAPTER I

General provisions

Article 1

1. The aims of this Convention are to conserve wild flora and fauna and their natural habitats,

especially those species and habitats whose conservation requires the cooperation of several States, and to promote such cooperation.

2. Particular emphasis is given to endangered and vulnerable species, including endangered and vulnerable migratory species.

Article 2

The Contracting Parties shall take requisite measures to maintain the population of wild flora and fauna at, or adapt it to, a level which corresponds in particular to ecological, scientific and cultural requirements, while taking account of economic and recreational requirements and the needs of sub-species, varieties or forms at risk locally.

Article 3

1. Each Contracting Party shall take steps to promote national policies for the conservation of wild flora, wild fauna and natural habitats, with particular attention to endangered and vulnerable species, especially endemic ones, and endangered habitats in accordance with the provisions of this Convention.

2. Each Contracting Party undertakes, in its planning and development policies and in its measures against pollution to have regard to the conservation of wild flora and fauna.

3. Each Contracting Party shall promote education and disseminate general information on the need to conserve species of wild flora and fauna and their habitats.

CHAPTER II

Protection of habitats

Article 4

1. Each Contracting Party shall take appropriate and necessary legislative and administrative measures to ensure the conservation of the habitats of the wild flora and fauna species, especially those specified in the Appendices I and II and the conservation of endangered natural habitats.

2. The Contracting Parties in their planning and development policies shall have regard to the conservation requirements of the areas protected under the preceding paragraph, so as to avoid or minimize as far as possible any deterioration of such areas.

3. The Contracting Parties undertake to give special attention to the protection of areas that are of importance for the migratory species specified in Appendices II and III and which are appropriately situated in relation to migration routes, as wintering, staging, feeding, breeding or moulting areas.

4. The Contracting Parties undertake to coordinate as appropriate their efforts for the protection of the natural habitats referred to in this Article when these are situated in frontier areas.

CHAPTER III Protection of species

Article 5

Each Contracting Party shall take appropriate and necessary legislative and administrative measures to ensure the special protection of the wild flora species specified in Appendix I. Deliberate picking, collecting, cutting or uprooting of such plants shall be prohibited. Each Contracting Party shall as appropriate, prohibit the possession or sale of these species.

Article 6

Each Contracting Party shall take appropriate and necessary legislative and administrative measures to ensure the special protection of the wild fauna species specified in Appendix II. The following will in particular be prohibited for these species:

- (a) all forms of deliberate capture and keeping and deliberate killing;
- (b) the deliberate damage to or destruction of breeding or resting sites;
- (c) the deliberate disturbance of wild fauna particularly during the period of breeding, rearing and hibernation, in so far as disturbance would be significant in relation to the objectives of this Convention;
- (d) the deliberate destruction or taking of eggs from the wild or keeping these eggs even if empty;
- (e) the possession of and internal trade in these animals, alive or dead, including stuffed animals and any readily recognizable part or derivative thereof, where this would contribute to the effectiveness of the provisions of this Article.

Article 7

1. Each Contracting Party shall take appropriate and necessary legislative and administrative measures to ensure the protection of the wild fauna species specified in Appendix III.

2. Any exploitation of wild fauna specified in Appendix III shall be regulated in order to keep the populations out of danger, taking into account the requirements of Article 2.

3. Measures to be taken shall include:

- (a) closed seasons and/or other procedures regulating the exploitation;
- (b) the temporary or local prohibition of exploitation, as appropriate, in order to restore satisfactory population levels;
- (c) the regulation as appropriate of sale, keeping for sale, transport for sale or offering for sale of live and dead wild animals.

Article 8

In respect of the capture or killing of wild fauna species specified in Appendix III and in cases where, in accordance with Article 9, exceptions are applied to species specified in Appendix II, Contracting Parties shall prohibit the use of all indiscriminate means of capture and killing and the use of all means capable of causing local disappearance of, or serious disturbance to, populations of a species, and in particular, the means specified in Appendix IV.

Article 9

1. Each Contracting Party may make exceptions from the provisions of Articles 4, 5, 6, 7 and from the prohibition of the use of the means mentioned in Article 8 provided that there is no other satisfactory solution and that the exception will not be detrimental to the survival of the population concerned:

- for the protection of flora and fauna,
- to prevent serious damage to crops, livestock, forests, fisheries, water and other forms of property,
- in the interests of public health and safety, air safety or other overriding public interests,
- for the purposes of research and education, of repopulation, of reintroduction and for the necessary breeding,
- to permit, under strictly supervised conditions, on a selective basis and to a limited extent, the

taking, keeping or other judicious exploitation of certain wild animals and plants in small numbers.

2. The Contracting Parties shall report every two years to the Standing Committee on the exceptions made under the preceding paragraph. These reports must specify:

- the populations which are or have been subject to the exceptions and, when practical, the number of specimens involved,
- the means authorized for the killing or capture,
- the conditions of risk and the circumstances of time and place under which such exceptions were granted,
- the authority empowered to declare that these conditions have been fulfilled, and to take decisions in respect of the means that may be used, their limits and the persons instructed to carry them out,
- the controls involved.

CHAPTER IV

Special provisions for migratory species

Article 10

1. The Contracting Parties undertake, in addition to the measures specified in Articles 4, 6, 7 and 8 to coordinate their efforts for the protection of the migratory species specified in Appendices II and III whose range extends into their territories.

2. The Contracting Parties shall take measures to seek to ensure that the closed seasons and/or other procedures regulating the exploitation established under paragraph 3 (a) of Article 7 are adequate and appropriately disposed to meet the requirements of the migratory species specified in Appendix III.

CHAPTER V

Supplementary provisions

Article 11

1. In carrying out the provisions of this Convention, the Contracting Parties undertake:

- (a) to cooperate whenever appropriate and in particular where this would enhance the effectiveness of measures taken under other Articles of this Convention;
- (b) to encourage and coordinate research related to the purposes of this Convention.

2. Each Contracting Party undertakes:

- (a) to encourage the reintroduction of native species of wild flora and fauna when this would contribute to the conservation of an endangered species, provided that a study is first made in the light of the experiences of other Contracting Parties to establish that such reintroduction would be effective and acceptable;
- (b) to strictly control the introduction of non-native species.

3. Each Contracting Party shall inform the Standing Committee of the species receiving complete protection on its territory and not included in Appendices I and II.

Article 12

The Contracting Parties may adopt stricter measures for the conservation of wild flora and fauna and their natural habitats than those provided under this Convention.

CHAPTER VI

Standing Committee

Article 13

1. For the purposes of this Convention, a Standing Committee shall be set up.

2. Any Contracting Party may be represented on the Standing Committee by one or more delegates. Each delegation shall have one vote. Within the areas of its competence, the European Economic Community shall exercise its right to vote with a number of votes equal to the number of its Member States which are Contracting Parties to this Convention; the European Economic Community shall not exercise its right to vote in cases where the Member States concerned exercise theirs, and conversely.

3. Any Member State of the Council of Europe which is not a Contracting Party to the Convention may be represented on the Committee as an observer.

The Standing Committee may, by unanimous decision, invite any non-member State of the Council of Europe which is not a Contracting Party to the Convention to be represented by an observer at one of its meetings.

Any body or agency technically qualified in the protection, conservation or management of wild fauna and flora and their habitats, and belonging to one of the following categories:

- (a) international agencies or bodies, either governmental or non-governmental and national governmental agencies or bodies;
- (b) national non-governmental agencies or bodies which have been approved for this purpose by the State in which they are located,

may inform the Secretary General of the Council of Europe, at least three months before the meeting of the Committee, of its wish to be represented at that meeting by observers. They shall be admitted unless, at least one month before the meeting, one-third of the Contracting Parties have informed the Secretary General of their objection.

4. The Standing Committee shall be convened by the Secretary General of the Council of Europe. Its first meeting shall be held within one year of the date of the entry into force of the Convention. It shall subsequently meet at least every two years and whenever a majority of the Contracting Parties so request.

5. A majority of the Contracting Parties shall constitute a quorum for holding a meeting of the Standing Committee.

6. Subject to the provisions of this Convention, the Standing Committee shall draw up its own Rules of Procedure.

Article 14

1. The Standing Committee shall be responsible for following the application of this Convention. It may in particular:

- keep under review the provisions of this Convention, including its Appendices, and examine any modifications necessary,
- make recommendations to the Contracting Parties concerning measures to be taken for the purposes of this Convention,
- recommend the appropriate measures to keep the public informed about the activities undertaken within the framework of this Convention,
- make recommendations to the Committee of Ministers concerning non-member States of the Council of Europe to be invited to accede to this Convention,
- make any proposal for improving the effectiveness of this Convention, including proposals for the conclusion, with the States which are not Contracting Parties to the Convention, of agreements that would enhance the effective conservation of species or groups of species.

2. In order to discharge its functions, the Standing Committee may, on its own initiative, arrange for meetings of groups of experts.

Article 15

After each meeting, the Standing Committee shall forward to the Committee of Ministers of the Council of Europe, a report on its work and on the functioning of the Convention.

CHAPTER VII

Amendments

Article 16

1. Any amendment to the Articles of this Convention proposed by a Contracting Party or the Committee of Ministers shall be communicated to the Secretary General of the Council of Europe and forwarded by him at least two months before the meeting of the Standing Committee to the Member States of the Council of Europe, to any signatory, to any Contracting Party, to any State invited to sign this Convention in accordance with the provisions of Article 19 and to any State invited to accede to it in accordance with the provisions of Article 20.

2. Any amendment proposed in accordance with the provisions of the preceding paragraph shall be examined by the Standing Committee which:

- (a) for amendments to Articles 1 to 12, submit the text adopted by a three-quarters majority of the votes cast to the Contracting Parties for acceptance;
- (b) for amendments to Articles 13 to 24, shall submit the text adopted by a three-quarters majority of the votes cast, to the Committee of Ministers for approval. After its approval, this text shall be forwarded to the Contracting Parties for acceptance.

3. Any amendment shall enter into force on the 30th day after all the Contracting Parties have informed the Secretary General that they have accepted it.

4. The provisions of paragraphs 1, 2 (a) and 3 of this Article shall apply to the adoption of new Appendices to this Convention.

Article 17

1. Any amendment to the Appendices to this Convention proposed by a Contracting Party or the

Committee of Ministers, shall be communicated to the Secretary General of the Council of Europe and forwarded by him at least two months before the meeting of the Standing Committee to the Member States of the Council of Europe; to any signatory, to any Contracting Party, to any State invited to sign this Convention in accordance with the provisions of Article 19 and to any State invited to accede to it in accordance with the provisions of Article 20.

2. Any amendment proposed in accordance with the provisions of the preceding paragraph shall be examined by the Standing Committee, which may adopt it by a two-thirds majority of the Contracting Parties. The text adopted shall be forwarded to the Contracting Parties.

3. Three months after its adoption by the Standing Committee and unless one-third of the Contracting Parties have notified objections, any amendment shall enter into force for those Contracting Parties which have not notified objections.

CHAPTER VIII

Settlement of disputes

Article 18

1. The Standing Committee shall use its best endeavours to facilitate a friendly settlement of any difficulty to which the execution of this Convention may give rise.

2. Any dispute between Contracting Parties concerning the interpretation or application of this Convention which has not been settled on the basis of the provisions of the preceding paragraph or by negotiation between the parties concerned shall, unless the said parties agree otherwise, be submitted, at the request of one of them, to arbitration. Each party shall designate an arbitrator and the two arbitrators shall designate a third arbitrator. Subject to the provisions of paragraph 3 of this Article, if one of the parties has not designated its arbitrator within the three months following the request for arbitration, he shall be designated at the request of the other party by the President of the European Court of Human Rights within a further three-month period. The same procedure shall be observed if the arbitrators cannot agree on the choice of the third arbitrator within the three months following the designation of the two first arbitrators.

3. In the event of a dispute between two Contracting Parties one of which is a Member State of the European Economic Community, the latter itself being a Contracting Party, the other Contracting Party shall address the request for arbi-

tration both to the Member State and to the Community; which jointly shall notify it, within two months of receipt of the request, whether the Member State or the Community, or the member and the Community jointly, shall be party to the dispute. In the absence of such notification within the said time limit, the Member State and the Community shall be considered as being one and the same party to the dispute for the purposes of the application of the provisions governing the constitution and procedure of the arbitration tribunal. The same shall apply when the Member State and the Community jointly present themselves as party to the dispute.

4. The arbitration tribunal shall draw up its own Rules of Procedure. Its decisions shall be taken by majority vote. Its award shall be final and binding.

5. Each party to the dispute shall bear the expenses of the arbitrator designated by it and the parties shall share equally the expenses of the third arbitrator, as well as other costs entailed by the arbitration.

CHAPTER IX

Final provisions

Article 19

1. This Convention shall be open for signature by the Member States of the Council of Europe and non-member States which have participated in its elaboration and by the European Economic Community.

Up until the date when the Convention enters into force, it is also open to signature by any other State so invited by the Committee of Ministers.

The Convention is subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.

2. The Convention shall enter into force on the first day of the month following the expiry of a period of three months after the date on which five States, including at least four Member States of the Council of Europe, have expressed their consent to be bound by the Convention in accordance with the provisions of the preceding paragraph.

3. In respect of any signatory State or the European Economic Community which subsequently express their consent to be bound by it, the Convention shall enter into force on the first day of the month following the expiry of a period of three months after the date of the deposit of the instrument of ratification, acceptance or approval.

Article 20

1. After the entry into force of this Convention, the Committee of Ministers of the Council of Europe, after consulting the Contracting Parties, may invite to accede to the Convention any non-member State of the Council which, invited to sign in accordance with the provisions of Article 19, has not yet done so, and any other non-member State.

2. In respect of any acceding State, the Convention shall enter into force on the first day of the month following the expiry of a period of three months after the date of the deposit of the instrument of accession with the Secretary General of the Council of Europe.

Article 21

1. Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, specify the territory or territories to which this Convention shall apply.

2. Any Contracting Party may, when depositing its instrument of ratification, acceptance, approval or accession or at any later date, by declaration addressed to the Secretary General of the Council of Europe, extend the application of this Convention to any other territory specified in the declaration and for whose international relations it is responsible or on whose behalf it is authorized to give undertakings.

3. Any declaration made under the preceding paragraph may, in respect of any territory mentioned in such declaration, be withdrawn by notification addressed to the Secretary General. Such withdrawal shall become effective on the first day of the month following the expiry of a period of six months after the date of receipt of the notification by the Secretary General.

Article 22

1. Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, make one or more reservations regarding certain species specified in Appendices I to III and/or, for certain species mentioned in the reservation or reservations, regarding certain means or methods of killing, capture and other exploitation listed in Appendix IV. No reservations of a general nature may be made.

2. Any Contracting Party which extends the application of this Convention to a territory mentioned in the declaration referred to in paragraph 2 of Article 21 may, in respect of the territory concerned, make one or more reservations in accordance with the provisions of the preceding paragraph.

3. No other reservation may be made.

4. Any Contracting Party which has made a reservation under paragraphs 1 and 2 of this Article may wholly or partly withdraw it by means of a notification addressed to the Secretary General of the Council of Europe. Such withdrawal shall take effect as from the date of receipt of the notification by the Secretary General.

Article 23

1. Any Contracting Party may, at any time, denounce this Convention by means of a notification addressed to the Secretary General of the Council of Europe.

2. Such denunciation shall become effective on the first day of the month following the expiry of a period of six months after the date of receipt of the notification by the Secretary General.

Article 24

The Secretary General of the Council of Europe shall notify the Member States of the Council of Europe, any signatory State, the European Economic Community if a signatory of this Convention and any Contracting Party of:

- (a) any signature;
- (b) the deposit of any instrument of ratification, acceptance, approval or accession;
- (c) any date of entry into force of this Convention in accordance with Articles 19 and 20;
- (d) any information forwarded under the provisions of paragraph 3 of Article 13;
- (e) any report established in pursuance of the provisions of Article 15;
- (f) any amendment or any new Appendix adopted in accordance with Articles 16 and 17 and the date on which the amendment or new Appendix comes into force;
- (g) any declaration made under the provisions of paragraphs 2 and 3 of Article 21;
- (h) any reservation made under the provisions of paragraphs 1 and 2 of Article 22;
- (i) the withdrawal of any reservation carried out under the provisions of paragraph 4 of Article 22;
- (j) any notification made under the provisions of Article 23 and the date on which the denunciation takes effect.

In witness whereof the undersigned, being duly authorized thereto, have signed this Convention.

Done at Bern, this 19 September 1979, in English and French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each Member State of the Council of Europe, to any signatory State, to the European Economic Community if a signatory and to any State invited to sign this Convention or to accede thereto.

APPENDIX I

STRICTLY PROTECTED FLORA SPECIES

PTERIDOPHYTA

ASPIDIACEAE

Diplazium caudatum (Cav.) Jermy

PTERIDACEAE

Pteris serrulata Forssk.

GYMNOSPERMAE

PINACEAE

Abies nebrodensis (Lojac.) Mattei

ANGIOSPERMAE

ALISMATACEAE

Alisma wahlenbergii (O. R. Holmberg) Juzepczuk

BERBERIDACEAE

Gymnospermium altaicum (Pallas) Spach

BORAGINACEAE

Anchusa crispa Viv.

Myosotis rebsteineri Wartm.

Omphalodes littoralis Lehm.

Onosma caespitosum Kotschy

Onosma troodi Kotschy

Solenanthes albanicus (Degen et al.) Degen & Baldacci

Symphytum cycladense Pawl.

CAMPANULACEAE

Campanula sabatia De Not.

CARYOPHYLLACEAE

Arenaria lithops Heywood ex McNeill

Gypsophila papillosa P. Porta

Loeflingia tavaresiana G. Samp.

Silene orphanidis Boiss.

Silene rothmaleri Pinto de Silva

Silene velutina Pourret ex Loisel.

CHENOPODIACEAE

Kochia saxicola Guss.

Salicornia veneta Pignatti & Lausi

CISTACEAE

Tuberaria major (Willk.) Pinto da Silva

COMPOSITAE

Anacyclus alboranensis Esteve Chueca & Varo

Anthemis glaberrima (Rech. f.) Greuter

Artemisia granatensis Boiss.

Artemisia laciniata Willd.

Aster pyrenaicus Desf. ex DC.

Aster sibiricus L.

Centaurea balearica J. D. Rodriguez

Centaurea heldreichii Halácsy

Centaurea horrida Badaro

Centaurea kalambakensis Freyn & Sint.

Centaurea lactiflora Halácsy

Centaurea linaresii Lazaro

Centaurea megarensis Halácsy & Hayek

Centaurea niederi Heldr.

Centaurea peucedanifolia Boiss. & Orph.

Centaurea princeps Boiss. & Heldr.

Crepis crocifolia Boiss. & Heldr.

Lamyropsis microcephala (Moris) Dittrich & Greuter

Leontodon siculus (Guss.) Finch & Sell

Logfia neglecta (Soy.-Will.) Holub

Senecio alboranicus Maire

CONVOLVULACEAE

Convolvulus argyrothamnos Greuter

CRUCIFERAE

Alyssum akamasicum B. L. Burt

Alyssum fastigiatum Heywood

Arabis kennedyae Meikle

Biscutella neustriaca Bonnet

Brassica hilarionis Post

Brassica macrocarpa Guss.

Braya purpurascens (R. Br.) Bunge

Coronopus navasii Pau

Diploaxis siettiana Maire

Enarthrocarpus pterocarpus DC.

Hutera rupestris P. Porta

Iberis arbuscula Runemark

Ionopsidium acaule (Desf.) Reichenb.

Ptilotrichum pyrenaicum (Lapeyr.) Boiss.

Rhynchosinapis johnstonii (G. Samp.) Heywood

Sisymbrium matritense P. W. Ball & Heywood

EUPHORBIACEAE

Euphorbia ruscinonensis Boiss.

GRAMINEAE

Stipa bavarica Martinovsky & H. Scholz

GROSSULARIACEAE

Ribes sardoum Martelli

HYPERICACEAE

Hypericum aciferum (Greuter) N. K. B. Robson

IRIDACEAE

Crocus cyprius Boiss. & Kotschy

Crocus hartmannianus Holmboe

LABIATAE

Amaracus cordifolium Montr. & Auch.

Micromeria taygetea P. H. Davis

Nepeta sphaciotica P. H. Davis

Phlomis brevibracteata Turrill

Phlomis cypria Post

Salvia crassifolia Sibth. & Smith

Sideritis cypria Post

Thymus camphoratus Hoffmanns. & Link

Thymus carnosus Boiss.

Thymus cephalotos L.

LEGUMINOSAE

Astragalus algarbiensis Coss. ex Bunge

Astragalus aquilinus Anzalone

Astragalus maritimus Moris

Astragalus verrucosus Moris

Cytisus aeolicus Guss. ex Lindl.

Ononis maweana Ball

Oxytropis deflexa (Pallas) DC.

LENTIBULARIACEAE

Pinguicula crystallina Sibth. & Smith

LILIACEAE

Androcymbium rechingeri Greuter

Chionodoxa lochiai Meikle

Muscari gussonei (Parl.) Tod.

Scilla morrisii Meikle

ORCHIDACEAE

Ophrys kotschyi Fleischm. & Soó

PAPAVERACEAE

Rupicapnos africana (Lam.) Pomel

PLUMBAGINACEAE

Armeria rouyana Daveau

Limonium paradoxum Pugsley

Limonium recurvum C. E. Salmon

POLYGONACEAE

Rheum rhaponticum L.

PRIMULACEAE

Primula apennina Widmer

Primula egaliksensis Wormsk.

RANUNCULACEAE

Aquilegia cazorlensis Heywood

Aquilegia kitaibelii Schott

Consolida samia P. H. Davis

Delphinium caseyi B. L. Burtt

Ranunculus kykkoënsis Meikle

Ranunculus weyleri Mares

RUBIACEAE

Galium litorale Guss.

SCROPHULARIACEAE

Antirrhinum charidemi Lange

Euphrasia marchesettii Wettst. ex Marches.

Linaria algarviana Chav.

Linaria ficalboana Rouy

SELAGINACEAE

Globularia stygia Orph. ex Boiss.

SOLANACEAE

Atropa baetica Willk.

THYMELAEACEAE

Daphne rodriguezii Texidor

UMBELLIFERAE

Angelica heterocarpa Lloyd

Angelica palustris (Besser) Hoffman

Bupleurum kakiskalae Greuter

Ferula cypria Post

Laserpitium longiradium Boiss.

Oenanthe conioides Lange

VALERIANACEAE

Valeriana longiflora Willk.

VIOLACEAE

Viola hispida Lam.

Viola jaubertiana Mares & Vigineix

APPENDIX II

STRICTLY PROTECTED FAUNA SPECIES

MAMMALS

INSECTIVORA

*Talpidae**Desmana pyrenaica (Galemys pyrenaicus)*

MICROCHIROPTERA

all species except

Pipistrellus pipistrellus

RODENTIA

*Sciuridae**Citellus citellus**Cricetidae**Cricetus cricetus**Hystriidae**Hystrix cristata*

CARNIVORA

*Canidae**Canis lupus**Alopex lagopus**Ursidae*

all species

*Mustelidae**Lutreola (Mustela) lutreola**Lutra lutra**Gulo gulo**Felidae**Lynx pardina**Panthera pardus**Panthera tigris**Odobenidae**Odobenus rosmarus**Phocidae**Monachus monachus*

ARTIODACTYLA

*Bovidae**Capra aegagrus**Rupicapra rupicapra ornata**Ovis moschatus*

ODONTOCETI

*Delphinidae**Delphinus delphis**Tursiops truncatus**Phocaenidae**Phocaena phocaena*

MYSTACOCETI

*Balaenopteridae**Sibbaldus (Balaenoptera) musculus**Megaptera novaengliae (longimana, nodosa)**Balaenidae**Eubalaena glacialis**Balaena mysticetus*

BIRDS

GAVIIFORMES

Gaviidae

all species

PODICIPEDIFORMES

*Podicipedidae**Podiceps griseigena**Podiceps auritus**Podiceps nigricollis**Podiceps ruficollis*

PROCELLARIIFORMES

Hydrobatidae

all species

*Procellariidae**Puffinus puffinus**Procellaria diomedea*

PELECANIFORMES

*Phalacrocoracidae**Phalacrocorax pygmaeus**Pelecanidae*

all species

CICONIIFORMES

*Ardeidae**Ardea purpurea**Casmerodius albus**Egretta garzetta**Ardeola ralloides**Bubulcus (Ardeola) ibis**Nycticorax nycticorax**Ixobrychus minutus**Botaurus stellaris*

Ciconiidae
all species

Threskiornithidae
all species

Phoenicopteridae
Phoenicopterus ruber

ANSERIFORMES

Anatidae

Cygnus cygnus
Cygnus bewickii
Anser erythropus
Branta leucopsis
Branta ruficollis
Tadorna tadorna
Tadorna ferruginea
Marmaronetta (Anas) angustirostris
Somateria spectabilis
Polysticta stelleri
Histrionicus histrionicus
Bucephala islandica
Mergus albellus
Oxyura leucocephala

FALCONIFORMES

all species

GRUIFORMES

Turnicidae
Turnix sylvatica

Gruidae
all species

Rallidae
Porzana porzana
Porzana pusilla
Porzana parva
Crex crex
Porphyrio porphyrio
Fulica cristata

Otididae
all species

CHARADRIIFORMES

Charadriidae
Hoplopterus spinosus
Charadrius histicula
Charadrius dubius
Charadrius alexandrinus
Charadrius leschenaulti
Eudromias morinellus
Arenaria interpres

Scolopacidae

Gallinago media
Numenius tenuirostris
Tringa stagnatilis
Tringa ochropus
Tringa glareola
Tringa hypoleucos
Tringa cinerea
Calidris minuta
Calidris temminckii
Calidris maritima
Calidris alpina
Calidris ferruginea
Calidris alba
Limicola falcinellus

Recurvirostridae
all species

Phalaropodidae
all species

Burhinidae
Burhinus oedicephalus

Glareolidae
all species

Laridae

Pagophila eburnea
Larus audouinii
Larus melanocephalus
Larus genei
Larus minutus
Larus sabini
Chlidonias niger
Chlidonias leucopterus
Chlidonias hybrida
Gelochelidon nilotica
Hydroprogne caspia
Sterna hirundo
Sterna paradisaea (macrura)
Sterna dougallii
Sterna albifrons
Sterna sandwicensis

COLUMBIFORMES

Pteroclididae
all species

CUCULIFORMES

Cuculidae
Clamator glandarius

STRIGIFORMES

all species

CAPRIMULGIFORMES

Caprimulgidae
all species

APODIFORMES

Apodidae
Apus pallidus
Apus melba
Apus caffer

CORACIIFORMES

Alcedinidae
Alcedo atthis

Meropidae
Merops apiaster

Coraciidae
Coracias garrulus

Upopidae
Upopa epops

PICIFORMES

all species

PASSERIFORMES

Alaudidae
Calandrella brachydactyla
Calandrella rufescens
Melanocorypha calandra
Melanocorypha leucoptera
Melanocorypha yeltoniensis
Galerida theklae
Eremophila alpestris

Hirundinidae
all species

Motacillidae
all species

Laniidae
all species

Bombycillidae
Bombycilla garrulus

Cinclidae
Cinclus cinclus

Troglodytidae
Troglodytes troglodytes

Prunellidae
all species

Muscicapidae
Turdinae
Saxicola rubetra
Saxicola torquata
Oenanthe oenanthe

Oenanthe pleschanka
Oenanthe hispanica
Oenanthe isabellina
Oenanthe leucura
Cercotrichas galactotes
Monticola saxatilis
Monticola solitarius
Phoenicurus ochruros
Phoenicurus phoenicurus
Eritbacus rubecula
Luscinia megarhynchos
Luscinia luscinia
Luscinia (Cyanosylvia) svecica
Tarsiger cyanurus

Sylviinae
all species

Regulinae
all species

Muscicapinae
all species

Timaliinae
Panurus biarmicus

Paridae
all species

Sittidae
all species

Certhiidae
all species

Emberizidae
Emberiza citrinella
Emberiza leucocephala
Emberiza cirrus
Emberiza cineracea
Emberiza caesia
Emberiza cia
Emberiza schoeniclus
Emberiza melanocephala
Emberiza aureola
Emberiza pusilla
Emberiza rustica
Plectrophenax nivalis
Calcarius lapponicus

Fringillidae
Carduelis chloris
Carduelis carduelis
Carduelis spinus
Carduelis flavirostris
Carduelis cannabina
Carduelis flammea
Carduelis hornemanni
Serinus citrinella
Serinus serinus

Loxia curvirostra
Loxia pityopsittacus
Loxia leucoptera
Pinicola enucleator
Carpodacus erythrinus
Rhodopechys githaginea
Coccothraustes coccothraustes

Ploceidae

Petronia petronia
Montrifringilla nivalis

Sturnidae

Sturnus unicolor
Sturnus roseus

Oriolidae

Oriolus oriolus

Corvidae

Perisoreus infaustus
Cyanopica cyanus
Nucifraga caryocatactis
Pyrrhocorax pyrrhocorax
Pyrrhocorax graculus

AMPHIBIANS**CAUDATA****Salamandridae**

Salamandrina terdigitata
Salamandra (Mertensiella) luschni
Chioglossa lusitanica
Triturus cristatus

Proteidae

Proteus anguinus

ANURA**Discoglossidae**

Bombina variegata
Bombina bombina
Alytes obstetricans
Alytes cisternasii

Pelobatidae

Pelobates cultripes
Pelobates fuscus

Bufo

Bufo calamita
Bufo viridis

Hylidae

Hyla arborea

Ranidae

Rana arvalis
Rana dalmatina
Rana latastei

REPTILES**TESTUDINES****Testudinidae**

Testudo hermanni
Testudo graeca
Testudo marginata

Emydidae

Emys orbicularis
Mauremys caspica

Dermochelyidae

Dermochelys coriacea

Cheloniidae

Caretta caretta
Lepidochelys kempii
Chelonia mydas
Eretmochelys imbricata

SAURIA**Gekkonidae**

Cyrtodactylus kotschyi

Chamaeleontidae

Chamaeleo chamaeleon

Lacertidae

Algyroides marchi
Lacerta lepida
Lacerta parva
Lacerta simonyi
Lacerta princeps
Lacerta viridis
Podarcis muralis
Podarcis lilfordi
Podarcis sicula
Podarcis filfolensis

Scincidae

Ablepharus kitaibelii

OPHIDIA**Colubridae**

Coluber hippocrepis
Elaphe situla
Elaphe quatuorlineata
Elaphe longissima
Coronella austriaca

Viperidae

Vipera ursinii
Vipera latasti
Vipera ammodytes
Vipera xanthina
Vipera lebetina
Vipera kaznakovi

APPENDIX III

PROTECTED FAUNA SPECIES

MAMMALS

INSECTIVORA

*Erinaceidae**Erinaceus europaeus**Soricidae*

all species

MICROCHIROPTERA

*Vespertilionidae**Pipistrellus pipistrellus*

DUPLICIDENTATA

*Leporidae**Lepus timidus**Lepus capensis (europaeus)*

RODENTIA

*Sciuridae**Sciurus vulgaris**Marmota marmota**Castoridae**Castor fiber**Gliridae*

all species

*Microtidae**Microtus ratticeps (oeconomus)**Microtus nivalis (lebrunii)*

CETACEA

all species not mentioned in Appendix II

CARNIVORA

*Mustelidae**Meles meles**Mustela erminea**Mustela nivalis**Putorius (Mustela) putorius**Martes martes**Martes foina**Viverridae*

all species

*Felidae**Felis catus (silvestris)**Lynx lynx**Phocidae**Phoca vitulina**Pusa (Phoca) hispida**Pagophilus groenlandicus (Phoca groenlandica)**Erignathus barbatus**Halichoerus grypus**Cystophora cristata*

ARTIODACTYLA

*Suidae**Sus scrofa meridionalis**Cervidae*

all species

*Bovidae**Ovis aries (musimon, ammon)**Capra ibex**Capra pyrenaica**Rupicapra rupicapra*

BIRDS

All species not included in Appendix II with the exception of:

*Larus marinus**Larus fuscus**Larus argentatus**Columba palumbus**Passer domesticus**Sturnus vulgaris**Garrulus glandarius**Pica pica**Corvus monedula**Corvus frugilegus**Corvus corone (corone and cornix)*

AMPHIBIANS

All species not included in Appendix II

REPTILES

All species not included in Appendix II

APPENDIX IV

PROHIBITED MEANS AND METHODS OF KILLING, CAPTURE AND OTHER FORMS OF EXPLOITATION

MAMMALS

Snares

Live animals used as decoys which are blind or mutilated

Tape recorders

Electrical devices capable of killing and stunning

Artificial light sources

Mirrors and other dazzling devices

Devices for illuminating targets

Sighting devices for night shooting comprising an electronic image magnifier or image converter

Explosives ⁽¹⁾

Nets ⁽²⁾

Traps ⁽²⁾

Poison and poisoned or anaesthetic bait

Gassing and smoking out

Semi-automatic or automatic weapons with a magazine capable of holding more than two rounds of ammunition

Aircraft

Motor vehicles in motion

BIRDS

Snares ⁽¹⁾

Limes

Hooks

Live birds used as decoys which are blind or mutilated

Tape recorders

Electrical devices capable of killing and stunning

Artificial light sources

Mirrors and other dazzling devices

Devices for illuminating targets

Sighting devices for night shooting comprising an electronic image magnifier or image converter

Explosives

Nets

Traps

Poison and poisoned or anaesthetic bait

Semi-automatic or automatic weapons with a magazine capable of holding more than two rounds of ammunition

Aircraft

Motor vehicles in motion

⁽¹⁾ Except for whale hunting.

⁽²⁾ If applied for large scale or non-selective capture or killing.

⁽³⁾ Except Lagopus north of latitude 58°N.

COUNCIL DIRECTIVE
of 2 April 1979
on the conservation of wild birds
 (79/409/EEC)

(as amended by the Act of Accession of Greece of 28 May 1979 (OJ L 291, 19.11.79; p. 17; Council Directive 81/854/EEC of 19 October 1981 adapting, consequent upon the Accession of Greece, Directive 79/409 (OJ L 319, 7.11.81, p. 3); the Act of Accession of Spain and Portugal of 12 June 1985 (OJ L 302, 15.11.85, p. 9); Commission Directive 85/411/EEC of 25 July 1985 amending Council Directive 79/409/EEC (OJ L 233, 30.8.85, p. 33); and Council Directive 86/122/EEC of 8 April 1986 adapting, consequent upon the Accession of Spain and Portugal, Directive 79/409/EEC (OJ L 106, 16.4.86, p. 22))

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the Council declaration of 22 November 1973 on the programme of action of the European Communities on the environment ⁽⁴⁾ calls for specific action to protect birds, supplemented by the resolution of the Council of the European Communities and of the representatives of the Governments of the Member States meeting within the Council of 17 May 1977 on the continuation and implementation of a European Community policy and action programme on the environment ⁽⁵⁾;

Whereas a large number of species of wild birds naturally occurring in the European territory of the

Member States are declining in number, very rapidly in some cases; whereas this decline represents a serious threat to the conservation of the natural environment, particularly because of the biological balances threatened thereby;

Whereas the species of wild birds naturally occurring in the European territory of the Member States are mainly migratory species; whereas such species constitute a common heritage and whereas effective bird protection is typically a trans-frontier environment problem entailing common responsibilities;

Whereas the conditions of life for birds in Greenland are fundamentally different from those in the other regions of the European territory of the Member States on account of the general circumstances and in particular the climate, the low density of population and the exceptional size and geographical situation of the island;

Whereas therefore this Directive should not apply to Greenland;

Whereas the conservation of the species of wild birds naturally occurring in the European territory of the Member States is necessary to attain, within the operation of the common market, of the Community's objectives regarding the improvement of living conditions, a harmonious development of economic activities throughout the Community and a continuous and balanced expansion, but the necessary specific powers to act have not been provided for in the Treaty;

⁽¹⁾ OJ No C 24, 1. 2. 1977, p. 3; OJ No C 201, 23. 8. 1977, p. 2.

⁽²⁾ OJ No C 163, 11. 7. 1977, p. 28.

⁽³⁾ OJ No C 152, 29. 6. 1977, p. 3.

⁽⁴⁾ OJ No C 112, 20. 12. 1973, p. 40.

⁽⁵⁾ OJ No C 139, 13. 6. 1977, p. 1.

Whereas the measures to be taken must apply to the various factors which may affect the numbers of birds, namely the repercussions of man's activities and in particular the destruction and pollution of their habitats, capture and killing by man and the trade resulting from such practices; whereas the stringency of such measures should be adapted to the particular situation of the various species within the framework of a conservation policy;

Whereas conservation is aimed at the long-term protection and management of natural resources as an integral part of the heritage of the peoples of Europe; whereas it makes it possible to control natural resources and governs their use on the basis of the measures necessary for the maintenance and adjustment of the natural balances between species as far as is reasonably possible;

Whereas the preservation, maintenance or restoration of a sufficient diversity and area of habitats is essential to the conservation of all species of birds; whereas certain species of birds should be the subject of special conservation measures concerning their habitats in order to ensure their survival and reproduction in their area of distribution; whereas such measures must also take account of migratory species and be coordinated with a view to setting up a coherent whole;

Whereas, in order to prevent commercial interests from exerting a possible harmful pressure on exploitation levels it is necessary to impose a general ban on marketing and to restrict all derogation to those species whose biological status so permits, account being taken of the specific conditions obtaining in the different regions;

Whereas, because of their high population level, geographical distribution and reproductive rate in the Community as a whole, certain species may be hunted, which constitutes acceptable exploitation; where certain limits are established and respected, such hunting must be compatible with maintenance of the population of these species at a satisfactory level;

Whereas the various means, devices or methods of large-scale or non-selective capture or killing and hunting with certain forms of transport must be banned because of the excessive pressure which they exert or may exert on the numbers of the species concerned;

Whereas, because of the importance which may be attached to certain specific situations, provision should be made for the possibility of derogations on certain

conditions and subject to monitoring by the Commission;

Whereas the conservation of birds and, in particular, migratory birds still presents problems which call for scientific research; whereas such research will also make it possible to assess the effectiveness of the measures taken;

Whereas care should be taken in consultation with the Commission to see that the introduction of any species of wild bird not naturally occurring in the European territory of the Member States does not cause harm to local flora and fauna;

Whereas the Commission will every three years prepare and transmit to the Member States a composite report based on information submitted by the Member States on the application of national provisions introduced pursuant to this Directive;

Whereas it is necessary to adapt certain Annexes rapidly in the light of technical and scientific progress; whereas, to facilitate the implementation of the measures needed for this purpose, provision should be made for a procedure establishing close cooperation between the Member States and the Commission in a Committee for Adaptation to Technical and Scientific Progress,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. This Directive relates to the conservation of all species of naturally occurring birds in the wild state in the European territory of the Member States to which the Treaty applies. It covers the protection, management and control of these species and lays down rules for their exploitation.
2. It shall apply to birds, their eggs, nests and habitats.
3. This Directive shall not apply to Greenland.

Article 2

Member States shall take the requisite measures to maintain the population of the species referred to in Article 1 at a level which corresponds in particular to ecological, scientific and cultural requirements, while taking account of economic and recreational requirements, or to adapt the population of these species to that level.

Article 3

1. In the light of the requirements referred to in Article 2, Member States shall take the requisite measures to preserve, maintain or re-establish a sufficient diversity and area of habitats for all the species of birds referred to in Article 1.

2. The preservation, maintenance and re-establishment of biotopes and habitats shall include primarily the following measures:

- (a) creation of protected areas;
- (b) upkeep and management in accordance with the ecological needs of habitats inside and outside the protected zones;
- (c) re-establishment of destroyed biotopes;
- (d) creation of biotopes.

Article 4

1. The species mentioned in Annex I shall be the subject of special conservation measures concerning their habitat in order to ensure their survival and reproduction in their area of distribution.

In this connection, account shall be taken of:

- (a) species in danger of extinction;
- (b) species vulnerable to specific changes in their habitat;
- (c) species considered rare because of small populations or restricted local distribution;
- (d) other species requiring particular attention for reasons of the specific nature of their habitat.

Trends and variations in population levels shall be taken into account as a background for evaluations.

Member States shall classify in particular the most suitable territories in number and size as special protection areas for the conservation of these species, taking into account their protection requirements in the geographical sea and land area where this Directive applies.

2. Member States shall take similar measures for regularly occurring migratory species not listed in Annex I, bearing in mind their need for protection in the geographical sea and land area where this Directive applies, as regards their breeding, moulting and wintering areas and staging posts along their migration routes. To this end, Member States shall pay particular attention to the protection of wetlands and particularly to wetlands of international importance.

3. Member States shall send the Commission all relevant information so that it may take appropriate initiatives with a view to the coordination necessary to ensure that the areas provided for in paragraphs 1 and 2 above form a coherent whole which meets the protection requirements of these species in the geographical sea and land area where this Directive applies.

4. In respect of the protection areas referred to in paragraphs 1 and 2 above, Member States shall take appropriate steps to avoid pollution or deterioration of habitats or any disturbances affecting the birds, in so far as these would be significant having regard to the objectives of this Article. Outside these protection areas, Member States shall also strive to avoid pollution or deterioration of habitats.

Article 5

Without prejudice to Articles 7 and 9, Member States shall take the requisite measures to establish a general system of protection for all species of birds referred to in Article 1, prohibiting in particular:

- (a) deliberate killing or capture by any method;
- (b) deliberate destruction of, or damage to, their nests and eggs or removal of their nests;
- (c) taking their eggs in the wild and keeping these eggs even if empty;
- (d) deliberate disturbance of these birds particularly during the period of breeding and rearing, in so far as disturbance would be significant having regard to the objectives of this Directive;
- (e) keeping birds of species the hunting and capture of which is prohibited.

Article 6

1. Without prejudice to the provisions of paragraphs 2 and 3, Member States shall prohibit, for all the bird species referred to in Article 1, the sale, transport for sale, keeping for sale and the offering for sale of live or dead birds and of any readily recognizable parts or derivatives of such birds.

2. The activities referred to in paragraph 1 shall not be prohibited in respect of the species referred to in Annex III/1, provided that the birds have been legally killed or captured or otherwise legally acquired.

3. Member States may, for the species listed in Annex III/2, allow within their territory the activities referred

to in paragraph 1, making provision for certain restrictions, provided the birds have been legally killed or captured or otherwise legally acquired.

Member States wishing to grant such authorization shall first of all consult the Commission with a view to examining jointly with the latter whether the marketing of specimens of such species would result or could reasonably be expected to result in the population levels, geographical distribution or reproductive rate of the species being endangered throughout the Community. Should this examination prove that the intended authorization will, in the view of the Commission, result in any one of the aforementioned species being thus endangered or in the possibility of their being thus endangered, the Commission shall forward a reasoned recommendation to the Member State concerned stating its opposition to the marketing of the species in question. Should the Commission consider that no such risk exists, it will inform the Member State concerned accordingly.

The Commission's recommendation shall be published in the *Official Journal of the European Communities*.

Member States granting authorization pursuant to this paragraph shall verify at regular intervals that the conditions governing the granting of such authorization continue to be fulfilled.

4. The Commission shall carry out studies on the biological status of the species listed in Annex III/3 and on the effects of marketing on such status.

It shall submit, at the latest four months before the time limit referred to in Article 18 (1) of this Directive, a report and its proposals to the Committee referred to in Article 16, with a view to a decision on the entry of such species in Annex III/2.

Pending this decision, the Member States may apply existing national rules to such species without prejudice to paragraph 3 hereof.

Article 7

1. Owing to their population level, geographical distribution and reproductive rate throughout the Community, the species listed in Annex II may be hunted under national legislation. Member States shall ensure that the hunting of these species does not jeopardize conservation efforts in their distribution area.

2. The species referred to in Annex II/1 may be hunted in the geographical sea and land area where this Directive applies.

3. The species referred to in Annex II/2 may be hunted only in the Member States in respect of which they are indicated.

4. Member States shall ensure that the practice of hunting, including falconry if practised, as carried on in accordance with the national measures in force, complies with the principles of wise use and ecologically balanced control of the species of birds concerned and that this practice is compatible as regards the population of these species, in particular migratory species, with the measures resulting from Article 2. They shall see in particular that the species to which hunting laws apply are not hunted during the rearing season nor during the various stages of reproduction. In the case of migratory species, they shall see in particular that the species to which hunting regulations apply are not hunted during their period of reproduction or during their return to their rearing grounds. Member States shall send the Commission all relevant information on the practical application of their hunting regulations.

Article 8

1. In respect of the hunting, capture or killing of birds under this Directive, Member States shall prohibit the use of all means, arrangements or methods used for the large-scale or non-selective capture or killing of birds or capable of causing the local disappearance of a species, in particular the use of those listed in Annex IV (a).

2. Moreover, Member States shall prohibit any hunting from the modes of transport and under the conditions mentioned in Annex IV (b).

Article 9

1. Member States may derogate from the provisions of Articles 5, 6, 7 and 8, where there is no other satisfactory solution, for the following reasons:

- (a) — in the interests of public health and safety,
 - in the interests of air safety,
 - to prevent serious damage to crops, livestock, forests, fisheries and water,
 - for the protection of flora and fauna;
- (b) for the purposes of research and teaching, of re-population, of re-introduction and for the breeding necessary for these purposes;
- (c) to permit, under strictly supervised conditions and on a selective basis, the capture, keeping or other judicious use of certain birds in small numbers.

2. The derogations must specify:
- the species which are subject to the derogations,
 - the means, arrangements or methods authorized for capture or killing,
 - the conditions of risk and the circumstances of time and place under which such derogations may be granted,
 - the authority empowered to declare that the required conditions obtain and to decide what means, arrangements or methods may be used, within what limits and by whom,
 - the controls which will be carried out.

3. Each year the Member States shall send a report to the Commission on the implementation of this Article.

4. On the basis of the information available to it, and in particular the information communicated to it pursuant to paragraph 3, the Commission shall at all times ensure that the consequences of these derogations are not incompatible with this Directive. It shall take appropriate steps to this end.

Article 10

1. Member States shall encourage research and any work required as a basis for the protection, management and use of the population of all species of bird referred to in Article 1.

2. Particular attention shall be paid to research and work on the subjects listed in Annex V. Member States shall send the Commission any information required to enable it to take appropriate measures for the coordination of the research and work referred to in this Article.

Article 11

Member States shall see that any introduction of species of bird which do not occur naturally in the wild state in the European territory of the Member States does not prejudice the local flora and fauna. In this connection they shall consult the Commission.

Article 12

1. Member States shall forward to the Commission every three years, starting from the date of expiry of the time limit referred to in Article 18 (1), a report on the implementation of national provisions taken thereunder.

2. The Commission shall prepare every three years a composite report based on the information referred to in paragraph 1. That part of the draft report covering the information supplied by a Member State shall be forwarded to the authorities of the Member State in question for verification. The final version of the report shall be forwarded to the Member States.

Article 13

Application of the measures taken pursuant to this Directive may not lead to deterioration in the present situation as regards the conservation of species of birds referred to in Article 1.

Article 14

Member States may introduce stricter protective measures than those provided for under this Directive.

Article 15

Such amendments as are necessary for adapting Annexes I and V to this Directive to technical and scientific progress and the amendments referred to in the second paragraph of Article 6 (4) shall be adopted in accordance with the procedure laid down in Article 17.

Article 16

1. For the purposes of the amendments referred to in Article 15 of this Directive, a Committee for the Adaptation to Technical and Scientific Progress (hereinafter called 'the Committee'), consisting of representatives of the Member States and chaired by a representative of the Commission, is hereby set up.

2. The Committee shall draw up its rules of procedure.

Article 17

1. Where the procedure laid down in this Article is to be followed, matters shall be referred to the Committee by its chairman, either on his own initiative or at the request of the representative of a Member State.

2. The Commission representative shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit set by the chairman having regard to the urgency of the matter. It shall act by a majority of 41 votes, the votes of the Member States being weighted as provided in Article 148 (2) of the Treaty. The chairman shall not vote.

3. (a) The Commission shall adopt the measures envisaged where they are in accordance with the opinion of the Committee.
- (b) Where the measures envisaged are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall without delay submit a proposal to the Council concerning the measures to be adopted. The Council shall act by a qualified majority.
- (c) If, within three months of the proposal being submitted to it, the Council has not acted, the proposed measures shall be adopted by the Commission.

Article 18

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive within two years of its

notification. They shall forthwith inform the Commission thereof.

2. Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field governed by this Directive.

Article 19

This Directive is addressed to the Member States.

Done at Luxembourg, 2 April 1979.

For the Council

The President

J. FRANÇOIS-PONCET

BILAG - ANHANG - ΠΑΡΑΡΤΗΜΑ - ANNEX - ANNEXE - ALLEGATO - BIJLAGE

	Dansk	Deutsch	Ελληνικά	English	Français	Italiano	Nederlands
1. <i>Gavia arctica</i>	Sortstrubet Lom	Prachtaucher	Λαμπροβούτι	Black-throated Diver	Plongeon arctique	Strolaga mezzana	Parelduiker
2. <i>Gavia stellata</i>	Rødstrubet Lom	Sterntaucher	Κηλδοβούτι	Red-throated Diver	Plongeon catmarin	Strolaga minore	Roodkeelduiker
3. <i>Gavia immer</i>	Islom	Eistaucher	Παγοβούτι	Great Northern Diver	Plongeon imbrin	Strolaga maggiore	Ijsduiker
4. <i>Podiceps auritus</i>	Nordisk Lappedykker	Ohrentaucher	Ωτοβουτηχτάρα	Slavonian Grebe	Grèbe esclavon	Svasso cornuto	Kuifduiker
5. <i>Colonectris diomedea</i>	Kuhls Skråpe	Gelbschnabelsturmtaucher	Αρτέμις	Cory's Shearwater	Puffin cendré	Berta maggiore	Kuhls Pijlstormvogel
6. <i>Hydrobates pelagicus</i>	Lille Stormsvale	Sturmschwalbe	Πετρίλος	Storm Petrel	Pétrel tempête	Uccello delle tempeste	Stormvogel
7. <i>Oceanodroma leucorhoa</i>	Stor Stormsvale	Wellenläufer	Κυματοβατής	Leach's Storm-petrel	Pétrel culblanc	Uccello delle tempeste codaforcuta	Vaal Stormvogel
8. <i>Phalacrocorax carbo sinensis</i>	Skarv (kontinental underart)	Kormoran (kontinentale Unterart)	Κορμοράνος (Ηπειρωτική φύλη)	Cormorant (continental subspecies)	Grand Cormoran (sous-espèce continentale)	Cormorano (sottospecie continentale)	Aalscholver (continentale ondersoort)
9. <i>Phalacrocorax aristotelis desmarestii</i>	Topskarv (Middelhavsendert)	Krähenscharbe (Mittelmeer-Unterart)	Θαλασσοκόρακας	Shag (Mediterranean subspecies)	Cormoran huppé (sous-espèce méditerranéenne)	Marangone dal ciuffo (sottospecie del Mediterraneo)	Kuifaalscholver (Middellandse Zee ondersoort)
10. <i>Phalacrocorax pygmeus</i>	Dværghskarv	Zwergscharbe	Λαγγόνα	Pygmy Cormorant	Cormoran pygnée	Marangone minore	Dwergaalscholver
11. <i>Pelecanus onocrotalus</i>	Almindelig Pelikan	Rosapelikan	Ροδοπελεκάνος	White Pelican	Pélican blanc	Pellicano	Pelikaan
12. <i>Pelecanus crispus</i>	Krøttoppet Pelikan	Krauskopfpelikan	Αργοροπελεκάνος	Dalmatian Pelican	Pélican frisé	Pellicano riccio	Kroeskoppelikaan
13. <i>Ikobrychus minutus</i>	Dværghøjre	Zwergrohrdommel	Νανομουγκανά	Little Bittern	Blongios nain (Butor blongios)	Tarabusino	Woudaapje
14. <i>Botaurus stellaris</i>	Rørdrum	Rohrdommel	Τρανομουγκάνα	Bittern	Butor étoilé	Tarabuso	Roerdomp
15. <i>Nycticorax nycticorax</i>	Natheje	Nachtreiher	Νυχτοκόρακας	Night Heron	Héron bicolore	Nitticora	Kwak
16. <i>Ardeola ralloides</i>	Topheje	Rallenreiher	Κρυπτοτακινάς	Squacco Heron	Héron crabier	Sgarza ciuffetto	Ralreiger
17. <i>Egretta garzetta</i>	Silkeheje	Seidenreiher	Λευκοτακινάς	Little Egret	Aigrette garzette	Garzetta	Kleine Zilverreiger
18. <i>Egretta alba</i>	Sølvheje	Silberreiher	Αργοροτακινάς	Great White Egret	Grande aigrette	Airone bianco maggiore	Grote Zilverreiger

	Dansk	Deutsch	Ελληνικά	English	Français	Italiano	Nederlands
19. <i>Ardea purpurea</i>	Purpurthejre	Purpurreiher	Πορφυροστικνιάς	Purple Heron	Héron pourpré	Airone rosso	Purperreiger
20. <i>Ciconia nigra</i>	Sort Stork	Schwarzstorch	Μαυροπελαργός	Black Stork	Cigogne noire	Cicogna nera	Zwarte Ooievaar
21. <i>Ciconia ciconia</i>	Hvid Stork	Weißstorch	Λευκοπελαργός	White Stork	Cigogne blanche	Cicogna bianca	Ooievaar
22. <i>Plegadis falcinellus</i>	Sort Ibis	Sichler	Χαλκόκοτα	Glossy Ibis	Ibis falcinelle	Mignattaio	Zwarte Ibis
23. <i>Platalea leucorodia</i>	Skestork	Löffler	Χουλιανορούτα	Spoonbill	Spatule blanche	Spatola	Lepelaar
24. <i>Phoenicopterus ruber</i>	Flamingo	Flamingo	Φλαμίγκο	Greater Flamingo	Flamant rose	Fenicottero	Flamingo
25. <i>Cygnus columbianus bewickii</i> (<i>Cygnus bewickii</i>)	Pibsvane	Zwergschwan	Νανόκυκνος	Bewick's Swan	Cygne de Bewick	Cigno minore	Kleine Zwaan
26. <i>Cygnus cygnus</i>	Sangsvane	Singschwan	Αγριόκυκνος	Whooper Swan	Cygne sauvage	Cigno selvatico	Wilde Zwaan
27. <i>Anser albifrons flavirostris</i>	Blisgås (grønlandsk underart)	Bläßgans (Grönland-Unterart)	Ασπρομειτώχηνα (Φηληνης Γριλανδίας)	White-fronted Goose (Greenland subspecies)	Oie rituse (sous-espèce du Groenland)	Oca lombardella (sottospecie di Groenlandia)	Groenlandse Kolgans
28. <i>Anser erythropus</i>	Dværggås	Zwerggans	Νανόχηνα	Lesser White- fronted Goose	Oie naine	Oca lombardella minore	Dwerggans
29. <i>Branta leucopsis</i>	Bramgås	Nonnengans	Ασπρομιαουλό- χηνα	Barnacle Goose	Bernache nonnette	Oca facciabianca	Brandgans
30. <i>Branta ruficollis</i>	Rødhalset Gås	Rothalgans	Κοκκινολαιμόχηνα	Red-breasted Goose	Bernache à cou roux	Oca collarosso	Roodhalsgans
31. <i>Tadorna ferruginea</i>	Rustand	Rostgans	Καστανόχηνα	Ruddy Shelduck	Tadome casarca	Casarca	Casarca
32. <i>Aythya nyroca</i>	Hvidøjlet And	Moorente	Βαλτόπαπια	White-eyed Pochard	Fuligule nyroca	Moretta tabaccata	Witoogeend
33. <i>Oxyura leucocephala</i>	Hvidhovedet And	Weißkopf-Ruderente	Κεφαλοούδι	White-headed Duck	Erimature à tête blanche	Gobbo rugginoso	Witkopeend
34. <i>Pernis apivorus</i>	Hvepsvåge	Wespenbussard	Σφηκοβαρβακτινο	Honey Buzzard	Bondrée apivore.	Falco pecchiaiolo	Wespendief
35. <i>Milvus migrans</i>	Sort Glente	Schwarzmilan	Τσίφνης	Black Kite	Milan noir	Nibbio bruno	Zwarte Wouw
36. <i>Milvus milvus</i>	Rød Glente	Rotmilan	Ψαλιδάρης	Red Kite	Milan royal	Nibbio reale	Rode Wouw
37. <i>Haliaeetus albicilla</i>	Havørn	Seeadler	Θαλασσαιετός	White-tailed Eagle	Pygargue à queue blanche	Aquila di mare	Zeearend
38. <i>Gypaetus barbatus</i>	Lammegrib	Bartgeier	Γουτσειετός	Bearded Vulture	Gypaète barbu	Avvoltoio degli agnelli	Lammergier
39. <i>Neophron percnopterus</i>	Ådselgrip	Schmutzgeier	Ασπροπάτης	Egyptian Vulture	Percnoptère d'Égypte	Capovaccaio	Aasgier

	Dansk	Deutsch	Ελληνικά	English	Français	Italiano	Nederlands
40. <i>Gyps fulvus</i>	Gåsegrip	Gänsegeier	Όρνιο	Griffon Vulture	Vautour fauve	Grifone	Vale Gier
41. <i>Aegypius monachus</i>	Munkegrip	Mönchsgeier	Μαυρόγυπας	Black Vulture	Vautour moine	Avoltoio	Monniksgier
42. <i>Circus gallicus</i>	Slangeørn	Schlangenadler	Φιδαιτός	Short-toed Eagle	Circaète jean-le-blanc	Biancone	Slangenarend
43. <i>Circus aeruginosus</i>	Rørhøg	Rohrweihe	Καλαμόκιρκος	Marsh Harrier	Busard des roseaux	Falco di palude	Bruine Kiekendief
44. <i>Circus cyaneus</i>	Blå Kærhøg	Kornweihe	Βαλτόκιρκος	Hen Harrier	Busard saint-martin	Albanella reale	Blauwe Kiekendief
45. <i>Circus macrourus</i>	Steppehøg	Steppenweihe	Στεπόκιρκος	Pallid Harrier	Busard pâle	Albanella pallida	Steppenkiekendief
46. <i>Circus pygargus</i>	Hedehøg	Wiesenweihe	Λιβαδόκιρκος	Montagu's Harrier	Busard cendré	Albanella minore	Grauwe Kiekendief
47. <i>Accipiter brevipes</i>	Kortløbet Spurvehøg	Kurzfangsperber	Σάινη	Levant Sparrowhawk	Épervier à pieds courts	Sparviere levantino	Balkansperwer
48. <i>Accipiter gentilis arrigonii</i>	Duehøg (Korsikansk-sardinsk underart)	Habicht (Korsika-Sardinien-Unterart)	Διπλοσάλανο (Φύλη της Κορσικής Σαρδονία)	Goshawk (Corsican-Sardinian subspecies)	Autour des palombes (sous- espèce de Corse- Sardaigne)	Astore (sottospecie di Corsica-Sardegna)	Havik (ondersoort van Corsica-Sardinië)
49. <i>Buteo rufinus</i>	Ørnevåge	Adlerbussard	Αετοβαρβακίνα	Long-legged Buzzard	Buse féroce	Poiana codabianca	Arendbuizerd
50. <i>Aquila pomarina</i>	Lille Skrigeørn	Schreiadler	Κραυγαετός	Lesser Spotted Eagle	Aigle pomarin	Aquila anatraia minore	Schreeuarend
51. <i>Aquila clanga</i>	Stor Skrigeørn	Schelladler	Σπικταετός	Spotted Eagle	Aigle criard	Aquila anatraia maggiore	Bastaardarend
52. <i>Aquila chrysaetos</i>	Kongeørn	Steinadler	Χρυσασετός	Golden Eagle	Aigle royal	Aquila reale	Steenarend
53. <i>Aquila heliaca</i>	Kejserørn	Kaiseradler	Βασιλαετός	Imperial Eagle	Aigle impérial	Aquila imperiale	Keizerarend
54. <i>Hieraetus pennatus</i>	Dværgørn	Zwergadler	Σταυραετός	Booted Eagle	Aigle botté	Aquila minore	Dwergarend
55. <i>Hieraetus fasciatus</i>	Høgeørn	Habichtsadler	Σπιζαετός	Bonelli's Eagle	Aigle de Bonelli	Aquila del Bonelli	Havikarend
56. <i>Pandion haliaetus</i>	Fiskeørn	Fischadler	Ψαραετός	Osprey	Balbusard pêcheur	Falco pescatore	Visarend
57. <i>Falco naumanni</i>	Lille Tårnfalk	Rötelfalke	Κιρκινέζι	Lesser Kestrel	Faucon crécerellette	Grillatio	Kleine Torenvalk
58. <i>Falco eleonorae</i>	Eleonorafalk	Eleonorenfalke	Μαυροπετρίτης	Eleonora's Falcon	Faucon d'Éléonore	Falco della regina	Eleonora's Valk
59. <i>Falco biarmicus</i>	Lannerfalk	Lanner	Χρυσογέρακας	Lanner Falcon	Faucon lanier	Lanario	Lannervalk
60. <i>Falco peregrinus</i>	Vandrefalk	Wanderfalke	Πετρίτης	Peregrine	Faucon pèlerin	Pellegrino	Slechtvalk

	Dansk	Deutsch	Ελληνικά	English	Français	Italiano	Nederlands
61. Falco columbarius	Dværgfalk	Merlin	Νανογέρακος	Merlin	Faucon émerillon	Smeriglio	Smelleken
62. Bonasa bonasia	Hjerpe	Haselhuhn	Αγριόκοτα	Hazel Grouse	Gélinotte des bois	Francolino di monte	Hazelhoen
63. Tetrao urogallus	Tjør	Auerhuhn	Αγριόκουρκος	Capercaillie	Grand Tétrás	Gallo cedrone	Auerhoen
64. Tetrao tetrix tetrix	Urfugl (kontinental underart)	Birkhuhn (kontinentale Unterart)	Λυροπετεινός (Ηπειρωτική φυλή)	Black Grouse (continental subspecies)	Tétrás lyre (sous-espèce continentale)	Fagiano di monte (sottospecie continentale)	Korhoen (continentale ondersoort)
65. Lagopus mutus pyrenaicus	Fjeldrype (Pyrenæern underart)	Alpenschneehuhn (Pyrenäen-Unterart)	Βουνοχιονόκοτα (φυλή των Πυρηναίων)	Ptarmigan (Pyrenean subspecies)	Lagopède alpin (sous-espèce des Pyrénées)	Pernice bianca (sottospecie di Pyrenei)	Alpensneeuwhoen (Pyreneen ondersoort)
66. Lagopus mutus helveticus	Fjeldrype (Alperne underart)	Alpenschneehuhn (Alpen-Unterart)	Βουνοχιονόκοτα (φυλή των Άλπεων)	Ptarmigan (Alpine subspecies)	Lagopède alpin (sous-espèce des Alpes)	Pernice bianca (sottospecie di Alpi)	Alpensneeuwhoen (alpijnse ondersoort)
67. Alectoris barbara	Berberhøne	Felsenhuhn	Βραχοπέδικα	Barbary Partridge	Perdrix gabra	Pernice sarda	Barbarijse Patrijs
68. Alectoris graeca saxatilis	Srenhøne (Alperne underart)	Steinhuhn (Alpen-Unterart)	Πετροπέδικα (φυλή των Άλπεων)	Rock Partridge (Alpine subspecies)	Perdrix bartavelle (sous-espèce des Alpes)	Coturnice (sottospecie di Alpi)	Europese Steen-patrijs (alpijnse ondersoort)
69. Alectoris graeca whitakeri	Srenhøne (Sicilien underart)	Steinhuhn (Sizilien-Unterart)	Πετροπέδικα (φυλή της Σικελίας)	Rock Partridge (Sicilian subspecies)	Perdrix bartavelle (sous-espèce de Sicile)	Coturnice (sottospecie di Sicilia)	Europese Steen-patrijs (Siciliaanse ondersoort)
70. Perdix perdix italica	Agerhøne (italiensk underart)	Rebhuhn (italienische Unterart)	Λιβαδοπέδικα (φυλή της Ιταλίας)	Partridge (Italian subspecies)	Perdrix grise (sous-espèce d'Italie)	Starna (sottospecie d'Italia)	Patrijs (Italiaanse ondersoort)
71. Crex crex	Engsnarre	Wachtelkonig	Ορυγομίνα	Corn Crane	Râle des genêts	Re di quaglie	Kwartelkoning
72. Porzana porzana	Plettet Rørvågel	Tupfelsesumpfhuhn	Στικτοπούλαδα	Spotted Crane	Marouette ponctuée	Voltolino	Porseleinhoen
73. Porzana parva	Lille Rørvågel	Kleines Sumpfhuhn	Μικροπούλαδα	Little Crane	Marouette poussin	Schiribilla	Klein Waterhoen
74. Porzana pusilla	Dvægrørvågel	Zwergsumpfhuhn	Νανοπούλαδα	Baillon's Crane	Marouette de Baillon	Schinbilla grigiata	Kleinste Waterhoen
75. Porphyrio porphyrio	Sultanhøne	Purpurhuhn	Σουλτανοπούλαδα	Purple Gallinule	Poule sultane	Pollo sultano	Purperkoet
76. Grus grus	Trane	Kranich	Γερανός	Crane	Grue cendrée	Gru	Kraanvogel
77. Tetrao tetrix (Otis tetrix)	Dvægrtrappe	Zwergtrappe	Χαμωτίδα	Little Bustard	Outarde canepetière	Gallina prataiola	Kleine Trap
78. Otis tarda	Stortrappe	Großtrappe	Αγρίγαλαος	Great Bustard	Outarde barbeue	Otarda	Grote Trap

	Dansk	Deutsch	Ελληνικά	English	Français	Italiano	Nederlands
79. Himantopus himantopus	Styreløber	Stelzenläufer	Καλαμοκανάς	Black-winged Stilt	Échasse blanche	Cavaliere d'Italia	Steltkluut
80. Recurvirostra avosetta	Klyde	Säbelschnäbler	Αβοκέτα	Avocet	Avocette élégante	Avocetta	Kluut
81. Burhinus oedicnemus	Triel	Triel	Πετρογλίδα	Stone Curlew	Oedicnème criard	Occhione	Griël
82. Glareola pratincola	Braksvale	Brachschwalbe	Νεροχελιδόνο	Collared Pratincole	Glaréole à collier	Pernice di mare	Vorkstaartplevier
83. Charadrius morinellus (Eudromias morinellus)	Pomeransflugl	Mornellregenpfeifer	Βουνοφουριγτής	Dotterel	Pluvier guignard	Piviere tortolino	Morineplevier
84. Pluvialis apricaria	Hjeje	Goldregenpfeifer	Βροχοπούλι	Golden Plover	Pluvier doré	Piviere dorato	Goudplevier
85. Hoplopterus spinosus	Sporevibe	Spornkiebitz	Αγκαθοκαλαμηάνα	Spur-winged Plover	Vanneau éperonné	Pavoncella armata	Sporenkievit
86. Gallinago media	Tredækker	Doppelschnepfe	Διπλομπεκατσίνι	Great Snipe	Bécassine double	Crocolone	Poelsnip
87. Philomachus pugnax	Brushane	Kampfläufer	Ψενιομαχητής	Ruff	Chevalier combattant	Combattente	Kemphaan
88. Nansenius tenuirostris	Tyndnæbbet Spove	Dünnschnabelbrachvogel	Λεπτοπότα	Slender-billed Curlew	Courlis à bec grêle	Chiurlottello	Dunbekwulp
89. Tringa glareola	Tinksmed	Bruchwasserläufer	Λασπότρυνγας	Wood Sandpiper	Chevalier sylvain	Piro piro boschereccio	Bosruiter
90. Phalaropus lobatus	Odinshane	Odinshühnchen	Ραβδοκολυμπό-τρυνγας	Red-necked Phalarope	Phalarope à bec étroit	Falaropo becco sottile	Grauwe Franjepoot
91. Larus genei	Tyndnæbbet Måge	Dünnschnabelmöwe	Λεπτοραμόγλαρος	Slender-billed Gull	Goéland railleur	Gabbiano roseo	Dunbekmeeuw
92. Larus melanocephalus	Sorthovedet Måge	Schwarzkopfmöwe	Εκυλοκούταβος	Mediterranean Gull	Mouette mélanocéphale	Gabbiano corallino	Zwartkopmeeuw
93. Larus audouinii	Audouinsmåge	Korallenmöwe	Αιγαίουγλαρος	Audouin's Gull	Goéland d'Audouin	Gabbiano corso	Audouins Meeuw
94. Gelochedon nilotica	Sanderne	Lachseeschwalbe	Γελογλάρονο	Gull-billed Tern	Sterne hansel	Rondine di mare zampenere	Lachstern
95. Sterna caspia	Rovterne	Raubseeschwalbe	Καρταζάς	Caspian Tern	Sterne caspienne	Rondine di mare maggiore	Reuzenstern
96. Sterna sandvicensis	Splitterne	Brandseeschwalbe	Χειμωνογλάρονο	Sandwich Tern	Sterne caugek	Beccapesci	Grote Stern
97. Sterna dougallii	Dougallsterne	Rosenseeschwalbe	Ροδογλάρονο	Roseate Tern	Sterne de Dougall	Sterna del Dougall	Dougalls Stern
98. Sterna hirundo	Fjordterne	Flußseeschwalbe	Ποταμογλάρονο	Common Tern	Sterne pierregarin	Sterna comune	Visdief
99. Sterna paradisaea	Havterne	Küstenseeschwalbe	Αρκτικογλάρονο	Arctic Tern	Sterne arctique	Sterna codalunga	Noordse Stern

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100. <i>Sterna albifrons</i>	Dværgerne	Zwergseeschwalbe	Νανογλάρονο	Little Tern	Sterne naime	Fraticello	Dwergstern
101. <i>Chlidonias hybridus</i>	Hvidskægget Terne	Weißbartseeschwalbe	Μουστακογλάρονο	Whiskered Tern	Guifette moustac	Mignattino piombato	Witwangstern
102. <i>Chlidonias niger</i>	Sortterne	Trauerseeschwalbe	Μαυρογλάρονο	Black Tern	Guifette noire	Mignattino	Zwarte Stern
103. <i>Pterocles alchata</i>	Spidahalet Sandhøne	Spießflughuhn	Στυβλοπερίστερόκοτα	Pin-tailed Sandgrouse	Ganga cata	Grandule	Witbuikzandhoen
104. <i>Bubo bubo</i>	Stor Hornugle	Uhu	Μπούφος	Eagle Owl	Grand-duc d'Europe	Gufo reale	Oehoe
105. <i>Nyctea scandiaca</i>	Sneugle	Schnee-Eule	Χιονογλαύκα	Snowy Owl	Harfang des neiges	Gufo delle nevi	Sneeuwuil
106. <i>Glaucidium passerinum</i>	Spurveugle	Sperlingskauz	Επουρητόγλανακα	Pygmy Owl	Chouette chevêchette (Chevêchette d'Europe)	Civetta nana	Dwerguil
107. <i>Asio flammeus</i>	Møsehornugle	Sumpfohreule	Βαλτόμπουφος	Short-eared Owl	Hibou des marais	Gufo di palude	Velduil
108. <i>Aegolius funereus</i>	Perleugle	Rauhfußkauz	Χαρπούλι (Αιγώλιος)	Tengmalm's Owl	Chouette de Tengmalm (Nyctale de Tengmalm)	Civetta capogrosso	Ruigpootuil
109. <i>Caprimulgus europaeus</i>	Nattravn	Ziegenmelker	Γιδοβούζαστρα	Nightjar	Engoulevent d'Europe	Succiacapre	Nachtzwaluw
110. <i>Alcedo atthis</i>	Isfugl	Eisvogel	Αλκυόνα	Kingfisher	Martin pêcheur d'Europe	Martin pescatore	Ijsvogel
111. <i>Coracias garrulus</i>	Ellekrage	Blauracke	Χαλκοκούρουνα	Roller	Rollier d'Europe	Ghiandaia marina	Scharrelaar
112. <i>Picus canus</i>	Gråspætte	Grauspecht	Σταχτοταϊκλιτάρα	Grey-headed Woodpecker	Pic cendré	Picchio cinerino	Grijskopspecht
113. <i>Dryocopus martius</i>	Sortspætte	Schwarzspecht	Μουροταϊκλιτάρα	Black Woodpecker	Pic noir	Picchio nero	Zwarte Specht
114. <i>Dendrocopos medius</i>	Mellemflagspætte	Mittelspecht	Μεσοταϊκλιτάρα	Middle Spotted Woodpecker	Pic mar	Picchio rosso mezzano	Middelste Bonte Specht
115. <i>Dendrocopos leucotos</i>	Hvidrygget Flagspætte	Weißrückenspecht	Λευκωνωτοταϊκλιτάρα	White-backed Woodpecker	Pic à dos blanc	Picchio dorsobianco	Witrugspecht
116. <i>Dendrocopos syriacus</i>	Syrisk Flagspætte	Blutspecht	Βαλκανοταϊκλιτάρα	Syrian Woodpecker	Pic syriaque	Picchio siriano	Syrische Bonte Specht
117. <i>Picoides tridactylus</i>	Tretået Spætte	Dreizehenspecht	Τριδακτυλοταϊκλιτάρα	Three-toed Woodpecker	Pic tridactyle	Picchio tridattilo	Drieteenspecht

	Dansk	Deutsch	Ελληνικά	English	Français	Italiano	Nederlands
118. <i>Galerida theklae</i>	Kortmættet Toplærke	Theklalærche	Κατσουλέρης της δέκλας	Thekla Lark	Cochevis de Thékla	Capellaccia spagnola	Thekla Leeuwerik
119. <i>Melanocorypha calandra</i>	Kalanderlærke	Kalanderlærche	Βουνογαλιάρτα	Calandra Lark	Alouette calandre	Calandra	Kalanderleeuwerik
120. <i>Lollula arborea</i>	Hedelærke	Heidelærche	Δεντροσταρήθων	Woodlark	Alouette lulu	Tottavilla	Boomleeuwerik
121. <i>Calandrella brachydactyla</i>	Korttæt Lærke	Kurzzehlenlærche	Μικρογαλιάρτα	Short-toed Lark	Alouette calandrelle	Calandrella	Kortteenleeuwerik
122. <i>Anthus campestris</i>	Markpiber	Brachpieper	Ναμοκελάδα	Tawny Pipit	Pipit rousseliae	Calandro	Duinpieper
123. <i>Troglodytes troglodytes fridiensis</i>	Gærdesmutte (Fair Isle underart)	Zaunkönig (Fair Isle-Unterart)	Τουποφάχτης (υποείδος της v. Φαίπ)	Wren (Fair Isle subspecies)	Troglodyte mignon (sous-espece de Fair Isle)	Scrcciolo (sottospecie delle isole Fair Isle)	Winterkoning (ondersoort van Fair Isle)
124. <i>Luscinia svecica</i>	Blåhals	Blaukehlchen	Γαλαζολαίμης	Bluetthroat	Gorgebleue à miroir	Pettazzurro	Blauwborst
125. <i>Oenanthe leucura</i>	Sørgestenpikker	Trauerstein- schmäzzer	Μαυροπετρόκόλης	Black Wheatear	Traquet noir	Monachella nera	Zwarte Tapuit
126. <i>Acrocephalus paludicola</i>	Vandsanger	Seggenrohrsänger	Καρηκοποταμίδα	Aquatic Warbler	Phragmite aquatique	Pagliarolo	Waterrietzanger
127. <i>Acrocephalus melanopogon</i>	Tamarisksanger	Marisksänger	Μουστακοποτα- μίδα	Moustached Warbler	Luscimole à moustaches	Forapaglie castagnolo	Zwartkoprietzanger
128. <i>Hippolais olivetorum</i>	Olivensanger	Olivenspötter	Λιοστριτοίδα	Olive-tree Warbler	Hypolais des oliviers	Canapino levantino	Griekse Spotvogel
129. <i>Sylvia sarda</i>	Sardinsk Sanger	Sardengrasmücke	Σαρδοτσιροβάκος	Marmora's Warbler	Fauvette sarde	Maganina sarda	Sardijnse Grasmus
130. <i>Sylvia rueppelli</i>	Sortsrubet Sanger	Maskengrasmücke	Μουστακοτσιροβά- κος	Rüppell's Warbler	Fauvette de Rüppell	Silvia del Rüppell	Rüppells Grasmus
131. <i>Sylvia undata</i>	Provincensanger	Provencegrasmücke	Προβηγκοτσιροβά- κος	Dartford Warbler	Fauvette pitchou	Maganina	Provençaalse Grasmus
132. <i>Sylvia nisoria</i>	Høgesanger	Sperbergrasmücke	Ψαλτοτσιροβάκος	Barred Warbler	Fauvette épervière	Bigia padovana	Sperwergasmus
133. <i>Sitta whiteheadi</i>	Korsikansk Spættejse	Korsenkleiber	Κορσικοτσιροπανά- κος	Corsican Nuthatch	Sittelle corse	Picchio muratore corso	Zwartkopboom- klever
134. <i>Sitta krueperi</i>	Krøper Spættejse	Krøpers Kleiber	Τουρκοτσιροπανά- κος	Krüper's Nuthatch	Sittelle de Krüper	Picchio muratore del Krüper	Krøpers Boomklever
135. <i>Ficedula parva</i>	Lille Fluesnapper	Zwergschnäpper	Νανομυγοχάφτης	Red-breasted Flycatcher	Gobemouche nain	Pigliamosche pettiroso	Kleine Vliegenvanger
136. <i>Ficedula albicollis</i>	Hvidhalset Fluesnapper	Halsbandschnapper	Κρικομυγοχάφτης	Collared Flycatcher	Gobemouche à collier	Bala dal collare	Withalsvlieg- vanger

	Dansk	Deutsch	Ελληνικά	English	Français	Italiano	Nederlands
137. <i>Ficedula semitorquata</i>	Halvkrave Fluesnapper	Halbringsschnäpper	Δρυμογοχάρτης	Semi-collared Flycatcher	Gobemouche à semi-collier	Balia del mezzo collare	Balkanvliegen- vanger
138. <i>Lanius minor</i>	Rosenbrystet Tornskade	Schwarzstirnwürger	Γαϊδουροκεφαλάς	Lesser Grey Shrike	Pie-grièche à poitrine rose	Averla cenerina	Kleine Klapekster
139. <i>Lanius collurio</i>	Rødrygget Tornskade	Neuntöter	Αετούμαχος	Red-backed Shrike	Pie-grièche écorcheur	Averla piccola	Grauwe Klauwier
140. <i>Emberiza cineracea</i>	Gulgrå Væriling	Kleinasiatische Ammer	Σμυρνοσίχλονο	Cinereous Bunting	Bruant centre	Zigolo cinereo	Smyrna Cors
141. <i>Emberiza hortulana</i>	Hortulan	Ortolan	Βλάχος	Ortolan Bunting	Bruant ortolan	Ortolano	Ortolaan
142. <i>Emberiza caesia</i>	Rustværiling	Grauer Ortolan	Σκουροβλάχος	Cretschmar's Bunting	Bruant cendrillard	Ortolano grigio	Bruinkeelortolaan
143. <i>Loxia scotica</i>	Skotsk Korsnæb	Schottischer Kreuzschnabel	Σταυρομήτης της Σκωτίας	Scottish Crossbill	Beccroisé d'Écosse	Scozzese Crociere	Schotse Kruisbek
144. <i>Pyrrhonorax pyrrhonorax</i>	Alpekrage	Alpenkrähe	Κοκκίνοκαλιακού- δα	Chough	Crave à bec rouge	Gracchio corallino	Alpenkraai

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE
— ANEXO

	Español	Português
1. <i>Gavia arctica</i>	Colimbo ártico	Mobelha-ártica
2. <i>Gavia stellata</i>	Colimbo chico	Mobelha-pequena
3. <i>Gavia immer</i>	Colimbo grande	Mobelha-grande
4. <i>Podiceps auritus</i>	Zampullín cuellirrojo	Mergulhão-de-pescoço-castanho . pescoço-castanho
5. <i>Calonectris diomedea</i>	Pardela cenicienta	Pardela-de-bico-amarelo
6. <i>Hydrobates pelagicus</i>	Paiño común	Painho-de-cauda-quadrada
7. <i>Oceanodroma leucorhoa</i>	Paiño de leach	Painho-de-cauda-forcada
8. <i>Phalacrocorax carbo sinensis</i>	Cormorán grande (continental)	Corvo-marinho-de-faces-brancas (subespécie continental)
9. <i>Phalacrocorax aristotelis desmarestii</i>	Cormorán moñudo (mediterráneo)	Corvo-marinho-de-crista (subespécie mediterrânica)
10. <i>Phalacrocorax pygmeus</i>	Cormorán chico o pigmeo	Corvo-marinho-pigmeu
11. <i>Pelecanus onocrotalus</i>	Pelicano común	Pelicano-vulgar
12. <i>Pelecanus crispus</i>	Pelicano ceñudo	Pelicano-crespo
13. <i>Ixobrychus minutus</i>	Avetorillo común	Garça-pequena
14. <i>Botaurus stellaris</i>	Avetoro	Abetouro-comum
15. <i>Nycticorax nycticorax</i>	Martinete	Goraz
16. <i>Ardeola ralloides</i>	Garcilla cangrejera	Papa-ratos
17. <i>Egretta garzetta</i>	Garceta común	Garça-branca-pequena
18. <i>Egretta alba</i>	Garceta grande	Garça-branca-grande
19. <i>Ardea purpurea</i>	Garza imperial	Garça-vermelha
20. <i>Ciconia nigra</i>	Cigüeña negra	Cegonha-preta
21. <i>Ciconia ciconia</i>	Gigüeña común	Cegonha-branca
22. <i>Plegadis falcinellus</i>	Morito	Maçarico-preto
23. <i>Platalea leucorodia</i>	Espátula	Colhereiro
24. <i>Phoenicopterus ruber</i>	Flamenco	Flamingo-comum
25. <i>Cygnus columbianus bewickii</i> (<i>Cygnus bewickii</i>)	Cisne chico o de Bewick	Cisne-pequeno
26. <i>Cygnus cygnus</i>	Cisne cantor	Cisne-bravo
27. <i>Anser albifrons flavirostris</i>	Ánsar Careto de Groenlandia	Ganso-da-gronelândia
28. <i>Anser erythropus</i>	Ánsar careto chico	Ganso-pequeno-de-testa-branca
29. <i>Branta leucopsis</i>	Barnacla cariblanca	Ganso-de-faces-brancas
30. <i>Branta ruficollis</i>	Barnacla cuellirroja	Ganso-de-pescoço-ruivo
31. <i>Tadorna ferruginea</i>	Tarro canelo	Pato-ferrugíneo
32. <i>Aythya nyroca</i>	Porrón pardo	Zarro-castanho
33. <i>Oxyura leucocephala</i>	Malvasía	Pato-rabo-alçado
34. <i>Pernis apivorus</i>	Halcón abejero	Falcão-abelheiro
35. <i>Milvus migrans</i>	Milano negro	Milhafre-preto
36. <i>Milvus milvus</i>	Milano real	Milhano
37. <i>Haliaeetus albicilla</i>	Pigargo	Águia-rabalva
38. <i>Cypaetus barbatus</i>	Quebrantahuesos	Quebra-osso
39. <i>Neophron peronopterus</i>	Alimoche	Abutre-do-Egipto
40. <i>Gyps fulvus</i>	Buitre leonado	Grifo
41. <i>Aegypius monachus</i>	Buitre negro	Abutre-preto
42. <i>Circus gallicus</i>	Águila culebrera	Águia-cobreira
43. <i>Circus aeruginosus</i>	Aguilucho langunero	Tartaranhão-ruivo-dos-paus
44. <i>Circus cyaneus</i>	Aguilucho pálido	Tartaranhão-azulado
45. <i>Circus macrourus</i>	Aguilucho papialbo	Tartaranhão-de-peito-branco
46. <i>Circus pygargus</i>	Aguilucho cenizo	Tartaranhão-caçador
47. <i>Accipiter brevipes</i>	Gavilán griego	Gavião-grego
48. <i>Accipiter gentilis arrigonii</i>	Azor de Córcega y Cerdeña	Açor (subespécie da Córsega e Sardenha)
49. <i>Buteo rufinus</i>	Ratonero moro	Búteo-mouro
50. <i>Aquila pomarina</i>	Águila pomerana	Águia-pomarina
51. <i>Aquila clanga</i>	Águila moteada	Águia-gritadeira
52. <i>Aquila chrysaetos</i>	Águila real	Águia-real

	Español	Português
53. <i>Aquila heliaca</i>	Águila imperial	Águia-imperial
54. <i>Hieraetus pennatus</i>	Águila calzada	Águia-calçada
55. <i>Hieraetus fasciatus</i>	Águila perdicera	Águia-de-bonelli
56. <i>Pandion haliaetus</i>	Águila pescadora	Águia-pesqueira
57. <i>Falco naumanni</i>	Cernícalo primilla	Peneireiro-das-torres
58. <i>Falco eleneorae</i>	Halcón de Eleonor	Falcão-da-rainha
59. <i>Falco biarmicus</i>	Halcón borní	Borni
60. <i>Falco peregrinus</i>	Halcón peregrino	Falcão-peregrino
61. <i>Falco columbarius</i>	Esmerejón	Esmerilhão-comum
62. <i>Bonasa bonasia</i>	Grévol	Galinha-do-mato
63. <i>Tetrao urogallus</i>	Urogallo	Tetraz
64. <i>Tetrao tetrix tetrix</i>	Gallo lira (continental)	Galo-lira
65. <i>Lagopus mutus pyrenaicus</i>	Perdiz nival pirenaica	Lagópede-branco (subespécie pirenaica)
66. <i>Lagopus mutus helveticus</i>	Perdiz nival alpina	Lagópede-branco (subespécie alpina)
67. <i>Alectoris barbara</i>	Perdiz moruna	Perdiz-moura
68. <i>Alectoris graeca saxatilis</i>	Perdiz griega alpina	Perdiz-grega (subespécie alpina)
69. <i>Alectoris graeca whitakeri</i>	Perdiz griega siciliana	Perdiz-grega (subespécie siciliana)
70. <i>Perdix perdix italica</i>	Perdiz pardilla italiana	Perdiz-cinzenta (subespécie italiana)
71. <i>Crex crex</i>	Guión de codornices	Codornizão
72. <i>Porzana porzana</i>	Polluela pintoja	Franga-d'água-grande
73. <i>Porzana parva</i>	Polluela bastarda	Franga-d'água-bastarda
74. <i>Porzana pusilla</i>	Polluela chica	Franga-d'água-pequena
75. <i>Porphyrio porphyrio</i>	Calamón común	Caimão-comum
76. <i>Grus grus</i>	Grulla común	Grou-comum
77. <i>Tetrax tetrax (Otis tetrax)</i>	Sisón	Sisão
78. <i>Otis tarda</i>	Avutarda	Abetarda
79. <i>Himantopus himantopus</i>	Cigüeñuela	Perna-longa
80. <i>Recurvirostra avosetta</i>	Avocete	Alfaiate
81. <i>Burhinus oedicnemus</i>	Alcaraván	Alcaravão
82. <i>Glareola pratincola</i>	Canastera	Perdiz-do-mar
83. <i>Charadrius morinellus (Eudromias morinellus)</i>	Chorlito carambolo	Tarambola-carambola
84. <i>Pluvialis apricaria</i>	Chorlito dorado común	Tarambola-dourada
85. <i>Hoploterus spinosus</i>	Avefría espolada	Abibe-esporado
86. <i>Gallinago media</i>	Agachadiza real	Narceja-real
87. <i>Philomachus pugnax</i>	Combatiente	Combatente
88. <i>Namenius tenuirostris</i>	Zarapito fino	Maçarico-de-bico-fino
89. <i>Tringa glareola</i>	Andarríos bastardo	Maçarico-bastardo
90. <i>Phalaropus lobatus</i>	Falaropo picofino	Falaropo-de-bico-fino
91. <i>Larus genei</i>	Gaviota picofina	Gaivota-de-bico-fino
92. <i>Larus melanocephalus</i>	Gaviota cabecinegra	Gaivota-de-cabeça-preta
93. <i>Larus audouinii</i>	Gaviota de Audouin	Alcatraz-de-audouin
94. <i>Gelochelidon nilotica</i>	Pagaza piconegra	Gaivina-de-bico-preto
95. <i>Sterna caspia</i>	Pagaza piquirroja	Gaivina-de-bico-vermelho
96. <i>Sterna sandvicensis</i>	Charrán patinegro	Garajau-comum
97. <i>Sterna dougallii</i>	Charrán rosado	Adorinha-do-mar-rósea
98. <i>Sterna hirundo</i>	Charrán común	Adorinha-do-mar-comum
99. <i>Sterna paradisaea</i>	Charrán ártico	Adorinha-do-mar-ártica
100. <i>Sterna albifrons</i>	Charrancito	Adorinha-do-mar-anã
101. <i>Chlidonias hybridus</i>	Fumarel cariblanco	Gaivina-de-faces-brancas
102. <i>Chlidonias niger</i>	Fumarel común	Gaivina-preta
103. <i>Pterocles alchata</i>	Ganga común	Cortiçol-de-barriga-branca
104. <i>Bubo bubo</i>	Búho real o gran duque	Bufo-real
105. <i>Nyctea scandiaca</i>	Búho nival	Bufo-branco
106. <i>Glaucidium passerinum</i>	Mochuelo chico	Mocho-pigmeu
107. <i>Asio flammeus</i>	Lechuza campestre	Coruja-do-nabal
108. <i>Aegolius funereus</i>	Lechuza de Tengmalm	Mocho-de-tengmala

	Español	Português
109. <i>Caprimulgus europaeus</i>	Chotacabras gris	Noitibo-da-europa
110. <i>Alcedo atthis</i>	Martín pescador	Guarda-rios-comum
111. <i>Coracias garrulus</i>	Azulejo o carraca	Rolieiro
112. <i>Picus canus</i>	Pito cano	Peto-de-cabeça-cinzenta
113. <i>Dryocopus martius</i>	Pito negro	Peto-preto
114. <i>Dendrocopos medius</i>	Pico mediano	Pica-pau-mediano
115. <i>Dendrocopos leucotos</i>	Pico dosiblanco	Picau-pau-de-dorso-branco
116. <i>Dendrocopos syriacus</i>	Pico sirio	Pica-pau-sírio
117. <i>Picoides tridactylus</i>	Pico tridáctilo	Pica-pau-tridáctilo
118. <i>Galerida theklae</i>	Cogujada montesina	Cotovia-montesina
119. <i>Melanocorypha calandra</i>	Calandria común	Calhandra-comum
120. <i>Lollula arborea</i>	Totavía	Cotovia-pequena
121. <i>Calandrella brachydactyla</i>	Terrera braquidáctila	Calhandrinha-comum
122. <i>Anthus campestris</i>	Bisbita campestre	Petinha-dos-campos
123. <i>Troglodytes troglodytes</i> fridariensis	Chochín de la isla de Fair	Carriça (subespécie de Fair Isle)
124. <i>Luscinia svecica</i>	Pechiazul	Pisco-de-peito-azul
125. <i>Oenanthe leucura</i>	Collalba negra	Chasco-preto
126. <i>Acrocephalus paludicola</i>	Carricerín cejudo	Felosa-aquática
127. <i>Acrocephalus melanopogon</i>	Carricerín real	Felosa-real
128. <i>Hippolais olivetorum</i>	Zarzero grande	Felosa-das-oliveiras
129. <i>Sylvia sarda</i>	Curruca sarda	Toutinegra-sarda
130. <i>Sylvia rueppelli</i>	Curruca de Rüpell	Toutinegra-de-rüpell
131. <i>Sylvia undata</i>	Curruca rabilarga	Felosa-do-mato
132. <i>Sylvia nisoria</i>	Curruca gabilana	Toutinegra-gavião
133. <i>Sitta whiteheadi</i>	Trepador corso	Trepadeira-corsa
134. <i>Sitta krueperi</i>	Trepador de Krüper	Trepadeira-de-krüper
135. <i>Ficedula parva</i>	Papamoscas papirrojo	Papa-moscas-pequeno
136. <i>Ficedula albicollis</i>	Papamoscas collarino	Papa-moscas-de-colar
137. <i>Ficedula semitorquata</i>	Papamoscas semicollarino	Papa-moscas-de-meio-colar
138. <i>Lanius minor</i>	Alcaudón chico	Picanço-pequeno
139. <i>Lanius collurio</i>	Alcaudón dorsirrojo	Picanço-de-dorso-ruivo
140. <i>Emberiza cineracea</i>	Escribano cinéreo	Escrevedeira-de-cabeça-amarela
141. <i>Emberiza hortulana</i>	Escribano hortelano	Sombria
142. <i>Emberiza caesia</i>	Escribano ceniciento	Escrevedeira-cinzenta
143. <i>Loxia scotica</i>	Piquituerto escocés	Cruza-bico-escocês
144. <i>Pyrrhocorax pyrrhocorax</i>	Chova piquirroja	Gralha-de-bico-vermelho

BILAG II/1 — ANHANG II/1 — ΠΑΡΑΡΤΗΜΑ III/1 — ANNEXE II/1 — ALLEGATO II/1 — BIJLAGE II/1 — ANEXO III/1 — ANEXO III/1

	Dansk	Deutsch	Ελληνικά	English	Français	Italiano	Nederlands
ANSERIFORMES							
1. <i>Anser fabalis</i>	Sædgås	Saatgans	Χωροφόχρηνα	Bean goose	Oie des moissons	Oca granaiola	Rietgans
2. <i>Anser anser</i>	Grågås	Graugans	Σταχτόχρηνα	Greylag goose	Oie cendrée	Oca selvatica	Grauwe gans
3. <i>Branta canadensis</i>	Kanadagås	Kanadagans	Καναδόχρηνα	Canada goose	Bernache du Canada	Oca del Canada	Canadese gans
4. <i>Anas penelope</i>	Pibeand	Pfeifente	Σφουριχτάρι	Wigeon	Canard siffleur	Fischione	Smient
5. <i>Anas strepera</i>	Knaarand	Schnatterente	Φλαυρόπαπια	Gadwall	Canard chipeau	Canapiglia	Kraakeend
6. <i>Anas crecca</i>	Krikand	Krickente	Κρικίρι (σασσέλα)	Teal	Sarcelle d'hiver	Alzavola	Wintertaling
7. <i>Anas platyrhynchos</i>	Gråand	Stöckente	Πρασινοκέφαλη	Mallard	Canard colvert	Germano reale	Wilde eend
8. <i>Anas acuta</i>	Spidsand	Spießente	Σουβλόπαπια (ψαλίδα)	Pintail	Canard pilet	Codone	Pijlstaart
9. <i>Anas querquedula</i>	Atingand	Knäente	Σαρσέλα (καλοκαιρινή)	Garganey	Sarcelle d'été	Marzaiola	Zomertaling
10. <i>Anas clypeata</i>	Skeand	Löffelente	Χουλιταράς	Shoveler	Canard souchet	Mestolone	Slobeend
11. <i>Aythya ferina</i>	Taffeland	Tafelente	Κυνηγόπαπια (σβουρδούλι)	Pochard	Fuligule milouin	Moriglione	Tafeleend
12. <i>Aythya fuligula</i>	Troidand	Reiherente	Ταινόνπαπια	Tufted duck	Fuligule morillon	Moretta	Kuifeend
GALLIFORMES							
13. <i>Lagopus lagopus scoticus et hibernicus</i>	Grouse	Schottisches Moorschneehuhn	Χιονόκοτα	Red grouse	Lagopède des saules	Pernice bianca di Scozia	Moerassneeuwhoen
14. <i>Lagopus mutus</i>	Fjeldrype	Alpenschneehuhn	Βουνοχιονόκοτα	Ptarmigan	Lagopède des Alpes	Pernice bianca	Alpensneeuwhoen
15. <i>Alectoris graeca</i>	Stenhøne	Steinhuhn	Πετροπέρδικα (όρεινή)	Rock partridge	Perdrix bartavelle	Coturnice	Europese steenpatrijs
16. <i>Alectoris rufa</i>	Rødhøne	Rothuhn	Κοκκινοπέρδικα	Red-legged partridge	Perdrix rouge	Pernice rossa	Rode patrijs
17. <i>Perdix perdix</i>	Agerhøne	Rebhuhn	Πέρδικα (πεδινή)	Partridge	Perdrix grise	Starna	Patrijs
18. <i>Phasianus colchicus</i>	Fasan	Fasan	Φασισσιανός	Pheasant	Faisan de chasse	Fagiano	Fazant

	Dansk	Deutsch	Ελληνικά	English	Français	Italiano	Nederlands
GRUIFORMES							
19. <i>Fulica atra</i>	Blishone	Blaßhuhn	Φαλαριδα (μπαλιζα)	Coot	Foulique macroule	Folaga	Meerkoet
CHARADRIIFORMES							
20. <i>Lymnocyptes minutus</i>	Enkeltbekkasin	Zwergschnepfe	Κουφομπεκάτσινα	Jack snipe	Bécassine sourde	Frullino	Bokje
21. <i>Gallinago gallinago</i>	Dobbeltbekkasin	Bekassine	Μπεκάτσι	Snipe	Bécassine des marais	Beccacino	Watersnip
22. <i>Scolopax rusticola</i>	Skovsneppe	Waldschnepfe	Μπεκάτσα	Woodcock	Bécasse des bois	Beccaccia	Houtsnip
COLUMBIFORMES							
23. <i>Columba livia</i>	Klippedue	Felsentaube	Άγριοπερίστερο	Rock dove	Pigeon biset	Piccione selvatico	Rotsduif
24. <i>Columba palumbus</i>	Ringdue	Ringeltaube	Φόσσα	Wood pigeon	Pigeon ramier	Colombaccio	Houtduif

	Español	Português
1.	Ánsar campestre	Ganso-campestre
2.	Ánsar común	Ganso-comum
3.	Barnacla canadiense	Ganso do Canadá
4.	Ánade silbón	Piadeira
5.	Ánade friso	Frisada
6.	Cerceta común o de Invierno	Marrequinho-comum
7.	Ánade real o azulón	Pato-real
8.	Ánade rabudo	Arrabio
9.	Cerceta carretona o de Verano	Marreco
10.	Pato cuchara	Pato-trombeteiro
11.	Porrón común	Zarro-comum
12.	Porrón moñudo	Zarro-negrinha
13.	Lagópodo escandinavo	Lagópode-escocês
14.	Perdiz nival	Lagópode-branco
15.	Perdiz griega	Perdiz-negra
16.	Perdiz roja o común	Perdiz-comum
17.	Perdiz pardilla	Perdiz-cizenta
18.	Faisán vulgar	Faisão
19.	Focha común	Galeirão-comum
20.	Agachadiza chica	Narceja-galega
21.	Agachadiza común	Narceja-comum
22.	Chocha perdiz o becada	Galinholas
23.	Paloma bravía	Pombo-das-rochas
24.	Paloma torcaz	Pombo-torcaz

BILAG II/2 — ANHANG II/2 — ΠΑΡΑΡΤΗΜΑ II/2 — ANNEXE II/2 — ALLEGATO II/2 — BIJLAGE II/2 — ANEXO III/2 — ANEXO III/2

	Dansk	Deutsch	Ελληνικά	English	Français	Italiano	Nederlands
25. <i>Cygnus olor</i>	Knopsvane	Höckerschwan	Βουβόκυκνος	Mute swan	Cygne muet	Cigno reale	Knobbelzwaan
26. <i>Anser brachyrhynchus</i>	Kortnæbbet gås	Kurzschnabelgans	Βραχυρναμφόγωνα	Pink-footed goose	Oie à bec court	Oca zamperose	Kleine rietgans
27. <i>Anser albifrons</i>	Blisgås	Blaßgans	Ήσπρομετώπγχηνα	White-fronted goose	Oie rieuse	Oca lombardella	Kolgans
28. <i>Branta bernicla</i>	Knortegås	Ringelgans	Δακτυλιδόγωνα	Brent goose	Bernache cravant	Oca colombaccio	Rogans
29. <i>Netta rufina</i>	Rødhovedet and	Kolbenente	Ροπαλόπαπα	Red-crested pochard	Nette rousse	Fistione turco	Krooneend
30. <i>Aythya marila</i>	Bjergand	Bergente	Μαριλόπαπα (γκριζόπαπα)	Scaup	Fuligule milouimin	Moretta grigia	Topperend
31. <i>Somateria mollissima</i>	Ederfugl	Eiderente	Πουπουλόπαπα	Eider	Eider à duvet	Edredone	Eidereend
32. <i>Clangula hyemalis</i>	Havlit	Eisente	Χιονόπαπα	Long-tailed duck	Harelda de Miquelon	Moretta codona	Ijseend
33. <i>Melanitta nigra</i>	Sortand	Trauerente	Μαυρόπαπα	Common scoter	Macreuse noire	Orchetto marino	Zwarte zeeënd
34. <i>Melanitta fusca</i>	Fløjsand	Samtente	Βελουδοπαπα	Velvet scoter	Macreuse brune	Orco marino	Grote zeeënd
35. <i>Bucephala clangula</i>	Hvinand	Schellente	Κουδουνόπαπα	Golden-eye	Garrot à l'œil d'or	Quattrocchi	Brilduiker
36. <i>Mergus serrator</i>	Toppet skallesluger	Mittelsäger	Λοφοπρίστης	Red-breasted merganser	Harle huppé	Smergo minore	Middelste zaagbek
37. <i>Mergus merganser</i>	Stor skallesluger	Gänsesäger	Χηνοπρίστης	Goosander	Harle bièvre	Smergo maggiore	Grote zaagbek
38. <i>Bonasia bonasia</i> (<i>Tetrastes bonasia</i>)	Hjerpe	Haselhuhn	Ήγριόκοτα	Hazel hen	Gélinotte des bois	Francolino di monte	Hazelhoen
39. <i>Tetrao tetrix</i> (<i>Lyrurus tetrix</i>)	Urfugl	Birkhuhn ♂	Λυροπέτεινός	Black grouse	Tétras lyre ♂	Fagiano di monte	Korhoen
40. <i>Tetrao urogallus</i>	Tjur	Auerhuhn ♂	Ήγριόκουρκος	Capercaillie	Grand tétras ♂	Gallo cedrone	Auerhoen
41. <i>Alectoris barbara</i>	Berberhøne	Felsenhuhn	Βραχοπέφδρικα	Barbary partridge	Perdrix de Barbarie	Pernice di Sardegna	Barbarijse patrijs
42. <i>Coturnix coturnix</i>	Vagtel	Wachtel	Όρνιτι	Quail	Caille des blés	Quaglia	Kwartel
43. <i>Meleagris gallopavo</i>	Vildkalkun	Wildtruthuhn	Γάλος (διάνας)	Wild turkey	Dindon/Dinde sauvage	Tacchino selvatico	Wilde kalkoen
44. <i>Rallus aquaticus</i>	Vandrikse	Wasserralle	Νεροκοτσέλα	Water rail	Râle d'eau	Porciglione	Waterral
45. <i>Gallinula chloropus</i>	Grønbenet rørhøne	Teichhuhn	Νερόκοτα (νεροπουλάδα)	Moorhen	Poule d'eau	Gallinella d'acqua	Waterhoen
46. <i>Haematopus ostralegus</i>	Strandskade	Austernfischer	Στρεϊδοφόγος	Oystercatcher	Huitrier prie	Beccaccia di mare	Scholekster
47. <i>Pluvialis apricaria</i>	Hjejle	Goldregenpfeifer	Βροχοπούλι	Golden plover	Pluvier doré	Piviere dorato	Goudplevier

	Dansk	Deutsch	Ελληνικά	English	Français	Italiano	Nederlands
48. <i>Pluvialis squatarola</i>	Strandhjejle	Kiebitzregenpfeifer	Άγροπούλι	Grey plover	Pluvier argenté	Pivieressa	Zilverplevier
49. <i>Vanellus vanellus</i>	Vibe	Kiebitz	Καλημάνα	Lapwing	Vanneau huppé	Pavoncella	Kievit
50. <i>Calidris canutus</i>	Islandsk ryle	Knutt	Χοντροκαλιόρα	Knut	Bécasseau maubèche	Piovanello maggiore	Kanoetstrandloper
51. <i>Philomachus pugnax</i>	Brushane	Kampfläufer	Ψευτομαχητής	Ruff ♂ Reeve ♀	Chevalier combattant	Combattente	Kemphaan
52. <i>Limosa limosa</i>	Stor kobbersneppe	Uferschnepfe	Όχθοτούρλι	Black-tailed godwit	Barge à queue noir	Pittima reale	Grutto
53. <i>Limosa lapponica</i>	Lille kobbersneppe	Pfuhlschnepfe	Άκτοτούρλι	Bar-tailed godwit	Barge rousse	Pittima minore	Rosse grutto
54. <i>Numenius phaeopus</i>	Lille regnspove	Regenbrachvogel	Σιγλιούρος	Whimbrel	Courlis corlieu	Chiurlo piccolo	Regenwulp
55. <i>Numenius arquata</i>	Stor regnspove	Großer Brachvogel	Τουρλίδα	Curlew	Courlis cendré	Chiurlo	Wulp
56. <i>Tringa erythropus</i>	Sortklire	Dunkler Wasserläufer	Μαυρόρυγγας	Spotted redshank	Chevalier arlequin	Totano moto	Zwarte ruiter
57. <i>Tringa totanus</i>	Rødben	Rotschenkel	Κοκκινοσκέλης	Redshank	Chevalier gambette	Petegola	Tureluur
58. <i>Tringa nebularia</i>	Hvidklire	Grünschenkel	Πρασινοςκέλης	Greenshank	Chevalier aboyeur	Pantana	Groenpootruiter
59. <i>Larus ridibundus</i>	Hættemåge	Lachmöwe	Καστανοκεφαλό-γλαρος	Black-headed gull	Mouette rieuse	Gabbiano comune	Kokmeeuw
60. <i>Larus canus</i>	Stormmåge	Sturmmöwe	Θυελλόγλαρος	Common gull	Goéland cendré	Gavina	Stormmeeuw
61. <i>Larus fuscus</i>	Slidmåge	Heringsmöwe	Μελανόγλαρος	Lesser black-backed gull	Goéland brun	Gabbiano zafferano	Kleine mantelmeeuw
62. <i>Larus argentatus</i>	Sølvmåge	Silbermöwe	Άσημόγλαρος	Herring gull	Goéland argenté	Gabbiano reale	Zilvermeeuw
63. <i>Larus marinus</i>	Svartbag	Mantelmöwe	Γιγαντόγλαρος	Greater black-backed gull	Goéland marin	Mugnaiaccio	Mantelmeeuw
64. <i>Columba oenas</i>	Huldue	Hohltaube	Φασσοπεριστερο	Stock dove	Pigeon columbien	Colombella	Holenduif
65. <i>Streptopelia decaocto</i>	Tyrkerdue	Türkentaube	Δεκαοχτούρα	Collared turtle dove	Tourterelle turque	Tortora dal collare orientale	Turkse tortel
66. <i>Streptopelia turtur</i>	Turteldue	Turteltaube	Τρυγόني	Turtle dove	Tourterelle des bois	Tortora	Tortelduif
67. <i>Alauda arvensis</i>	Sanglærke	Feldlerche	Σιταρήθρα	Skylark	Alouette des champs	Lodola	Veldleuwerik
68. <i>Turdus merula</i>	Solsort	Amsel	Κότσουφας	Blackbird	Merle noir	Merlo	Merel
69. <i>Turdus pilaris</i>	Siagger	Wacholderdrossel	Κεδρότσιγα	Fieldfare	Grive litorne	Cesena	Kramsvogel
70. <i>Turdus philomelos</i>	Sangdrossel	Singdrossel	Τσίχλα	Song-thrush	Grive musicienne	Tordo	Zanglijster
71. <i>Turdus iliacus</i>	Vindrossel	Rotdrossel	Κοκκινότσιγα	Redwing	Grive mauvis	Tordo sassello	Koperwiek
72. <i>Turdus viscivorus</i>	Mistdrossel	Misteldrossel	Γερακότσιγα	Mistle-thrush	Grive draine	Tordela	Grote lijster

	Español	Português
25.	Cisne vulgar	Cisne-vulgar
26.	Ánsar piquicorto	Ganso-de-bico-curto
27.	Ánsar careto grande	Ganso-grande-de-testa-branca
28.	Barnacla carinegra	Ganso-de-faces-brancas
29.	Pato colorado	Pato-de-bico-vermelho
30.	Porrón bastardo	Zarro-bastardo
31.	Eider	Eider-edredão
32.	Havelda	Pato-de-cauda-afilada
33.	Negrón común	Pato-negro
34.	Negrón especulado	Pato-fusco
35.	Porrón osuclado	Pato-olho-d'ouro
36.	Serreta mediana	Merganso-pequeno
37.	Serreta grande	Merganso-grande
38.	Grévol	Galinha-do-mato
39.	Gallo lira	Galo-lira
40.	Urogallo	Tetraz
41.	Perdiz moruna	Perdiz-moura
42.	Codorniz	Codorniz
43.	Pavo silvestre	Perú
44.	Rascón	Frango-d'água
45.	Polla de agua	Galinha-d'água
46.	Ostrero	Ostraceiro
47.	Chorlito o pluvial dorado	Tarambola-dourada
48.	Chorlito gris	Tarambola-cinzenta
49.	Avefria	Abibe-comum
50.	Correlimos gordo	Seixoeira
51.	Combatiente	Combatente
52.	Aguja colinegra	Maçarico-de-bico-direito
53.	Aguja colipinta	Fuselo
54.	Zarapito trinador	Maçarico-galego
55.	Zarapito real	Maçarico-real
56.	Archibebe oscuro	Perna-vermelha-escuro
57.	Archibebe común	Perna-vermelha-comum
58.	Archibebe claro	Perna-verde-comum
59.	Gaviota reidora	Guincho-comum
60.	Gaviota cana	Alcatraz-pardo
61.	Gaviota sombría	Gaivota-d'asa-escura
62.	Gaviota argéntea	Gaivota-argéntea
63.	Gavión	Alcatraz-comum
64.	Paloma zurita	Pombo-bravo
65.	Tórtola turca	Rola-turca
66.	Tórtola común	Rola-comum
67.	Alondra común	Laverca
68.	Mirlo común	Melro-preto
69.	Zorzal real	Tordo-zornal
70.	Zorzal común	Tordo-comum
71.	Zorzal malvís o alirrojo	Tordo-ruivo-comum
72.	Zorzal charlo	Tordeia

	Belgique/ België	Danmark	Deutschland	Ελλάδα	France	Ireland	Italia	Luxembourg	Nederland	United Kingdom
25. <i>Cynus olor</i>			+							
26. <i>Anser brachyrhynchus</i>	+	+				+				+
27. <i>Anser albifrons</i>	+	+	+	+	+	+			+	+
28. <i>Branta bernicla</i>		+	+							
29. <i>Netta rufina</i>					+					
30. <i>Aythya marila</i>	+	+	+	+	+	+			+	+
31. <i>Somateria mollissima</i>		+			+	+				
32. <i>Clangula hyemalis</i>		+			+	+				+
33. <i>Melanitta nigra</i>		+	+		+	+				+
34. <i>Melanitta fusca</i>		+	+		+	+				+
35. <i>Bucephala clangula</i>		+		+	+	+				+
36. <i>Mergus serrator</i>		+				+				
37. <i>Mergus merganser</i>		+				+				
38. <i>Bonasia bonasia</i> (<i>Tetrastes bonasia</i>)					+					
39. <i>Tetrao tetrix</i> (<i>Lyrurus tetrix</i>)	+		+ ♂		+ ♂		+			+
40. <i>Tetrao urogallus</i>			+ ♂		+ ♂		+			+
41. <i>Alectoris barbara</i>							+			
42. <i>Coturnix coturnix</i>				+	+		+			
43. <i>Meleagris gallopavo</i>			+							
44. <i>Rallus aquaticus</i>					+		+			
45. <i>Gallinula chloropus</i>	+			+	+		+			+
46. <i>Haematopus ostralegus</i>		+			+					
47. <i>Pluvialis apricaria</i>	+	+			+	+	+		+	+
48. <i>Pluvialis squatarola</i>		+			+					+
49. <i>Vanellus vanellus</i>	+	+		+	+	+	+			
50. <i>Calidris canutus</i>		+			+					
51. <i>Philomachus pugnax</i>					+		+			
52. <i>Limosa limosa</i>		+			+		+			
53. <i>Limosa lapponica</i>		+			+		+			+
54. <i>Numenius phaeopus</i>		+			+					+
55. <i>Numenius arquata</i>		+			+	+	+			+
56. <i>Tringa erythropus</i>		+			+					
57. <i>Tringa totanus</i>		+			+		+			+
58. <i>Tringa nebularia</i>		+			+					
59. <i>Larus ridibundus</i>		+	+							
60. <i>Larus canus</i>		+	+							
61. <i>Larus fuscus</i>		+	+							

	Belgique/ België	Danmark	Deutschland	Ελλάδα	France	Ireland	Italia	Luxembourg	Nederland	United Kingdom
62. <i>Larus argentatus</i>		+	+							
63. <i>Larus marinus</i>		+	+							
64. <i>Columba oenas</i>				+	+					
65. <i>Streptopelia decaocto</i>		+	+		+					
66. <i>Streptopelia turtur</i>				+	+		+			
67. <i>Alauda arvensis</i>				+	+		+			
68. <i>Turdus merula</i>				+	+		+			
69. <i>Turdus pilaris</i>				+	+		+			
70. <i>Turdus philomelos</i>				+	+		+			
71. <i>Turdus iliacus</i>				+	+		+			
72. <i>Turdus viscivorus</i>				+	+					

	España	Portugal
25.		
26.		
27.		
28.		
29.	+	
30.		
31.		
32.		
33.	+	
34.		
35.		
36.	+	
37.		
38.		
39.		
40.	+ ♂	
41.	+	
42.	+	+
43.		
44.	+	
45.	+	+
46.	+	
47.	+	+
48.	+	
49.	+	
50.	+	

	España	Portugal
51.	+	
52.	+	
53.	+	
54.	+	
55.	+	
56.	+	
57.	+	
58.	+	
59.	+	
60.	+	
61.	+	
62.	+	
63.		
64.	+	+
65.	+	
66.	+	+
67.		
68.	+	+
69.	+	+
70.	+	+
71.	+	+
72.	+	+

- + = Medlemsstater, som i overensstemmelse med artikel 7, stk. 3, kan give tilladelse til jagt på de anførte arter.
- + = Mitgliedstaaten, die nach Artikel 7 Absatz 3 die Bejagung der aufgeführten Arten zulassen können.
- + = Κράτη μέλη που δύνανται να επιτρέψουν, σύμφωνα με το άρθρο 7 παράγραφος 3, τό κυνήγι τών ειδών που ἀριθμούνται.
- + = Member States which under Article 7.(3) may authorize hunting of the species listed.
- + = États membres pouvant autoriser, conformément à l'article 7 paragraphe 3, la chasse des espèces énumérées.
- + = Stati membri che possono autorizzare, conformemente all'articolo 7, paragrafo 3, la caccia delle specie elencate.
- + = Lid-Staten die overeenkomstig artikel 7, lid 3, toestemming mogen geven tot het jagen op de genoemde soorten.
- + = Estados miembros que pueden autorizar, conforme al apartado 3 del artículo 7, la caza de las especies enumeradas.
- + = Estados-membros que podem autorizar, nos termos do nº 3 do artigo 7º, a caça das espécies enumeradas.

BILAG III/1 — ANHANG III/1 — ΠΑΡΑΡΤΗΜΑ III/1 — ANNEX III/1 — ALLEGATO III/1 — BIJLAGE III/1 — ANEXO III/1 — ANEXO III/1

	Dansk	Deutsch	Ελληνικά	English	Français	Italiano	Nederlands
1. <i>Anas platyrhynchos</i>	Gråand	Stockente	Πρασινοκέφαλη	Mallard	Canard colvert	Germano reale	Wilde eend
2. <i>Lagopus lagopus scoticus</i> et <i>hibernicus</i>	Grouse	Schottisches Moorschneehuhn	Χιονόκοτα	Red grouse	Lagopède des saules	Pernice bianca di Scozia	Moerassneeuwhoen
3. <i>Alectoris rufa</i>	Rødhøne	Rothuhn	Κοκκινοπέδρδικα	Red-legged partridge	Perdrix rouge	Pernice rossa	Rode patrijs
4. <i>Alectoris barbara</i>	Berberhøne	Felsenhuhn	Βραχοπέδρδικα	Barbary partridge	Perdrix de Barbarie	Pernice di Sardegna	Barbarijse patrijs
5. <i>Perdix perdix</i>	Agerhøne	Rebhuhn	Πέδρδικα (πεδινί)	Partridge	Perdrix grise	Starna	Patrijs
6. <i>Phasianus colchicus</i>	Fasan	Fasan	Φασσιανός	Pheasant	Faisan de chasse	Fagiano	Fazant
7. <i>Columba palumbus</i>	Ringdue	Ringeltaube	Φόσσα	Wood pigeon	Pigeon ramier	Colombaccio	Houtduif

Español		Português
1. Ánade real o azulón	Pato-real	
2. Lagópedo escandinavo	Lagópode-escocés	
3. Perdiz roja o común	Perdiz-comum	
4. Perdiz moruna	Perdiz-moura	
5. Perdiz pardilla	Perdiz-cinzenta	
6. Faisán vulgar	Faisão	
7. Paloma torcaz	Pombo-torcaz	

BILAG III/2 — ANHANG III/2 — ΠΑΡΑΡΤΗΜΑ III/2 — ANNEXE III/2 — ALLEGATO III/2 — BIJLAGE III/2 — ANEXO III/2 — ANEXO III/2

	Dansk	Deutsch	Ελληνικά	English	Français	Italiano	Nederlands
8. Anser anser	Grågås	Graugans	Στραχτόχρηνα	Greylag goose	Oie cendrée	Oca selvatica	Grauwe gans
9. Anas penelope	Pibeand	Pfeifente	Σφοριχτάρι	Wigeon	Canard siffleur	Fischione	Smient
10. Anas crecca	Krikand	Krickente	Κρικτίρι (σαρσέλα)	Teal	Sarcelle d'hiver	Alzavola	Wintertaling
11. Anas acuta	Spidsand	Spießente	Σουβλόπαπια (ψαλίδα)	Pintail	Canard pilet	Codone	Pijlstaart
12. Aythya ferina	Taffeland	Tafelente	Κυνηγόπαπια (σβουρδούλι)	Pochard	Fuligule milouin	Moriglione	Tafeleend
13. Aythya fuligula	Troldand	Reihente	Τοικνόπαπια	Tufted duck	Fuligule morillon	Moretta	Kuifeend
14. Somateria mollissima	Ederfugl	Eiderente	Πουπουλόπαπια	Eider	Eider à duvet	Edredone	Eidereend
15. Lagopus mutus	Fjeldrype	Alpenschneehuhn	Βουνοχιονόκοτα	Parmigan	Lagopède des Alpes	Pernice bianca	Alpensneeuwhoen
16. Tetrao urogallus	Tjurr	Auerhuhn	Άγριόκουρκος	Capercaillie	Grand tétras	Gallo cedrone	Auerhoen
17. Fulica atra	Blishøne	Bläßhuhn	Φαλαριδα (μπάλιζα)	Coot	Foulque macroule	Folaga	Meerkoet

	Español	Portugués
8.	Ánsar común	Ganso-comum-occidental
9.	Ánade silbón	Piadeira
10.	Cerceta común o de Invierno	Marrequinho-comum
11.	Ánade rabudo	Arrabio
12.	Porrón común	Zarro-comum
13.	Porrón moñudo	Zarro-negrinha
14.	Eider	Eider-edredão
15.	Perdiz nival	Lagópode-branco
16.	Urogallo	Tetraz
17.	Focha común	Galeirão-comum

BILAC III/3 — ANHANG III/3 — ΠΑΡΑΡΤΗΜΑ III/3 — ANNEXE III/3 — ALLEGATO III/3 — BIJLAGE III/3 — ANEXO III/3 — ANEXO III/3

	Dansk	Deutsch	Ελληνικά	English	Français	Italiano	Nederlands
18. <i>Anser albifrons</i>	Blisgås	Bläßgans	Ώσπρομετεπόχρηνα	White-fronted goose	Oie rieuse	Oca lombardella	Kolgans
19. <i>Anas clypeata</i>	Skeand	Löffelente	Χουλιάρας	Shoveler	Canard souchet	Mestolone	Slobeend
20. <i>Aythya marila</i>	Bjergand	Bergente	Μαυρόπαπα (γκρίζοπαπα)	Scaup	Fuligule milouinin	Moretta grigia	Toppereend
21. <i>Melanitta nigra</i>	Sortand	Trauerente	Μαυρόπαπα	Common scoter	Macreuse noire	Orchetto marino	Zwarte zeeëend
22. <i>Tetrao tetrix</i> (<i>Lyrurus tetrix</i>)	Urfugl	Birkhuhn	Λυροπετεινός	Black grouse	Tétras lyre	Fagiano di monte	Korhoen
23. <i>Pluvialis apricaria</i>	Hjeje	Goldregenpfeifer	Βροχοπούλι	Golden plover	Pluvier doré	Piviere dorato	Goudplevier
24. <i>Lymnocyrtus minutus</i>	Enkeltbekkasin	Zwergschnepfe	Κουφομπεκάτσινο	Jack snipe	Bécassine sourde	Frullino	Bokje
25. <i>Gallinago gallinago</i>	Dobbeltbekkasin	Bekassine	Μπεκάτσι	Snipe	Bécassine de marais	Beccaccino	Watersnip
26. <i>Scolopax rusticola</i>	Skovsneppe	Waldschnepfe	Μπεκάτσα	Woodcock	Bécasse des bois	Beccaccia	Houtsnip

	Español	Portugués
18.	Ánsar careto grande	Ganso-grande-de-testa-branca
19.	Pato cuchara	Pato-trombeteiro
20.	Porrón bastardo	Zarro-bastardo
21.	Negrón común	Pato-negro
22.	Gallo lira	Galo-lira
23.	Chorlito o pluvial dorado	Tarambolo-dourada
24.	Agachadiza chica	Narceja-galega
25.	Agachadiza común	Narceja-comum
26.	Chocha perdiz o becada	Galinholá

ANNEX IV

- (a) — Snares, limes, hooks, live birds which are blind or mutilated used as decoys, tape recorders, electrocuting devices.
 - Artificial light sources, mirrors, devices for illuminating targets, sighting devices for night shooting comprising an electronic image magnifier or image converter.
 - Explosives.
 - Nets, traps, poisoned or anaesthetic bait.
 - Semi-automatic or automatic weapons with a magazine capable of holding more than two rounds of ammunition.
- (b) — Aircraft, motor vehicles.
 - Boats driven at a speed exceeding five kilometres per hour. On the open sea, Member States may, for safety reasons, authorize the use of motor-boats with a maximum speed of 18 kilometres per hour. Member States shall inform the Commission of any authorizations granted.

ANNEX V

- (a) National lists of species in danger of extinction or particularly endangered species, taking into account their geographical distribution.
 - (b) Listing and ecological description of areas particularly important to migratory species on their migratory routes and as wintering and nesting grounds.
 - (c) Listing of data on the population levels of migratory species as shown by ringing.
 - (d) Assessing the influence of methods of taking wild birds on population levels.
 - (e) Developing or refining ecological methods for preventing the type of damage caused by birds.
 - (f) Determining the role of certain species as indicators of pollution.
 - (g) Studying the adverse effect of chemical pollution on population levels of bird species.
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COUNCIL DECISION

of 24 June 1982

on the conclusion of the Convention on the conservation of migratory species of wild animals

(82/461/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas a programme of action of the European Communities on the environment was adopted by the Declaration of 22 November 1973 ⁽³⁾, and supplemented by the resolution of 17 May 1977 ⁽⁴⁾; whereas the aim of an environment policy in the Community, as defined in these acts, is to improve the quality of life and to protect the environment;

Whereas the Council has adopted Directive 79/409/EEC on the conservation of wild birds ⁽⁵⁾;

Whereas the Community took part in the negotiations for the conclusion of the Convention on the conservation of migratory species of wild animals;

Whereas conclusion by the Community of the Convention is necessary to allow the Community to negotiate and to conclude the regional agreements provided for by that Convention to the extent that such agreements fall within the exclusive powers vested in the Community by Directive 79/409/EEC;

Whereas the conclusion of the Convention by the Community implies no extension of the exclusive powers

of the Community, without prejudice to any legal acts which the Community may adopt at a later date,

Whereas, in view of the special natural situation of Greenland and of the living conditions of its population, Greenland should be excluded from the scope of the Convention,

HAS DECIDED AS FOLLOWS:

Article 1

The Convention on the conservation of migratory species of wild animals is hereby approved on behalf of the European Economic Community.

The text of the Convention is annexed to this Decision.

Article 2

The President of the Council shall deposit the instrument of accession provided for by Article XVII of the Convention for the territories to which the Treaty establishing the European Economic Community applies, under the conditions laid down in that Treaty, with the exception of Greenland.

Done at Luxembourg, 24 June 1982.

For the Council
The President
F. AERTS

⁽¹⁾ OJ No C 527, 14. 12. 1981, p. 95.

⁽²⁾ OJ No C 300, 18. 11. 1980, p. 15.

⁽³⁾ OJ No C 112, 20. 12. 1973, p. 1.

⁽⁴⁾ OJ No C 139, 13. 6. 1977, p. 1.

⁽⁵⁾ OJ No L 103, 25. 4. 1979, p. 1.

CONVENTION

ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS

THE CONTRACTING PARTIES,

RECOGNIZING that wild animals in their innumerable forms are an irreplaceable part of the earth's natural system which must be conserved for the good of mankind;

AWARE that each generation of man holds the resources of the earth for future generations and has an obligation to ensure that this legacy is conserved and, where utilized, is used wisely;

CONSCIOUS of the ever-growing value of wild animals from environmental, ecological, genetic, scientific, aesthetic, recreational, cultural, educational, social and economic points of view;

CONCERNED particularly with those species of wild animals that migrate across or outside national jurisdictional boundaries;

RECOGNIZING that the States are and must be the protectors of the migratory species of wild animals that live within or pass through their national jurisdictional boundaries;

CONVINCED that conservation and effective management of migratory species of wild animals require the concerted action of all States within the national jurisdictional boundaries of which such species spend any part of their life cycle;

RECALLING Recommendation 32 of the Action Plan adopted by the United Nations Conference on the Human Environment (Stockholm, 1972) and noted with satisfaction by the Twenty-seventh Session of the General Assembly of the United Nations,

HAVE AGREED AS FOLLOWS:

Article I

Interpretation

1. For the purpose of this Convention:

(a) 'migratory species' means the entire population or any geographically separate part of the population of any species or lower taxon of wild animals, a significant proportion of whose members cyclically and predictably cross one or more national jurisdictional boundaries;

(b) 'conservation status of a migratory species' means the sum of the influences acting on the migratory species that may affect its long-term distribution and abundance;

(c) 'conservation status' will be taken as 'favourable' when:

1. population dynamics data indicate that the migratory species is maintaining itself on a long-term basis as a viable component of its ecosystems;
2. the range of the migratory species is neither currently being reduced, nor is likely to be reduced, on a long-term basis;
3. there is, and will be in the foreseeable future, sufficient habitat to maintain the population of the migratory species on a long-term basis; and
4. the distribution and abundance of the migratory species approach historic coverage and levels to the extent that potentially suitable ecosystems exist and to the extent consistent with wise wildlife management;

(d) 'conservation status' will be taken as 'unfavourable' if any of the conditions set out in subparagraph (c) of this paragraph is not met;

(e) 'endangered' in relation to a particular migratory species means that the migratory species is in danger of extinction throughout all or a significant portion of its range;

(f) 'range' means all the areas of land or water that a migratory species inhabits, stays in temporarily, crosses or overflies at any time on its normal migration route;

(g) 'habitat' means any area in the range of a migratory species which contains suitable living conditions for that species;

(h) 'Range State' in relation to a particular migratory species means any State (and where appropriate any other party referred to under subparagraph (k) of this paragraph) that exercises jurisdiction over any part of the range of that migratory species, or a State, flag vessels of which are engaged outside national jurisdictional limits in taking that migratory species;

(i) 'taking' means taking, hunting, fishing, capturing, harassing, deliberate killing, or attempting to engage in any such conduct;

- (j) 'Agreement' means an international agreement relating to the conservation of one or more migratory species as provided for in Articles IV and V of this Convention; and
- (k) 'Party' means a State or any regional economic integration organization constituted by sovereign States which has competence in respect of the negotiation, conclusion and application of international agreements in matters covered by this Convention for which this Convention is in force.

2. In matters within their competence, the regional economic integration organizations which are Parties to this Convention shall in their own name exercise the rights and fulfil the responsibilities which this Convention attributes to their member States. In such cases the member States of these organizations shall not be entitled to exercise such rights individually.

3. Where this Convention provides for a decision to be taken by either a two-thirds majority or a unanimous decision of 'the Parties present and voting' this shall mean 'the Parties present and casting an affirmative or negative vote'. Those abstaining from voting shall not be counted amongst 'the Parties present and voting' in determining the majority.

Article II

Fundamental principles

1. The Parties acknowledge the importance of migratory species being conserved and of Range States agreeing to take action to this end whenever possible and appropriate, paying special attention to migratory species the conservation status of which is unfavourable, and taking individually or in cooperation appropriate and necessary steps to conserve such species and their habitat.

2. The Parties acknowledge the need to take action to avoid any migratory species becoming endangered.

3. In particular, the Parties:

- (a) should promote, cooperate in our support research relating to migratory species;
- (b) shall endeavour to provide immediate protection for migratory species included in Appendix I; and
- (c) shall endeavour to conclude Agreements covering the conservation and management of migratory species included in Appendix II.

Article III

Endangered migratory species: Appendix I

1. Appendix I shall list migratory species which are endangered.

2. A migratory species may be listed in Appendix I provided that reliable evidence, including the best scientific evidence available, indicates that the species is endangered.

3. A migratory species may be removed from Appendix I when the Conference of the Parties determines that:

- (a) reliable evidence, including the best scientific evidence available, indicates that the species is no longer endangered, and
- (b) the species is not likely to become endangered again because of loss of protection due to its removal from Appendix I.

4. Parties that are Range States of a migratory species listed in Appendix I shall endeavour:

- (a) to conserve and, where feasible and appropriate; restore those habitats of the species which are of importance in removing the species from danger of extinction;
- (b) to prevent, remove, compensate for or minimize, as appropriate, the adverse effects of activities or obstacles that seriously impede or prevent the migration of the species; and
- (c) to the extent feasible and appropriate, to prevent, reduce or control factors that are endangering or are likely to further endanger the species, including strictly controlling the introduction of, or controlling or eliminating already introduced, exotic species.

5. Parties that are Range States of a migratory species listed in Appendix I shall prohibit the taking of animals belonging to such species. Exceptions may be made to this prohibition only if:

- (a) the taking is for scientific purposes;
- (b) the taking is for the purpose of enhancing the propagation or survival of the affected species;
- (c) the taking is to accommodate the needs of traditional subsistence users of such species; or
- (d) extraordinary circumstances so require: provided that such exceptions are precise as to content and limited in space and time. Such taking should not operate to the disadvantage of the species.

6. The Conference of the Parties may recommend to the Parties that are Range States of a migratory species listed in Appendix I that they take further measures considered appropriate to benefit the species.

7. The Parties shall as soon as possible inform the Secretariat of any exceptions made pursuant to paragraph 5 of this Article.

Article IV

Migratory species to be the subject of Agreements: Appendix II

1. Appendix II shall list migratory species which have an unfavourable conservation status and which require international agreements for their conservation and management, as well as those which have a conservation status which would significantly benefit from the international cooperation that could be achieved by an international agreement.

2. If the circumstances so warrant, a migratory species may be listed both in Appendix I and Appendix II.

3. Parties that are Range States of migratory species listed in Appendix II shall endeavour to conclude Agreements where these would benefit the species and should give priority to those species in an unfavourable conservation status.

4. Parties are encouraged to take action with a view to concluding agreements for any population or any geographically separate part of the population of any species or lower taxon of wild animals, members of which periodically cross one or more national jurisdictional boundaries.

5. The Secretariat shall be provided with a copy of each Agreement concluded pursuant to the provision of this Article.

Article V

Guidelines for Agreements

1. The object of each Agreement shall be to restore the migratory species concerned to a favourable conservation status or to maintain it in such a status. Each Agreement should deal with those aspects of the conservation and management of the migratory species concerned which serve to achieve that object.

2. Each Agreement should cover the whole of the range of the migratory species concerned and should be open to accession by all Range States of that species, whether or not they are Parties to this Convention.

3. An Agreement should, wherever possible, deal with more than one migratory species.

4. Each Agreement should:

- (a) identify the migratory species covered;
- (b) describe the range and migration route of the migratory species;
- (c) provide for each Party to designate its national authority concerned with the implementation of the Agreement;
- (d) establish, if necessary, appropriate machinery to assist in carrying out the aims of the Agreement, to monitor its effectiveness, and to prepare reports for the Conference of the Parties;
- (e) provide for procedures for the settlement of disputes between Parties to the Agreement; and
- (f) at a minimum, prohibit, in relation to a migratory species of the Order Cetacea, any taking that is not permitted for that migratory species under any other multilateral agreement and provide for accession to the Agreement by States that are not Range States of that migratory species.

5. Where appropriate and feasible, each Agreement should provide for, but not be limited to:

- (a) periodic review of the conservation status of the migratory species concerned and the identification of the factors which may be harmful to that status;
- (b) coordinated conservation and management plans;
- (c) research into the ecology and population dynamics of the migratory species concerned, with special regard to migration;
- (d) the exchange of information on the migratory species concerned, special regard being paid to the exchange of the results of research and of relevant statistics;
- (e) conservation and, where required and feasible, restoration of the habitats of importance in maintaining a favourable conservation status, and protection of such habitats from disturbances, including strict control of the introduction of, or control of already introduced, exotic species detrimental to the migratory species;
- (f) maintenance of a network of suitable habitats appropriately disposed in relation to the migration routes;
- (g) where it appears desirable, the provision of new habitats favourable to the migratory species or reintroduction of the migratory species into favourable habitats;

- (h) elimination of, to the maximum extent possible, or compensation for activities and obstacles which hinder or impede migration;
- (i) prevention, reduction or control of the release into the habitat of the migratory species of substances harmful to that migratory species;
- (j) measures based on sound ecological principles to control and manage the taking of the migratory species;
- (k) procedures for coordinating action to suppress illegal taking;
- (l) exchange of information on substantial threats to the migratory species;
- (m) emergency procedures whereby conservation action would be considerably and rapidly strengthened when the conservation status of the migratory species is seriously affected; and
- (n) making the general public aware of the contents and aims of the Agreement.

Article VI

Range States

1. A list of the Range States of migratory species listed in Appendices I and II shall be kept up to date by the Secretariat using information it has received from the Parties.
2. The Parties shall keep the Secretariat informed as to which of the migratory species listed in Appendices I and II they consider they are Range States; including provision of information on their flag vessels engaged outside national jurisdictional limits in taking the migratory species concerned and where possible future plans in respect of such taking.
3. The Parties which are Range States for migratory species listed in Appendix I or Appendix II should inform the Conference of the Parties through the Secretariat, at least six months prior to each ordinary meeting of the Conference, on measures that they are taking to implement the provisions of this Convention for these species.

Article VII

The Conference of the Parties

1. The Conference of the Parties shall be the decision-making organ of this Convention.

2. The Secretariat shall call a meeting of the Conference of the Parties not later than two years after the entry into force of this Convention.

3. Thereafter the Secretariat shall convene ordinary meetings of the Conference of the Parties at intervals of not more than three years, unless the Conference decides otherwise, and extraordinary meetings at any time on the written request of at least one-third of the Parties.

4. The Conference of the Parties shall establish and keep under review the financial regulations of this Convention. The Conference of the Parties shall, at each of its ordinary meetings, adopt the budget for the next financial period. Each Party shall contribute to this budget according to a scale to be agreed upon by the Conference. Financial regulations, including the provisions on the budget and the scale of contributions as well as their modifications, shall be adopted by unanimous vote of the Parties present and voting.

5. At each of its meetings the Conference of the Parties shall review the implementation of this Convention and may in particular:

- (a) review and assess the conservation status of migratory species;
- (b) review the progress made toward the conservation of migratory species, especially those listed in Appendices I and II;
- (c) make such provision and provide such guidance as may be necessary to enable the Scientific Council and the Secretariat to carry out their duties;
- (d) receive and consider any reports presented by the Scientific Council, the Secretariat, any Party or any standing body established pursuant to an Agreement;
- (e) make recommendations to the Parties for improving the conservation status of migratory species and review the progress being made under Agreements;
- (f) in those cases where an Agreement has not been concluded, make recommendations for the convening of meetings of the Parties that are Range States of a migratory species or group of migratory species to discuss measures to improve the conservation status of the species;
- (g) make recommendations to the Parties for improving the effectiveness of this Convention; and
- (h) decide on any additional measure that should be taken to implement the objects of this Convention.

6. Each meeting of the Conference of the Parties should determine the time and venue of the next meeting.

7. Any meeting of the Conference of the Parties shall determine and adopt rules of procedure for that meeting. Decisions at a meeting of the Conference of the Parties shall require a two-thirds majority of the Parties present and voting, except where otherwise provided for by this Convention.

8. The United Nations, its Specialized Agencies, the International Atomic Energy Agency, as well as any State not a party to this Convention and, for each Agreement, the body designated by the parties to that Agreement may be represented by observers at meetings of the Conference of the Parties.

9. Any agency or body technically qualified in protection, conservation and management of migratory species, in the following categories, which has informed the Secretariat of its desire to be represented at meetings of the Conference of the Parties by observers, shall be admitted unless at least one-third of the Parties present object:

- (a) international agencies or bodies, either governmental or non-governmental, and national governmental agencies and bodies; and
- (b) national non-governmental agencies or bodies which have been approved for this purpose by the State in which they are located.

Once admitted, these observers shall have the right to participate but not to vote.

Article VIII

The Scientific Council

1. At its first meeting, the Conference of the Parties shall establish a Scientific Council to provide advice on scientific matters.

2. Any Party may appoint a qualified expert as a member of the Scientific Council. In addition, the Scientific Council shall include as members qualified experts selected and appointed by the Conference of the Parties; the number of these experts, the criteria for their selection and the terms of their appointments shall be as determined by the Conference of the Parties.

3. The Scientific Council shall meet at the request of the Secretariat as required by the Conference of the Parties.

4. Subject to the approval of the Conference of the Parties, the Scientific Council shall establish its own rules of procedure.

5. The Conference of the Parties shall determine the functions of the Scientific Council, which may include:

- (a) providing scientific advice to the Conference of the Parties, to the Secretariat, and, if approved by the Conference of the Parties, to any body set up under this Convention or an Agreement or to any Party;
- (b) recommending research and the coordination of research on migratory species, evaluating the results of such research in order to ascertain the conservation status of migratory species and reporting to the Conference of the Parties on such status and measures for its improvement;
- (c) making recommendations to the Conference of the Parties as to the migratory species to be included in Appendices I or II, together with an indication of the range of such migratory species;
- (d) making recommendations to the Conference of the Parties as to specific conservation and management measures to be included in Agreements on migratory species; and
- (e) recommending to the Conference of the Parties solutions to problems relating to the scientific aspects of the implementation of this Convention, in particular with regard to the habitats of migratory species.

Article IX

The Secretariat

1. For the purposes of this Convention, a Secretariat shall be established.

2. Upon entry into force of this Convention, the Secretariat is provided by the Executive Director of the United Nations Environment Programme. To the extent and in the manner he considers appropriate, he may be assisted by suitable inter-governmental or non-governmental, international or national agencies and bodies technically qualified in protection, conservation and management of wild animals.

3. If the United Nations Environment Programme is no longer able to provide the Secretariat, the Conference of the Parties shall make alternative arrangements for the Secretariat.

4. The functions of the Secretariat shall be:

- (a) to arrange for and service meetings:
 - (i) of the Conference of the Parties, and
 - (ii) the Scientific Council;

- (b) to maintain liaison with and promote liaison between the Parties, the standing bodies set up under Agreements and other international organizations concerned with migratory species;
- (c) to obtain from any appropriate source reports and other information which will further the objects and implementation of this Convention and to arrange for the appropriate dissemination of such information;
- (d) to invite the attention of the Conference of the Parties to any matter pertaining to the objectives of this Convention;
- (e) to prepare for the Conference of the Parties reports on the work of the Secretariat and on the implementation of this Convention;
- (f) to maintain and publish a list of Range States of all migratory species included in Appendices I and II;
- (g) to promote, under the direction of the Conference of the Parties, the conclusion of Agreements;
- (h) to maintain and make available to the Parties a list of Agreements and, if so required by the Conference of the Parties, to provide any information on such Agreements;
- (i) to maintain and publish a list of the recommendations made by the Conference of the Parties pursuant to subparagraphs (e), (f) and (g) of paragraph 5 of Article VII or of decisions made pursuant to subparagraph (h) of that paragraph;
- (j) to provide for the general public information concerning this Convention and its objectives; and
- (k) to perform any other function entrusted to it under this Convention or by the Conference of the Parties.

Article X

Amendment of the Convention

1. This Convention may be amended at any ordinary or extraordinary meeting of the Conference of the Parties.
2. Proposals for amendment may be made by any Party.
3. The text of any proposed amendment and the reasons for it shall be communicated to the Secretariat at least one hundred and fifty days before the meeting at which it is to be considered and shall promptly be communicated by the Secretariat to all Parties. Any comments on the text by the Parties shall be communicated to the Secretariat not less than sixty days before the meeting begins. The Secretariat shall, immediately after the last day for submission of comments, communicate to the Parties all comments submitted by that day.

4. Amendments shall be adopted by a two-thirds majority of Parties present and voting.

5. An amendment adopted shall enter into force for all Parties which have accepted it on the first day of the third month following the date on which two-thirds of the Parties have deposited an instrument of acceptance with the Depositary. For each Party which deposits an instrument of acceptance after the date on which two-thirds of the Parties have deposited an instrument on acceptance, the amendment shall enter into force for that Party on the first day of the third month following the deposit of its instrument of acceptance.

Article XI

Amendment of the Appendices

1. Appendices I and II may be amended at any ordinary or extraordinary meeting of the Conference of the Parties.
2. Proposals for amendment may be made by any Party.
3. The text of any proposed amendment and the reasons for it, based on the best scientific evidence available, shall be communicated to the Secretariat at least one hundred and fifty days before the meeting and shall promptly be communicated by the Secretariat to all Parties. Any comments on the text by the Parties shall be communicated to the Secretariat not less than sixty days before the meeting begins. The Secretariat shall, immediately after the last day for submission of comments, communicate to the Parties all comments submitted by that day.
4. Amendments shall be adopted by a two-thirds majority of Parties present and voting.
5. An amendment to the Appendices shall enter into force for all Parties ninety days after the meeting of the Conference of the Parties at which it was adopted, except for those Parties which make a reservation in accordance with paragraph 6 of this Article.
6. During the period of ninety days provided for in paragraph 5 of this Article, any Party may by notification in writing to the Depositary make a reservation with respect to the amendment. A reservation to an amendment may be withdrawn by written notification to the Depositary and thereupon the amendment shall enter into force for that Party ninety days after the reservation is withdrawn.

Article XII

Effect on international conventions and other legislation

1. Nothing in this Convention shall prejudice the codification and development of the law of the sea by the United Nations Conference on the Law of the Sea convened pursuant to Resolution 2750 C (XXV) of the General Assembly of the United Nations nor the present or future claims and legal views of any State concerning the law of the sea and the nature and extent of coastal and flag State jurisdiction.
2. The provisions of this Convention shall in no way affect the rights or obligations of any Party deriving from any existing treaty, convention or agreement.
3. The provisions of this Convention shall in no way affect the right of Parties to adopt stricter domestic measures concerning the conservation of migratory species listed in Appendices I and II or to adopt domestic measures concerning the conservation of species not listed in Appendices I and II.

Article XIII

Settlement of disputes

1. Any dispute which may arise between two or more Parties with respect to the interpretation or application of the provisions of this Convention shall be subject to negotiation between the Parties involved in the dispute.
2. If the dispute cannot be resolved in accordance with paragraph 1 of this Article, the Parties may, by mutual consent, submit the dispute to arbitration, in particular that of the Permanent Court of Arbitration at The Hague, and the Parties submitting the dispute shall be bound by the arbitral decision.

Article XIV

Reservations

1. The provisions of this Convention shall not be subject to general reservations. Specific reservations may be entered in accordance with the provisions of this Article and Article XI.
2. Any State or any regional economic integration organization may, on depositing its instrument of ratification, acceptance, approval or accession, enter a specific reservation with regard to the presence on either Appendix I or Appendix II or both, of any migratory species and shall then not be regarded as a Party in regard to the subject of that reservation until ninety days after the Depositary has transmitted to the Parties notification that such reservation has been withdrawn.

Article XV

Signature

This Convention shall be open for signature at Bonn for all States and any regional economic integration organization until the twenty-second day of June, 1980.

Article XVI

Ratification, acceptance, approval

This Convention shall be subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Government of the Federal Republic of Germany, which shall be the Depositary.

Article XVII

Accession

After the twenty-second day of June 1980 this Convention shall be open for accession by all non-signatory States and any regional economic integration organization. Instruments of accession shall be deposited with the Depositary.

Article XVIII

Entry into force

1. This Convention shall enter into force on the first day of the third month following the date of deposit of the fifteenth instrument of ratification, acceptance, approval or accession with the Depositary.
2. For each State or each regional economic integration organization which ratifies, accepts or approves this Convention or accedes thereto after the deposit of the fifteenth instrument of ratification, acceptance, approval or accession, this Convention shall enter into force on the first day of the third month following the deposit by such State or such organization of this instrument of ratification, acceptance, approval or accession.

Article XIX

Denunciation

Any Party may denounce this Convention by written notification to the Depositary at any time. The denunciation shall take effect twelve months after the Depositary has received the notification.

Article XX
Depositary

1. The original of this Convention, in the English, French, German, Russian and Spanish languages, each version being equally authentic, shall be deposited with the Depositary. The Depositary shall transmit certified copies of each of these versions to all States and all regional economic integration organizations that have signed the Convention or deposited instruments of accession to it.

2. The Depositary shall, after consultation with the governments concerned, prepare official versions of the

text of this Convention in the Arabic and Chinese languages.

3. The Depositary shall inform all signatory and acceding States and all signatory and acceding regional economic integration organizations and the Secretariat of signatures, deposit of instruments of ratification, acceptance, approval or accession, entry into force of this Convention, amendments thereto, specific reservations and notifications of denunciation.

4. As soon as this Convention enters into force, a certified copy thereof shall be transmitted by the Depositary to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

IN WITNESS WHEREOF the undersigned, being duly authorized to that effect, have signed this Convention.

DONE at Bonn, 23 June 1979.

APPENDIX I
INTERPRETATION

1. Migratory species included in this Appendix are referred to:
 - (a) by the name of the species or subspecies; or
 - (b) as being all of the migratory species included in a higher taxon or designated part thereof.
2. Other references to taxa higher than species are for the purposes of information or classification only.
3. The abbreviation '(s.l.)' is to be used to denote that the scientific name is used in its extended meaning.
4. The symbol (-) followed by a number placed against the name of a taxon indicates the exclusion from that taxon of designated geographically separate populations as follows:
 - 101 Peruvian populations.
5. The symbol (+) followed by a number placed against the name of a species denotes that only designated geographically separate populations of that species are included in this Appendix, as follows:
 - + 201 Northwest African populations
 - + 202 African populations
 - + 203 Upper Amazon populations.
6. An asterisk (*) placed against the name of a species indicates that the species or a separate population of that species or a higher taxon which includes that species, is included in Appendix II.

MAMMALIA

CHIROPTERA

Molossidae

Tadarida brasiliensis

PRIMATES

Pongidae

Gorilla gorilla beringei

CETACEA

Balaenopteridae

Balaenoptera musculus
Megaptera novaeangliae

Balaenidae

Balaena mysticetus
Eubalaena glacialis (s.l.)

PINNIPEDIA

Phocidae

*Monachus monachus**

PERISSODACTYLA

Equidae

Equus grevyi

ARTIODACTYLA

Camelidae

*Vicugna vicugna** - 101

Cervidae

Cervus elaphus barbarus

Bovidae

Bos sauveli
Addax nasomaculatus
Gazella cuvieri
Gazella dama
Gazella dorcas + 201

AVES

PROCELLARIIFORMES

Diomedidae

Diomedea albatrus

Procellariidae

Pterodroma cahow
Pterodroma phaeopygia

CICONIIFORMES

*Ardeidae**Ciconiidae**Threskiornithidae**Egretta eulophotes**Ciconia boyciana**Geronticus eremita*

ANSERIFORMES

*Anatidae**Chloephaga rubidiceps**

FALCONIFORMES

*Accipitridae**Haliaeetus pelagicus**

GRUIFORMES

*Gruidae**Grus japonensis***Grus leucogeranus***Grus nigricollis***Otididae**Chlamydotis undulata* + 201*

CHARADRIIFORMES

*Scolopacidae**Numenius borealis***Numenius benurostris***Laridae**Larus audouinii**Larus relictus**Larus saundersi**Alcidae**Synthliboramphus antiquus wumizusume*

PASSERIFORMES

*Parulidae**Dendroica kirtlandii**Fringillidae**Serinus syriacus*

REPTILIA

TESTUDINES

*Cheloniidae**Lepidochelys kempii***Dermochelidae**Dermochelys coriacea***Pelomedusidae**Podocnemis expansa* + 203*

CROCODYLIA

*Gavialidae**Gavialis gangeticus*

PISCES

SILURIFORMES

*Schilbeidae**Pangasianodon gigas*

APPENDIX II
INTERPRETATION

1. Migratory species included in this Appendix are referred to:
 - (a) by the name of the species or subspecies; or
 - (b) as being all of the migratory species included in a higher taxon or designated part thereof.
 Unless otherwise indicated, where reference is made to a taxon higher than species, it is understood that all the migratory species within that taxon could significantly benefit from the conclusion of Agreements.
2. The abbreviation 'spp.' following the name of a family or genus is used to denote all migratory species within that family or genus.
3. Other references to taxa higher than species are for purposes of information or classification only.
4. The abbreviation '(s.l.)' is used to denote that the scientific name is used in its extended meaning.
5. The symbol (+) followed by a number placed against the name of a species or higher taxon denotes that only designated geographically separate populations of that taxon are included in this Appendix as follows:
 - + 201 Asian populations.
6. As asterisk (*) placed against the name of a species or higher taxon indicates that the species or a separate population of that species or one or more species included in that higher taxon, are included in Appendix I.

MAMMALIA

CETACEA

Monodontidae

Delphinapterus leucas

PROBOSCIDA

Elephantidae

Loxodonta africana

SIRENIA

Dugongidae

Dugong dugon

PINNIPEDIA

Phocidae

*Monachus monachus**

ARTIODACTYLA

Camelidae

*Vicugna vicugna**

Bovidae

Oryx dammah
Gazella gazella + 201

AVES

PELECANIFORMES

Pelecanidae

Pelecanus crispus

CICONIIFORMES

Ciconiidae

Ciconia ciconia

Threskiornithidae

Ciconia nigra

Phoenicopteridae

Platalea leucorodia

spp.

ANSERIFORMES

Anatidae

spp.*

FALCONIFORMES

<i>Cathartidae</i>	spp.
<i>Pandionidae</i>	<i>Pandion haliaetus</i>
<i>Accipitridae</i>	spp.*
<i>Falconidae</i>	spp.

GALLIFORMES

<i>Phasianidae</i>	<i>Coturnix coturnix coturnix</i>
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GRUIFORMES

<i>Gruidae</i>	<i>Grus</i> spp.* <i>Anthropoides virgo</i>
<i>Otididae</i>	<i>Chlamydotis undulata</i> * + 201

CHARADRIIFORMES

<i>Charadriidae</i>	spp.
<i>Scolopacidae</i>	spp.*
<i>Recurvirostridae</i>	spp.
<i>Phalaropodidae</i>	spp.

PASSERIFORMES

<i>Muscicapidae (s.l.)</i>	spp.
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REPTILIA

TESTUDINES

<i>Cheloniidae</i>	spp.*
<i>Dermochelyidae</i>	spp.*
<i>Pelomedusidae</i>	<i>Podocnemis expansa</i> *

CROCODYLIA

<i>Crocodylidae</i>	<i>Crocodylus porosus</i>
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PISCES

ACIPENSERIFORMES

<i>Acipenseridae</i>	<i>Acipenser fulvescens</i>
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INSECTA

LEPIDOPTERA

<i>Danaidae</i>	<i>Danaus plexippus</i>
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COUNCIL REGULATION (EEC) No 3626/82**of 3 December 1982****on the implementation in the Community of the Convention on international trade in endangered species of wild fauna and flora**

(as amended by Council Regulation (EEC) 3645/83 of 1 November 1983 on implementation in the Community of the Convention on international trade in endangered species of wild fauna and flora (OJ L 367, 28.12.83, p. 1); Commission Regulation (EEC) 2384/85 of 30 July 1985 amending Council Regulation (EEC) 3626/82 (OJ L 231, 29.8.85, p. 1); and Council Regulation (EEC) 2295/86 of 21 July 1986 amending Regulation (EEC) 3626/82 (OJ L 201, 24.7.86, p. 1))

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas a Convention on international trade in endangered species of wild fauna and flora (hereinafter referred to as 'the Convention') was opened for signature on 3 March 1973; whereas the Convention is intended to protect endangered species of wild fauna and flora by regulating international trade in these species and in readily recognizable parts and derivatives thereof;

Whereas the resolution of the Council of the European Communities and the representatives of the Governments of the Member States, meeting within the Council, of 17 May 1977 on the continuation and implementation of a European Community policy and action programme on the environment ⁽⁴⁾ stresses that the protection of wild fauna and flora is a matter which concerns the Community and that implementation of the Convention is an important measure for protecting these species;

Whereas, to attain its objectives, the Convention mainly employs commercial policy instruments by laying down restrictions on and a strict control of international trade in specimens of endangered species of wild fauna and flora;

Whereas, in order to protect endangered species of wild fauna and flora, it is necessary at Community level to ensure that certain commercial policy instruments to be employed under the Convention are uniformly applied; whereas, because of its scope, this Regulation should not affect national powers to adopt protective measures of a different nature;

Whereas the measures relating to the application of the Convention to trade must not affect the free movement of products within the Community and must apply only to trade with third countries;

Whereas the existence of national implementing measures which were not uniform might lead to distortions of competition within the Community;

Whereas the Convention concerns animals and plants, whether alive or dead, and readily recognizable parts and derivatives thereof; whereas, to make the application of the Convention effective, a common list of the most important parts and derivatives must be drawn up and the conditions under which other goods fall within the scope of this Regulation must be laid down;

Whereas the state of conservation of certain species makes desirable the adoption by the Community of stricter conservation measures than those laid down in the Convention;

Whereas in certain cases it may be necessary, in order to permit the most effective conservation possible of wild flora and fauna, for Member States to maintain or take, in compliance with the Treaty, stricter measures than those laid down in this Regulation;

⁽¹⁾ OJ No C 243, 22. 9. 1980, p. 16.

⁽²⁾ OJ No C 327, 14. 12. 1981, p. 105.

⁽³⁾ OJ No C 138, 9. 6. 1981, p. 5.

⁽⁴⁾ OJ No C 139, 13. 6. 1977, p. 1.

Whereas implementation of this Regulation necessitates the introduction of a Community procedure for the issue and presentation of permits for the export, re-export, import and introduction from the sea of specimens of the species covered by the Convention; whereas implementation of this Regulation also involves the designation of management and scientific authorities in the Member States;

Whereas, to ensure that the prohibition of importation is fully effective, rules should be drawn up concerning the conditions of trade in specimens of the species listed in Appendix I to the Convention and in Part I of Annex C to this Regulation;

Whereas certain imported specimens sent to another Member State must undergo a specific check as to their place of destination;

Whereas, in order to simplify the formalities relating to the introduction, into the Community, of the species listed in Appendices II and III to the Convention that are not contained in Annex C to this Regulation, it seemed possible to give Member States the option of applying a simpler procedure than that of import permits;

Whereas, to facilitate customs procedures, there must be provision to permit Member States to designate one or more places of entry and exit where the goods in question must be presented;

Whereas the marks, seals and stamps used to identify goods must conform to standard models in order to facilitate controls;

Whereas the conservation of endangered species still raises problems calling for scientific work; whereas this work will also make it possible to assess the effectiveness of the measures taken; whereas methods must also be developed for monitoring trade in certain parts and derivatives of these species;

Whereas it is essential to ensure the uniform application of this Regulation and to lay down to this end a Community procedure enabling the necessary implementing provisions to be adopted within a suitable period; whereas a committee must be set up to permit close and effective cooperation between the Member States and the Commission in this field;

Whereas the aims of the Convention coincide with some of the Community's environmental objectives as set out in the environmental action programmes; whereas the rules of the Convention should be

applied uniformly throughout the Community; whereas, since the Treaty has not provided the necessary specific powers, recourse must be had to Article 235 thereof,

HAS ADOPTED THIS REGULATION:

Article 1

The Convention, as set out in Annex A, shall apply throughout the Community under the conditions laid down in the following Articles.

The objectives and principles of the Convention shall be respected in the application of this Regulation.

Article 2

The specimens to which this Regulation applies are :

- (a) any animal or plant, whether alive or dead, of the species listed in Appendix I to the Convention, any part or product thereof which is listed in Annex B to this Regulation, as well as any other goods which appear from an accompanying document, the packaging or a mark or label, or from any other circumstances, to be parts or derivatives of animals or plants of these species ;
- (b) any animal or plant, whether alive or dead, of the species listed in Appendices II and III to the Convention, any part or product thereof which is listed in Annex B to this Regulation, as well as any other goods which appear from an accompanying document, the packaging or a mark or label, or from any other circumstances, to be parts or derivatives of animals or plants of these species unless such parts or derivatives are specifically exempted from the provisions of the Convention by means of an indication to that effect in the Interpretation of Appendices II and III to the Convention.

Article 3

1. The specimens of species listed in Part I of Annex C shall be considered as specimens of the species listed in Appendix I to the Convention.

2. The introduction into the Community of specimens of species listed in Part 2 of Annex C shall require an import permit in accordance with Article 10 (1) (b).

Article 4

Amendments to Annexes A, B and C to this Regulation which are required as a consequence of amendments which have been decided on by the parties to the Convention and agreed to by the Community, as well as any additions to Annex B, shall be made in accordance with the procedure prescribed in Article 21 (2) and (3).

Article 5

1. The introduction into the Community of specimens covered by Articles 2 and 3 shall be subject to presentation of an import permit or import certificate provided for in Article 10 at the customs office at which the customs formalities are completed.

2. The export or re-export to destinations outside the Community of the specimens referred to in Article 2 shall be subject to presentation of the document provided for in Article 10 (3) at the customs office at which the customs formalities are completed.

3. Customs offices at which permits have been presented in accordance with paragraphs 1 and 2 shall forward the permits to the management authority of the Member State in which they are situated.

4. By way of derogation from paragraphs 1 and 2, where specimens are brought into the Community and placed under either a customs transit procedure or a temporary storage procedure, presentation to the appropriate customs service of the permits referred to in Article 10 shall not be required, provided that an export document for the specimens is issued by the management authority of the exporting country. In this case Member States may require presentation of the export documentation provided for by the Convention or satisfactory proof of its existence.

Article 6

1. The display to the public for commercial purposes and the sale, keeping for sale, offering for sale or transporting for sale of the specimens referred to in Articles 2 (a) and 3 (1) shall be prohibited, subject to exemptions which may be granted by the Member States for the following reasons, account being taken of the objectives of the Convention and the requirements of Council

Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds⁽¹⁾:

- (a) the specimens entered, in accordance with the Convention and before this Regulation came into force, the territory to which this Regulation applies;
- (b) the specimens of an animal or plant species were bred in captivity or artificially propagated, or are parts of such animals or plants or derived therefrom;
- (c) the specimens are intended for research, teaching, breeding or propagation purposes;
- (d) specimens originating from a Member State were removed from the natural state under legal provisions in force in that Member State or with the approval of the competent authorities of that Member State;
- (e) the specimens entered, in accordance with the Convention and after this Regulation came into force, the territory to which this Regulation applies and are not used for primarily commercial purposes.

2. The prohibitions referred to in paragraph 1 shall also apply to the specimens referred to in Article 2(b) which are not covered by paragraph 1 if they were introduced in violation of Article 5.

3. Having regard in particular to Article VIII of the Convention, the competent authorities of the Member States shall have discretion to sell any specimens they have seized under this Regulation or under national laws, and such specimens may then be treated for all purposes as if they had been brought in legally.

Article 7

Member States shall forward to the Commission the names and addresses of the management and scientific authorities referred to in Article IX of the Convention and, where appropriate, of the other competent authorities referred to in this Regulation. The Commission shall publish this information in the *Official Journal of the European Communities*.

Article 8

The competent authorities of the Member States shall:

- (a) issue the permits and certificates provided for in Article 10 or endorse the import certificates referred to in Article 10 (2);

⁽¹⁾ OJ No L 103, 25. 4. 1979, p. 1.

- (b) authorize the exemptions referred to in Article 6;
- (c) issue the certificates referred to in Article 11 and the label referred to in Article 12;
- (d) return to the management authorities which have issued them the permits which have been sent to them by the customs offices in accordance with Article 5;
- (e) communicate to the Commission all the information required for drawing up the records and reports referred to in Article VIII (6) and (7) of the Convention.

Article 9

1. Without prejudice to Article 15, each Member State shall recognize the decisions of the competent authorities of the other Member States.
2. With the exception of the document referred to in Article 11 (a), permits and certificates referred to in this Regulation issued by a Member State shall be valid throughout the Community.
3. The applications for import permits referred to in Article 10 (1) shall be submitted to the management authority responsible for the place of destination of the specimen.
4. Application for permits for the introduction of specimens from the sea shall be sent to the management authority responsible for the place of introduction of specimens.
5. The applications for the export permits and re-export certificates referred to in Article 10 (3) for the export or re-export of live specimens shall be sent to the management authority of the Member State in whose territory the specimen is located.

Article 10

1. (a) The introduction into the Community from third countries or from the sea of the specimens referred to in Articles 2 (a) and 3 shall be subject to the presentation of an import permit.
- (b) The import permit referred to in Article 3 (2) shall be issued only where :
 - it is clear, or where the applicant presents trustworthy evidence, that the capture or collection of the specimen in the wild will not have a harmful effect on the conservation of species or on the extent of the territory occupied by the populations in question of the species,

- the applicant provides proof by means of documents issued by the competent authorities of the country of origin that the specimen has been obtained in accordance with the legislation on protection of the species in question,
- in the case of the importation of a living animal, the applicant provides evidence that the intended recipient possesses adequate facilities suitable for accommodating the species and suited to its behaviour and that the animal will be properly cared for,
- there are no other requirements relating to conservation of the species which militate against issue.

The permits shall, if need be, contain additional stipulations to ensure compliance with these conditions.

2. The introduction into the Community from third countries or from the sea of specimens of all other species covered by the Regulation shall be subject to presentation either of an import permit or of an import certificate endorsed by the customs services and certifying that the formalities required under the Convention have been fulfilled.

The import permit and import certificate shall be issued on identical forms.

3. Export or re-export from the Community of the specimens referred to in Article 2 shall be subject to the presentation of an export permit or re-export certificate or, in the case of artificially propagated plants, of either of these permits or of the document referred to in Article 11 (b).

Article 11

On receiving an application, together with all the requisite supporting documents from the person concerned, the competent authorities shall issue the following certificates :

- (a) a document stating that a given specimen entered, in accordance with the Convention, the territory to which this Regulation applies, before the Regulation came into force, or that the specimen was acquired before the Convention became applicable to it;
- (b) a document stating that a specimen of an animal species was born and bred in captivity, that a specimen of a plant species was artificially propagated or that a specimen is a part of such an animal or plant or was derived therefrom.

Article 12

By way of derogation from Article 5, presentation to the customs services of the documents referred to in Article 10 shall not as a rule be required in the case of non-commercial loans, donations and exchanges between scientists and scientific institutions registered by a management authority of their State, of herbarium specimens and other preserved, dried or embedded museum specimens, and of live plant material bearing a label the model for which has been determined in accordance with the procedure laid down in Article 21 or a similar label issued or approved by a management authority of a third country.

Article 13

1. Where specimens referred to in Articles 2 (a) and 3 (1) which are required under the terms of the import permit to be kept at a specified address are sent to another Member State after being released for free circulation, the competent authorities of the despatching Member State must be provided with proof that the goods have been delivered to the address specified.

2. Any transportation within the Community of live animals of the species referred to in Articles 2 (a) and 3 (1) from the address specified in the import permit shall be subject to prior authorization from the management authority or management authorities concerned.

3. Where specimens referred to in paragraphs 1 and 2 are placed under the Community transit procedure, the principal shall enter one of the following phrases in the box reserved for the description of the goods on the Community transit declaration form:

- 'Udryddelsestruede arter',
- 'Gefährdete Arten',
- 'Είδη που απειλούνται με εξαφάνιση',
- 'Endangered species',
- 'Espèces menacées d'extinction',
- 'Specie minacciate di estinzione',
- 'Bedreigde soorten',
- 'Especies amenazadas de extinción',
- 'Espécies ameaçadas de extinção'.

Article 14

Derogations from Articles 5 and 10 may be granted by the Member States in respect of specimens which are personal effects or which are intended for household use.

Article 15

1. In respect of the species to which this Regulation applies, Member States may maintain or take stricter measures, providing that they comply with the Treaty, and in particular Article 36 thereof, for one or more of the following purposes:

- (a) improvement of conditions of survival of living specimens in recipient countries;
- (b) the conservation of native species;
- (c) the conservation of a species or a population of a species in the country of origin.

Such measures, which may in no case stem from commercial policy considerations, when adopted by a Member State in accordance with this paragraph, must also apply to trade with third countries.

2. If a Member State intends to have recourse to paragraph 1, it shall immediately inform the Commission of the measures it intends to take.

3. For the purpose of protecting the health and life of animals or plants, Member States may take measures similar to those provided for in the Regulation in respect of species not covered by the Regulation.

Article 16

The places of entry and exit designated, where appropriate, by the Member States in accordance with Article VIII (3) of the Convention shall be notified to the Commission, which shall publish a list of them in the *Official Journal of the European Communities*.

Article 17

1. The Member States and the Commission shall communicate to one another the information necessary for implementing this Regulation.

2. Information supplied in implementation of this Regulation may not be divulged or used for a purpose other than that for which it was requested, unless the supplier has expressly agreed and in so far as the provisions in force in the Member State which has received it do not prohibit such use.

Any information communicated which is covered by an obligation of professional secrecy shall enjoy the protection extended to such information under both the national law of the Member State which has received it and the corresponding provisions applying to the Community authorities.

Information covered by an obligation of professional secrecy may not in particular be communicated to persons other than those working in the Member States or within the Community institutions whose duties require that they have access to it.

Article 18

Member States shall forward to the Commission all necessary information relating to research into the situation regarding endangered species and into methods of controlling trade in parts or products of animals and plants, so that the Commission may, where necessary, take suitable steps to coordinate such research.

In this connection Member States shall take into account the work of any international organizations active in this field.

Article 19

A Committee on the Convention (hereinafter referred to as 'the Committee') is hereby established, consisting of representatives of the Member States and presided over by a representative of the Commission.

Article 20

The Committee shall examine any question relating to the application of this Regulation raised by its chairman either on his own initiative or at the request of the representative of a Member State.

Article 21

1. In accordance with the procedure laid down in paragraphs 2 and 3, the Commission shall:

- (a) determine the design of the documents referred to in Articles 10 and 11, the model of the labels referred to in Article 12 and the marks, seals and stamps referred to in Article VI of the Convention;
- (b) lay down uniform conditions for the issue of

the documents referred to in Articles 10 and 11;

- (c) establish the principles governing the validity and use of the documents referred to in Article 11 (a) and the granting of the derogations referred to in Article 14.

2. The representative of the Commission shall submit to the Committee a draft of the provisions to be adopted. The Committee shall deliver its opinion on the draft within the time limit set by the chairman, having regard to the urgency of the matter concerned. Decisions shall be taken by a majority of 54 votes, the votes of the Member States being weighted as provided in Article 148 (2) of the Treaty. The chairman shall not vote.

3. (a) The Commission shall adopt the provisions envisaged if they are in accordance with the opinion of the Committee.

(b) If the provisions envisaged are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall without delay submit a proposal to the Council with regard to the provisions to be adopted. The Council shall act by a qualified majority.

(c) If, within three months of the proposal being submitted of it, the Council has not acted, the proposed provisions shall be adopted by the Commission.

Article 22

Each Member State shall notify the Commission of the provisions which it adopts for the implementation of this Regulation.

The Commission shall communicate this information to the other Member States.

Article 23

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

Articles 1 to 17 shall apply from 1 January 1984.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 3 December 1982.

For the Council
The President
Ch. CHRISTENSEN

ANNEX A

CONVENTION

on international trade in endangered species of wild fauna and flora

THE CONTRACTING STATES,

RECOGNIZING that wild fauna and flora in their many beautiful and varied forms are an irreplaceable part of the natural systems of the earth which must be protected for this and the generations to come;

CONSCIOUS of the ever-growing value of wild fauna and flora from aesthetic, scientific, cultural, recreational and economic points of view;

RECOGNIZING that peoples and States are and should be the best protectors of their own wild fauna and flora;

RECOGNIZING, in addition, that international cooperation is essential for the protection of certain species of wild fauna and flora against over-exploitation through international trade;

CONVINCED of the urgency of taking appropriate measures to this end,

HAVE AGREED AS FOLLOWS:

*Article I***Definitions**

For the purpose of the present Convention, unless the context otherwise requires:

- (a) 'species' means any species, sub-species, or geographically separate population thereof;
- (b) 'specimen' means:
 - (i) any animal or plant, whether alive or dead;
 - (ii) in the case of an animal: for species included in Appendices I and II, any readily recognizable part or derivative thereof; and for species included in Appendix III, any readily recognizable part or derivative thereof specified in Appendix III in relation to the species, and
 - (iii) in the case of a plant: for species included in Appendix I, any readily recognizable part or derivative thereof; and for species included in Appendices II and III, any readily recognizable part or derivative thereof specified in Appendices II and III in relation to the species;
- (c) 'trade' means export, re-export, import and introduction from the sea;

- (d) 're-export' means export of any specimen that has previously been imported;
- (e) 'introduction from the sea' means transportation into a State of specimens of any species which were taken in the marine environment not under the jurisdiction of any State;
- (f) 'scientific authority' means a national scientific authority designated in accordance with Article IX;
- (g) 'management authority' means a national management authority designated in accordance with Article IX;
- (h) 'party' means a State for which the present Convention has entered into force.

*Article II***Fundamental principles**

1. Appendix I shall include all species threatened with extinction which are or may be affected by trade. Trade in specimens of these species must be subject to particularly strict regulation in order not to endanger further their survival and must only be authorized in exceptional circumstances.

2. Appendix II shall include:

- (a) all species which although not necessarily now threatened with extinction may become so unless trade in specimens of such species is subject to strict regulation in order to avoid utilization incompatible with their survival; and
- (b) other species which must be subject to regulation in order that trade in specimens of certain species referred to in subparagraph (a) of this paragraph may be brought under effective control.

3. Appendix III shall include all species which any party identified as being subject to regulation within its jurisdiction for the purpose of preventing or restricting exploitation, and as needing the cooperation of other parties in the control of trade.

4. The parties shall not allow trade in specimens of species included in Appendices I, II and III except in accordance with the provisions of the present Convention.

Article III

Regulation of trade in specimens of species included in Appendix I

1. All trade in specimens of species included in Appendix I shall be in accordance with the provisions of this Article.

2. The export of any specimen of a species included in Appendix I shall require the prior grant and presentation of an export permit. An export permit shall only be granted when the following conditions have been met:

- (a) a scientific authority of the State of export has advised that such export will not be detrimental to the survival of that species;
- (b) a management authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora;
- (c) a management authority of the State of export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment; and

(d) a management authority of the State of export is satisfied that an import permit has been granted for the specimen.

3. The import of any specimen of a species included in Appendix I shall require the prior grant and presentation of an import permit and either an export permit or a re-export certificate. An import permit shall only be granted when the following conditions have been met:

- (a) a scientific authority of the State of import has advised that the import will be for purposes which are not detrimental to the survival of the species involved;
- (b) a scientific authority of the State of import is satisfied that the proposed recipient of a living specimen is suitably equipped to house and care for it; and
- (c) a management authority of the State of import is satisfied that the specimen is not to be used for primarily commercial purposes.

4. The re-export of any specimen of a species included in Appendix I shall require the prior grant and presentation of a re-export certificate. A re-export certificate shall only be granted when the following conditions have been met:

- (a) a management authority of the State of re-export is satisfied that the specimen was imported into that State in accordance with the provisions of the present Convention;
- (b) a management authority of the State of re-export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment; and
- (c) a management authority of the State of re-export is satisfied that an import permit has been granted for any living specimen.

5. The introduction from the sea of any specimen of a species included in Appendix I shall require the prior grant of a certificate from a management authority of the State of introduction. A certificate shall only be granted when the following conditions have been met:

- (a) a scientific authority of the State of introduction advises that the introduction will not be detrimental to the survival of the species involved;

- (b) a management authority of the State of introduction is satisfied that the proposed recipient of a living specimen is suitably equipped to house and care for it; and
- (c) a management authority of the State of introduction is satisfied that the specimen is not to be used for primarily commercial purposes.

Article IV

Regulation of trade in specimens of species included in Appendix II

1. All trade in specimens of species included in Appendix II shall be in accordance with the provisions of this Article.
2. The export of any specimen of a species included in Appendix II shall require the prior grant and presentation of an export permit. An export permit shall only be granted when the following conditions have been met:
 - (a) a scientific authority of the State of export has advised that such export will not be detrimental to the survival of that species;
 - (b) a management authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora; and
 - (c) a management authority of the State of export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.
3. A scientific authority in each party shall monitor both the export permits granted by that State for specimens of species included in Appendix II and the actual exports of such specimens. Whenever a scientific authority determines that the export of specimens of any such species should be limited in order to maintain that species throughout its range at a level consistent with its role in the ecosystems in which it occurs and well above the level at which that species might become eligible for inclusion in Appendix I, the scientific authority shall advise the appropriate management authority of suitable measures to be taken to limit the grant of export permits for specimens of that species.
4. The import of any specimen of a species included in Appendix II shall require the prior presentation of either an export permit or a re-export certificate.
5. The re-export of any specimen of a species included in Appendix II shall require the prior grant and presentation of a re-export certificate. A re-export certificate shall only be granted when the following conditions have been met:
 - (a) a management authority of the State of re-export is satisfied that the specimen was imported into that State in accordance with the provisions of the present Convention; and
 - (b) a management authority of the State of re-export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.
6. The introduction from the sea of any specimen of a species included in Appendix II shall require the prior grant of a certificate from a management authority of the State of introduction. A certificate shall only be granted when the following conditions have been met:
 - (a) a scientific authority of the State of introduction advises that the introduction will not be detrimental to the survival of the species involved; and
 - (b) a management authority of the State of introduction is satisfied that any living specimen will be so handled as to minimize the risk of injury, damage to health or cruel treatment.
7. Certificates referred to in paragraph 6 of this Article may be granted on the advice of a scientific authority, in consultation with other national scientific authorities or, when appropriate, international scientific authorities, in respect of periods not exceeding one year for total numbers of specimens to be introduced in such period.

Article V

Regulation of trade in specimens of species included in Appendix III

1. All trade in specimens of species included in Appendix III shall be in accordance with the provisions of this Article.

2. The export of any specimen of a species included in Appendix III from any State which has included that species in Appendix III shall require the prior grant and presentation of an export permit. An export permit shall only be granted when the following conditions have been met:

- (a) a management authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora; and
- (b) a management authority of the State of export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.

3. The import of any specimen of a species included in Appendix III shall require, except in circumstances to which paragraph 4 of this Article applies, the prior presentation of a certificate of origin and, where the import is from a State which has included that species in Appendix III, an export permit.

4. In the case of re-export, a certificate granted by the management authority of the State of re-export that the specimen was processed in that State or is being re-exported shall be accepted by the State of import as evidence that the provisions of the present Convention have been complied with in respect of the specimen concerned.

Article VI

Permits and certificates

1. Permits and certificates granted under the provisions of Articles III, IV and V shall be in accordance with the provisions of this Article.

2. An export permit shall contain the information specified in the model set forth in Appendix IV, and may only be used for export within a period of six months from the date on which it was granted.

3. Each permit or certificate shall contain the title of the present Convention, the name and any identifying stamp of the management authority granting it and a control number assigned by the management authority.

4. Any copies of a permit or certificate issued by a management authority shall be clearly marked

as copies only and no such copy may be used in place of the original, except to the extent endorsed thereon.

5. A separate permit or certificate shall be required for each consignment of specimens.

6. A management authority of the State of import of any specimen shall cancel and retain the export permit or re-export certificate and any corresponding import permit presented in respect of the import of that specimen.

7. Where appropriate and feasible a management authority may affix a mark upon any specimen to assist in identifying the specimen. For these purposes 'mark' means any indelible imprint, lead seal or other suitable means of identifying a specimen, designed in such a way as to render its imitation by unauthorized persons as difficult as possible.

Article VII

Exemptions and other special provisions relating to trade

1. The provisions of Articles III, IV and V shall not apply to the transit or transshipment of specimens through or in the territory of a party while the specimens remain in customs control.

2. Where a management authority of the State of export or re-export is satisfied that a specimen was acquired before the provisions of the present Convention applied to that specimen, the provisions of Articles III, IV and V shall not apply to that specimen where the management authority issues a certificate to that effect.

3. The provisions of Articles III, IV and V shall not apply to specimens that are personal or household effects. This exemption shall not apply where:

(a) in the case of specimens of a species included in Appendix I, they were acquired by the owner outside his State of usual residence, and are being imported into that State; or

(b) in the case of specimens of species included in Appendix II:

(i) they were acquired by the owner outside his State of usual residence and in a State where removal from the wild occurred,

- (ii) they are being imported into the owner's State of usual residence, and
- (iii) the State where removal from the wild occurred requires the prior grant of export permits before any export of such specimens,

unless a management authority is satisfied that the specimens were acquired before the provisions of the present Convention applied to such specimens.

4. Specimens of an animal species included in Appendix I bred in captivity for commercial purposes, or of a plant species included in Appendix I artificially propagated for commercial purposes, shall be deemed to be specimens of species included in Appendix II.

5. Where a management authority of the State of export is satisfied that any specimen of an animal species was bred in captivity or any specimen of a plant species was artificially propagated, or is a part of such an animal or plant or was derived therefrom, a certificate by the management authority to that effect shall be accepted in lieu of any of the permits or certificates required under the provisions of Article III, IV or V.

6. The provisions of Articles III, IV and V shall not apply to the non-commercial loan, donation or exchange between scientists or scientific institutions registered by a management authority of their State, of herbarium specimens, other preserved, dried or embedded museum specimens, and live plant material which carry a label issued or approved by a management authority.

7. A management authority of any State may waive the requirements of Articles III, IV and V and allow the movement without permits or certificates of specimens which form part of a travelling zoo, circus, menagerie, plant exhibition or other travelling exhibition provided that:

- (a) the exporter or importer registers full details of such specimens with that management authority;
- (b) the specimens are in either of the categories specified in paragraph 2 or 5 of this Article; and

- (c) the management authority is satisfied that any living specimen will be so transported and cared for as to minimize the risk of injury, damage to health or cruel treatment.

Article VIII

Measures to be taken by the parties

1. The parties shall take appropriate measures to enforce the provisions of the present Convention and to prohibit trade in specimens in violation thereof. These shall include measures:

- (a) to penalize trade in, or possession of, such specimens, or both; and
- (b) to provide for the confiscation or return to the State of export of such specimens.

2. In addition to the measures taken under paragraph 1 of this Article, a party may, when it deems it necessary, provide for any method of internal reimbursement for expenses incurred as a result of the confiscation of a specimen traded in violation of the measures taken in the application of the provisions of the present Convention.

3. As far as possible, the parties shall ensure that specimens shall pass through any formalities required for trade with a minimum of delay. To facilitate such passage, a party may designate ports of exit and ports of entry at which specimens must be presented for clearance. The parties shall ensure further that all living specimens, during any period of transit, holding or shipment, are properly cared for so as to minimize the risk of injury, damage to health or cruel treatment.

4. Where a living specimen is confiscated as a result of measures referred to in paragraph 1 of this Article:

- (a) the specimen shall be entrusted to a management authority of the State of confiscation;
- (b) the management authority shall, after consultation with the State of export, return the specimen to that State at the expense of that State, or to a rescue centre or such other place as the management authority deems appropriate and consistent with the purposes of the present Convention; and
- (c) the management authority may obtain the advice of a scientific authority, or may, whenever it considers it desirable, consult the secre-

ariat in order to facilitate the decision under subparagraph (b) of this paragraph, including the choice of a rescue centre or other place.

5. A rescue centre as referred to in paragraph 4 of this Article means an institution designated by a management authority to look after the welfare of living specimens, particularly those that have been confiscated.

6. Each party shall maintain records of trade in specimens of species included in Appendices I, II and III which shall cover:

- (a) the names and addresses of exporters and importers; and
- (b) the number and type of permits and certificates granted; the States with which such trade occurred; the numbers or quantities and types of specimens, names of species as included in Appendices I, II and III and, where applicable, the size and sex of the specimens in question.

7. Each party shall prepare periodic reports on its implementation of the present Convention and shall transmit to the secretariat:

- (a) an annual report containing a summary of the information specified in paragraph 6 (b) of this Article; and
- (b) a biennial report on legislative, regulatory and administrative measures taken to enforce the provisions of the present Convention.

8. The information referred to in paragraph 7 of this Article shall be available to the public where this is not inconsistent with the law of the party concerned.

Article IX

Management and scientific authorities

1. Each party shall designate for the purpose of the present Convention:

- (a) one or more management authorities competent to grant permits or certificates on behalf of that party; and
- (b) one or more scientific authorities.

2. A State depositing an instrument of ratification, acceptance, approval or accession shall at that time inform the depositary government of the name

and address of the management authority authorized to communicate with other parties and with the secretariat.

3. Any changes in the designations or authorizations under the provisions of this Article shall be communicated by the party concerned to the secretariat for transmission to all other parties.

4. Any management authority referred to in paragraph 2 of this Article shall, if so requested by the secretariat of the management authority of another party, communicate to it impression of stamps, seals or other devices used to authenticate permits or certificates.

Article X

Trade with States not party to the Convention

Where export or re-export is to, or import is from, a State not a party to the present Convention, comparable documentation issued by the competent authorities in that State which substantially conforms with the requirements of the present Convention for permits and certificates may be accepted in lieu thereof by any party.

Article XI

Conference of the parties

1. The secretariat shall call a meeting of the conference of the parties not later than two years after the entry into force of the present Convention.

2. Thereafter the secretariat shall convene regular meetings at least once every two years, unless the conference decides otherwise, and extraordinary meetings at any time on the written request of at least one-third of the parties.

3. At meetings, whether regular or extraordinary, the parties shall review the implementation of the present Convention and may:

- (a) make such provision as may be necessary to enable the secretariat to carry out its duties *and adopt financial provisions*⁽¹⁾;

(1) The text in italics has not yet entered into force nor has it been ratified by the Member States.

- (b) consider and adopt amendments to Appendices I and II in accordance with Article XV;
- (c) review the progress made towards the restoration and conservation of the species included in Appendices I, II and III;
- (d) receive and consider any reports presented by the secretariat or by any party; and
- (e) where appropriate, make recommendations for improving the effectiveness of the present Convention.

4. At each regular meeting, the parties may determine the time and venue of the next regular meeting to be held in accordance with the provisions of paragraph 2 of this Article.

5. At any meeting, the parties may determine and adopt rules of procedure for the meeting.

6. The United Nations, its specialized agencies and the International Atomic Energy Agency, as well as any State not party to the present Convention, may be represented at meetings of the conference by observers, who shall have the right to participate but not to vote.

7. Any body or agency technically qualified in protection, conservation or management of wild fauna and flora, in the following categories, which has informed the secretariat of its desire to be represented at meetings of the conference by observers, shall be admitted unless at least one-third of the parties present object:

- (a) international agencies or bodies, either governmental or non-governmental, and national governmental agencies and bodies; and
- (b) national non-governmental agencies or bodies which have been approved for this purpose by the State in which they are located.

Once admitted, these observers shall have the right to participate but not to vote.

Article XII

The secretariat

1. Upon entry into force of the present Convention, a secretariat shall be provided by the Executive Director of the United Nations Environment Programme. To the extent and in the manner he considers appropriate, he may be assisted by suitable inter-governmental or non-governmental

international or national agencies and bodies technically qualified in protection, conservation and management of wild fauna and flora.

2. The functions of the secretariat shall be:

- (a) to arrange for and service meetings of the parties;
- (b) to perform the functions entrusted to it under the provisions of Articles XV and XVI of the present Convention;
- (c) to undertake scientific and technical studies in accordance with programmes authorized by the conference of the parties as will contribute to the implementation of the present Convention, including studies concerning standards for appropriate preparation and shipment of living specimens and the means of identifying specimens;
- (d) to study the reports of parties and to request from parties such further information with respect thereto as it deems necessary to ensure implementation of the present Convention;
- (e) to invite the attention of the parties to any matter pertaining to the aims of the present Convention;
- (f) to publish periodically and distribute to the parties current editions of Appendices I, II and III together with any information which will facilitate identification of specimens of species included in those Appendices;
- (g) to prepare annual reports to the parties on its work and on the implementation of the present Convention and such other reports as meetings of the parties may request;
- (h) to make recommendations for the implementation of the aims and provisions of the present Convention, including the exchange of information, of a scientific or technical nature;
- (i) to perform any other function as may be entrusted to it by the parties.

Article XIII

International measures

1. When the secretariat in the light of information received is satisfied that any species included in Appendices I or II is being affected adversely by trade in specimens of that species, or that the provisions of the present Convention are not being

effectively implemented, it shall communicate such information to the authorized management authority of the party or parties concerned.

2. When any party receives a communication as indicated in paragraph 1 of this Article, it shall, as soon as possible, inform the secretariat of any relevant facts in so far as its laws permit and, where appropriate, propose remedial action. Where the party considers that an inquiry is desirable, such inquiry may be carried out by one or more persons expressly authorized by the party.

3. The information provided by the party or resulting from any inquiry as specified in paragraph 2 of this Article shall be reviewed by the next conference of the parties which may make whatever recommendations it deems appropriate.

Article XIV

Effect on domestic legislation and international Conventions

1. The provisions of the present Convention shall in no way affect the right of parties to adopt:

- (a) stricter domestic measures regarding the conditions for trade, taking possession or transport of specimens of species included in Appendices I, II and III, or the complete prohibition thereof; or
- (b) domestic measures restricting or prohibiting trade, taking possession, or transport of species not included in Appendices I, II or III.

2. The provisions of the present Convention shall in no way affect the provisions of any domestic measures or the obligations of parties deriving from any treaty, convention, or international agreement relating to other aspects of trade, taking possession, or transport of specimens which is in force or subsequently may enter into force for any party including any measure pertaining to the customs, public health, veterinary or plant quarantine fields.

3. The provisions of the present Convention shall in no way affect the provisions of, or the obligations deriving from, any treaty, convention or international agreement concluded or which may be concluded between States creating a union or regional trade agreement establishing or main-

taining a common external customs control and removing customs control between the parties thereto in so far as they relate to trade among the States members of that union agreement.

4. A State party to the present Convention, which is also a party to any other treaty, convention or international agreement which is in force at the time of the coming into force of the present Convention and under the provisions of which protection is afforded to marine species included in Appendix II, shall be relieved of the obligation imposed on it under the provisions of the present Convention with respect to trade in specimens of species included in Appendix II that are taken by ships registered in that State and in accordance with the provisions of such other treaty, convention or international agreement.

5. Notwithstanding the provisions of Articles III, IV and V, any export of a specimen taken in accordance with paragraph 4 of this Article shall only require a certificate from a management authority of the State of introduction to the effect that the specimen was taken in accordance with the provisions of the other treaty, convention or international agreement in question.

6. Nothing in the present Convention shall prejudice the codification and development of the law of the sea by the United Nations Conference on the Law of the Sea convened pursuant to resolution 2750 C (XXV) of the General Assembly of the United Nations nor the present or future claims and legal views of any State concerning the law of the sea and the nature and extent of coastal and flag State jurisdiction.

Article XV

Amendments to Appendices I and II

1. The following provisions shall apply in relation to amendments to Appendices I and II at meetings of the conference of the parties:

- (a) Any party may propose an amendment to Appendix I or II for consideration at the next meeting. The text of the proposed amendments shall be communicated to the secretariat at least 150 days before the meeting. The secretariat shall consult the other parties and interested bodies on the amendment in accordance with the provisions of paragraph 2 (b) and (c) of this Article and shall communicate the response

to all parties not later than 30 days before the meeting.

- (b) Amendments shall be adopted by a two-thirds majority of parties present and voting. For these purposes 'parties present and voting' means parties present and casting an affirmative or negative vote. Parties abstaining from voting shall not be counted among the two-thirds required for adopting an amendment.
- (c) Amendments adopted at a meeting shall enter into force 90 days after that meeting for all parties except those which make a reservation in accordance with paragraph 3 of this Article.

2. The following provisions shall apply in relation to amendments to Appendices I and II between meetings of the conference of the parties:

- (a) Any party may propose an amendment to Appendix I or II for consideration between meetings by the postal procedures set forth in this paragraph.
- (b) For marine species, the secretariat shall, upon receiving the text of the proposed amendment, immediately communicate it to the parties. It shall also consult inter-governmental bodies having a function in relation to those species especially with a view to obtaining scientific data these bodies may be able to provide and to ensuring coordination with any conservation measures enforced by such bodies. The secretariat shall communicate the views expressed and date provided by these bodies and its own findings and recommendations to the parties as soon as possible.
- (c) For species other than marine species, the secretariat shall, upon receiving the text of the proposed amendment, immediately communicate it to the parties and, as soon as possible thereafter, its own recommendations.
- (d) Any party may, within 60 days of the date on which the secretariat communicated its recommendations to the parties, under subparagraph (b) or (c) of this paragraph, transmit to the secretariat any comments on the proposed amendment together with any relevant scientific data and information.
- (e) The secretariat shall communicate the replies received together with its own recommendations to the parties as soon as possible.

- (f) If no objection to the proposed amendment is received by the secretariat within 30 days of the date the replies and recommendations were communicated under the provisions of subparagraph (e) of this paragraph, the amendment shall enter into force 90 days later for all parties except those which make a reservation in accordance with paragraph 3 of this Article.
- (g) If an objection by any party is received by the secretariat, the proposed amendment shall be submitted to a postal vote in accordance with the provisions of subparagraphs (h), (i) and (j) of this paragraph.
- (h) The secretariat shall notify the parties that notification of objection has been received.
- (i) Unless the secretariat receives the votes for, against or in abstention from at least one-half of the parties within 60 days of the date of notification under subparagraph (h) of this paragraph, the proposed amendment shall be referred to the next meeting of the conference for further consideration.
- (j) Provided that votes are received from one-half of the parties, the amendment shall be adopted by a two-thirds majority of parties casting an affirmative or negative vote.
- (k) The secretariat shall notify all parties of the result of the vote.
- (l) If the proposed amendment is adopted it shall enter into force 90 days after the date of the notification by the secretariat of its acceptance for all parties except those which make a reservation in accordance with paragraph 3 of this Article.

3. During the period of 90 days provided for in paragraph 1 (c) or 2 (l) of this Article, any party may, by notification in writing to the depositary government, make a reservation with respect to the amendment. Until such reservation is withdrawn, the party shall be treated as a State not party to the present Convention with respect to trade in species concerned.

Article XVI

Appendix III and amendments thereto

1. Any party may at any time submit to the secretariat a list of species which it identifies as being subject to regulation within its jurisdiction for the purpose mentioned in Article II (3). Appendix III shall include the names of the parties

submitting the species for inclusion therein, the scientific names of the species so submitted, and any parts or derivatives of the animals or plants concerned that are specified in relation to the species for the purposes of Article I (b).

2. Each list submitted under the provisions of paragraph 1 of this Article shall be communicated to the parties by the secretariat as soon as possible after receiving it. The list shall take effect as part of Appendix III 90 days after the date of such communication. At any time after the communication of such list, any party may by notification in writing to the depositary government enter a reservation with respect to any species or any parts or derivatives, and until such reservation is withdrawn, the State shall be treated as a State not party to the present Convention with respect to trade in the species or part or derivative concerned.

3. A party which has submitted a species for inclusion in Appendix III may withdraw it at any time by notification to the secretariat which shall communicate the withdrawal to all parties. The withdrawal shall take effect 30 days after the date of such communication.

4. Any party submitting a list under the provisions of paragraph 1 of this Article shall submit to the secretariat a copy of all domestic laws and regulations applicable to the protection of such species, together with any interpretations which the party may deem appropriate or the secretariat may request. The party shall, for as long as the species in question is included in Appendix III, submit any amendment of such laws and regulations or any new interpretations as they are adopted.

Article XVII

Amendment to the Convention

1. An extraordinary meeting of the conference of the parties shall be convened by the secretariat on the written request of at least one-third of the parties to consider and adopt amendments to the present Convention. Such amendments shall be adopted by a two-thirds majority of parties present and voting. For these purposes 'parties present and

voting' means parties present and casting an affirmative or negative vote. Parties abstaining from voting shall not be counted among the two-thirds required for adopting an amendment.

2. The text of any proposed amendment shall be communicated by the secretariat to all parties at least 90 days before the meeting.

3. An amendment shall enter into force for the parties which have accepted it 60 days after two-thirds of the parties have deposited an instrument of acceptance of the amendment with the depositary government. Thereafter, the amendment shall enter into force for any other party 60 days after that party deposits its instrument of acceptance of the amendment.

Article XVIII

Resolution of disputes

1. Any dispute which may arise between two or more parties, with respect to the interpretation or application of the provisions of the present Convention, shall be subject to negotiation between the parties involved in the dispute.

2. If the dispute cannot be resolved in accordance with paragraph 1 of this Article, the parties may, by mutual consent, submit the dispute to arbitration, in particular that of the Permanent Court of Arbitration at The Hague and the parties submitting the dispute shall be bound by the arbitral decision.

Article XIX

Signature

The present Convention shall be open for signature at Washington until 30 April 1973 and thereafter at Berne until 31 December 1974.

Article XX

Ratification, acceptance, approval

The present Convention shall be subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Government of the Swiss Confederation which shall be the depositary government.

*Article XXI***Accession**

The present Convention shall be open indefinitely for accession. Instruments of accession shall be deposited with the depositary government.

*Article XXII***Entry into force**

1. The present Convention shall enter into force 90 days after the date of deposit of the 10th instrument of ratification, acceptance, approval or accession, with the depositary government.

2. For each State which ratifies, accepts or approves the present Convention or accedes thereto after the deposit of the 10th instrument of ratification, acceptance, approval or accession, the present Convention shall enter into force 90 days after the deposit by such State of its instrument of ratification, acceptance, approval or accession.

*Article XXIII***Reservations**

1. The provisions of the present Convention shall not be subject to general reservations. Specific reservations may be entered in accordance with the provisions of this Article and Articles XV and XVI.

2. Any State may, on depositing its instrument of ratification, acceptance, approval or accession, enter a specific reservation with regard to:

- (a) any species included in Appendix I, II or III; or
- (b) any parts or derivatives specified in relation to a species concluded in Appendix III.

3. Until a party withdraws its reservation entered under the provisions of this Article, it shall be treated as a State not a party to the present Convention with respect to trade in the particular species or parts or derivatives specified in such reservation.

*Article XXIV***Denunciation**

Any party may denounce the present Convention by written notification to the depositary government at any time. The denunciation shall take effect 12 months after the depositary government has received the notification.

*Article XXV***Depositary**

1. The original of the present Convention, in the Chinese, English, French, Russian and Spanish languages, each version being equally authentic, shall be deposited with the depositary government, which shall transmit certified copies thereof to all States that have signed it or deposited instruments of accession to it.

2. The depositary government shall inform all signatory and acceding States and the secretariat of signatures, deposit of instruments of ratification, acceptance, approval or accession, entry into force of the present Convention, amendments thereto, entry and withdrawal of reservations and notifications of denunciation.

3. As soon as the present Convention enters into force, a certified copy thereof shall be transmitted by the depositary government to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

In witness whereof, the undersigned Plenipotentiaries, being duly authorized to that effect, have signed the present Convention.

Done at Washington this third day of March, one thousand nine hundred and seventy-three.

ANNEX A

Appendices I and II ⁽¹⁾ ⁽²⁾

Interpretation

1. Species included in these appendices are referred to:
 - (a) by the name of the species; or
 - (b) as being all of the species included in a higher taxon or designated part thereof.
2. The abbreviation 'spp.' is used to denote all species of a higher taxon.
3. Other references to taxa higher than species are for the purposes of information or classification only.
4. The abbreviation 'p.e.' is used to denote species which are possibly extinct.
5. An asterisk (*) placed against the name of a species or higher taxon indicates that one or more geographically separate populations, sub-species or species of that species or taxon are included in Appendix I and that those populations, sub-species or species are excluded from Appendix II.
6. Two asterisks (**) placed against the name of a species or higher taxon indicate that one or more geographically separate populations, sub-species or species of that species or taxon are included in Appendix II and that those populations, sub-species or species are excluded from Appendix I.
7. The symbol '—' followed by a number placed against the name of a species or higher taxon denotes that designated geographically separate populations, sub-species, species, groups of species or families of that species or taxon are excluded from the appendix concerned, as follows:
 - 101 Population of West Greenland.
 - 102 Populations of Bhutan, India, Nepal and Pakistan.
 - 103 Population of China.
 - 104 *Panthera tigris altaica* (= *amurensis*).
 - 105 Population of Australia.
 - 106 Populations of Afghanistan, Bhutan, Burma, India, Nepal and Pakistan.
 - 107 *Cathartidae*.
 - 108 Population of the United States of America.
 - 109 *Melopsittacus undulatus*, *Nymphicus hollandicus* and *Psittacula krameri*.
 - 110 Population of Zimbabwe and populations of the following countries subject to the specified annual export quotas:

Cameroon	20	Mozambique	1 000
Congo	1 000	Sudan	5 000
Kenya	150	United Republic	
Madagascar	1 000	of Tanzania	1 000
Malawi	500	Zambia	2 000
 - 111 Populations of Australia and Papua New Guinea and population of Indonesia subject to an annual export quota of 2 000.
 - 112 Population of Chile.
 - 113 Coastal population of Chile.
 - 114 All species which are not succulent.

⁽¹⁾ The entries '(C 1)' and '(C 2)' after the name of a species or a higher taxon show that one or more sub-species of species, of that species or taxon, appear in part 1 or 2 of Annex C to the Regulation.

⁽²⁾ The translation of the Latin names are given as a guide only.

8. The symbol '+' followed by a number placed against the name of a species or higher taxon denotes that only designated geographically separate populations, sub-species or species of that species or taxon are included in the appendix concerned, as follows:

- + 201 Population of South America.
- + 202 Populations of Bhutan, India, Nepal and Pakistan.
- + 203 All North American sub-species and European population, except the USSR.
- + 204 Populations of Cameroon and Nigeria.
- + 205 Population of Asia.
- + 206 Population of India.
- + 207 Population of Australia.
- + 208 Populations of Afghanistan, Bhutan, Burma, India, Nepal and Pakistan.
- + 209 Population of Mexico.
- + 210 Populations of Algeria, Bourkina Faso, Cameroon, the Central African Republic, Chad, Mali, Mauritania, Morocco, Niger, Nigeria, Senegal and Sudan.
- + 211 All New Zealand species.
- + 212 Population of Chile.
- + 213 All species of the family in the Americas.
- + 214 Coastal population of Chile.

9. The symbol '=' followed by a number placed against the name of a species or higher taxon denotes that the name of that species or taxon shall be interpreted as follows:

- = 301 Includes family *Tupaiaidae*.
- = 302 Includes generic synonym *Leontideus*.
- = 303 Includes synonym *Saguinus geoffroyi*.
- = 304 Includes synonym *Cercopithecus roloway*.
- = 305 Includes synonym *Colobus badius kirki*.
- = 306 Includes synonym *Colobus badius rufomitratu*.
- = 307 Includes generic synonym *Simias*.
- = 308 Includes generic synonym *Mandrillus*.
- = 309 Includes generic synonym *Rhinopithecus*.
- = 310 Includes synonyms *Bradypus boliviensis* and *Bradypus griseus*.
- = 311 Includes synonym *Priodontes giganteus*.
- = 312 Includes synonym *Physeter catodon*.
- = 313 Includes synonym *Eschrichtius glaucus*.
- = 314 Includes generic synonym *Eubalaena*.
- = 315 Includes synonym *Dusicyon fulvipes*.
- = 316 Includes generic synonym *Fennecus*.
- = 317 Also referenced as *Ursus thibetanus*.
- = 318 Includes generic synonym *Thalarctos*.
- = 319 Also referenced as *Aonyx microdon* or as *Paraonyx microdon*.
- = 320 Includes synonyms *Lutra annectens*, *Lutra enudris*, *Lutra incarum* and *Lutra platensis*.
- = 321 Includes synonym *Eupleres major*.
- = 322 Also referenced as *Lynx caracal* includes generic synonym *Caracal*.

- = 323 Also referenced as *Lynx rufus escuinapae*.
- = 324 Includes synonyms *Equus kiang* and *Equus onager*.
- = 325 Includes generic synonym *Dama*, includes synonym *dama*.
- = 326 Includes generic synonyms *Axis* and *Hyelaphus*.
- = 327 Includes synonym *Bos frontalis*.
- = 328 Includes synonym *Bos grunniens*.
- = 329 Includes generic synonym *Novibos*.
- = 330 Includes generic synonym *Anoa*.
- = 331 Includes synonym *Oryx tao*.
- = 332 Includes synonym *Ovis aries ophion*.
- = 333 Also referenced as *Anas platyrhynchos laysanensis*.
- = 334 Includes synonym *Cygnus bewickii jankowskii*.
- = 335 Includes synonyms *Falco pelegrioides* and *Falco babylonicus*.
- = 336 Includes generic synonym *Pipile*.
- = 337 Includes generic synonym *Mitu*.
- = 338 Includes generic synonym *Lyrurus*.
- = 339 Also referenced as *Eupodotis bengalensis*.
- = 340 Often traded under the incorrect designation *Ara caninde*.
- = 341 Includes generic synonym *Cyclopsitta*.
- = 342 Formerly included in genus *Gallirex*.
- = 343 Also referenced as *Mimizuku gurneyi*.
- = 344 Formerly included in genus *Ramphodon*.
- = 345 Also referenced as *Muscicapa ruecki*.
- = 346 Formerly included in genus *Spinus*.
- = 347 Includes generic synonyms *Nicoria* and *Geoemyda* (part).
- = 348 Also referenced in genus *Testudo*.
- = 349 Formerly included in *Podocnemis spp.*
- = 350 Includes *Alligatoridae*, *Crocodylidae* and *Gavialidae*.
- = 351 Formerly included in *Chamaeleo spp.*
- = 352 Includes synonym *Pseudoboa cloelia*.
- = 353 Also referenced as *Hydrodynastes gigas*.
- = 354 Formerly included in *Thamnophis elegans*.
- = 355 Includes generic synonym *Megalobatrachus*.
- = 356 *Sensu D'Abbrera*.
- = 357 Formerly included in genus *Mytilus*.
- = 358 Also referenced in genus *Dysnomia*.
- = 359 Includes generic synonym *Proptera*.
- = 360 Also referenced in genus *Carunculina*.
- = 361 Includes generic synonym *Micromya*.
- = 362 Includes generic synonym *Papuina*.
- = 363 Also referenced in genus *Escobaria*.
- = 364 Also referenced in genus *Neolloydia*.
- = 365 Also referenced as *Nopalxochia macdougallii*.

- = 366 Also referenced as *Solisia pectinata*.
 - = 367 Includes sub-families *Apostasioideae* and *Cypripedioideae*.
 - = 368 Also referenced as *Lycaste skinneri* var. *alba*.
 - = 369 Includes synonym *Stangeria paradoxa*.
 - = 370 Includes synonym *Basiloxylon excelsum*.
 - = 371 Includes synonym *Welwitschia mirabilis*.
10. In accordance with paragraph (b) (iii) of Article I of the Convention, 'the symbol †' followed by a number placed against the name of a species or higher taxon included in Appendix II designates parts or derivatives which are specified in relation thereto, for the purposes of the Convention, as follows:
- † 1 Designates all parts and derivatives, except:
 - (a) seeds, spores and pollen (including pollinia); and
 - (b) tissue cultures and flasks seedling cultures.
 - † 2 Designates roots and readily recognizable parts thereof.
 - † 3 Designates all parts and derivatives, except:
 - (a) seeds, spores and pollen (including pollinia);
 - (b) tissue cultures and flasks seedling cultures;
 - (c) fruits and parts and derivatives thereof of naturalized or artificially propagated plants; and
 - (d) separate stem joints (pads) and parts and derivatives thereof of naturalized or artificially propagated *Opuntia* spp. sub-genus *Opuntia*.
 - † 4 Designates all parts and derivatives, except:
 - (a) seeds, spores and pollen (including pollinia);
 - (b) tissue cultures and flasks seedling cultures; and
 - (c) fruits and parts and derivatives thereof of naturalized or artificially propagated plants.
 - † 5 Designates all parts and derivatives, except:
 - (a) spores and pollen (including pollinia); and
 - (b) tissue cultures and flasks seedling cultures.
 - † 6 Designates all parts and derivatives, except:
 - (a) seeds, spores and pollen (including pollinia);
 - (b) tissue cultures and flasks seedling cultures; and
 - (c) separate leaves and parts and derivatives thereof of naturalized or artificially propagated *Aloe vera*.
 - † 7 Designates all parts and derivatives, except:
 - (a) seeds, spores and pollen (including pollinia);
 - (b) tissue cultures and flasks seedling cultures;
 - (c) cut flowers of artificially propagated plants, and
 - (d) fruits and parts and derivatives thereof of artificially propagated *Vanilla* spp.

	Appendix I	Appendix II
	FAUNA ANIMALS	
	MAMMALIA MAMMALS	
MONOTREMATA		
Monotremes		
<i>Tachyglossidae</i>		
Echidnas or spiny ant-eaters		<i>Zaglossus</i> spp. (C 2) All long-nosed echidnas (New Guinea echidnas), including egg-laying ant-eaters or long-snouted echidnas
MARSUPIALIA		
Marsupials		
<i>Dasyuridae</i>		
Marsupial mice	<i>Sminthopsis longicaudata</i> Long-tailed dunnart or long-tailed marsupial-mouse or long-tailed sminthopsis	
	<i>Sminthopsis psammophila</i> Sandhill dunnart or sandhill sminthopsis or large desert marsupial-mouse	
<i>Thylacinidae</i>		
Thylacines	<i>Thylacinus cynocephalus</i> p.e. Tasmanian wolf or Thylacine or Tasmanian tiger	
<i>Peramelidae</i>		
Bandicoots	<i>Chaeropus ecaudatus</i> p.e. Pig-footed bandicoot	
	<i>Perameles bougainville</i> (Western) barred bandicoot or (little) marl	
<i>Thylacomyidae</i>		
	<i>Macrotis lagotis</i> Rabbit bandicoot or bilby or dalgite or rabbit-eared bandicoot	
	<i>Macrotis leucura</i> White-tailed rabbit bandicoot or lesser rabbit (-eared) bandicoot or yallara or lesser bilby	
<i>Phalangeridae</i>		
Phalangers and cuscuses		<i>Phalanger maculatus</i> Spotted cuscus or spotted phalanger
		<i>Phalanger orientalis</i> Grey cuscus
<i>Burramyidae</i>		
Pygmy possums		<i>Burramys parvus</i> Mountain pygmy possum or burramys or Broom's pigmy possum
<i>Vombatidae</i>		
Wombats	<i>Lasiorbhinus krefftii</i> Queensland hairy-nosed wombat	
<i>Macropodidae</i>		
Wallabies and kangaroos	<i>Bettongia</i> spp. All rat-kangaroos or bettongs	
	<i>Caloprymnus campestris</i> p.e. Desert rat-kangaroo or plains rat-kangaroo or bluff-nosed rat-kangaroo	
		<i>Dendrolagus bennettianus</i> (C 2) Bennett's tree kangaroo or dusty tree kangaroo or tcharibbeena
		<i>Dendrolagus inustus</i> (C 2) Grizzled grey tree kangaroo
		<i>Dendrolagus lumholtzi</i> (C 2) Lumholtz's tree kangaroo or boongary
		<i>Dendrolagus ursinus</i> (C 2) Black tree kangaroo
	<i>Lagorchestes hirsutus</i> Western hare-wallaby or wurrup or ormala	
	<i>Lagostrophus fasciatus</i> Banded hare-wallaby or munning	
	<i>Onychogalea fraenata</i> Bridle nail-tailed wallaby or merrin or bridled wallaby	
	<i>Onychogalea lunata</i> Crescent nail-tailed wallaby or wurrung	

	Appendix I	Appendix II
INSECTIVORA		
Insectivores		
<i>Erinaceidae</i>		<i>Erinaceus frontalis</i>
Hedgehogs and gymnures		Cape hedgehog or southern African hedgehog
PRIMATES		PRIMATES spp. (*) (C 2)
Primates		All primates
<i>Lemuridae</i>	<i>Lepilemur spp.</i>	
Lemurs	All lemurs	
<i>Cheirogaleidae</i>	<i>Cheirogaleus spp.</i>	
	All dwarf and mouse lemurs	
<i>Indriidae</i>	<i>Indriidae spp.</i>	
Indris, sifakas and avahis	All indris, sifakas and avahis	
<i>Daubentonidae</i>	<i>Daubentonia madagascariensis</i>	
Aye-ayes	Aye-aye	
<i>Callitricidae</i>	<i>Callithrix jacchus aurita</i>	
Tamarins and marmosets	White-eared marmoset	
	<i>Callithrix jacchus flaviceps</i>	
	Buff-headed marmoset	
	<i>Leontopithecus spp.</i> = 302	
	Golden (lion) tamarins or golden marmosets or maned tamarins	
	<i>Saguinus bicolor</i>	
	Pied or bare-faced tamarin	
	<i>Saguinus leucopus</i>	
	White-footed tamarin	
	<i>Saguinus oedipus</i> = 303	
	Cotton-headed tamarin or cotton-top marmoset or pinche marmoset or Liszt monkey or cotton-top tamarin (Geoffroy tamarin included)	
<i>Callimiconidae</i>	<i>Callimico goeldii</i>	
	Goeldi's marmoset or Goeldi's tamarin	
<i>Cebidae</i>	<i>Alouatta palliata</i>	
New world monkeys	Mantled howler and Guatemalan howler	
	<i>Ateles geoffroyi frontatus</i>	
	Black-browed spider monkey	
	<i>Ateles geoffroyi panamensis</i>	
	Red (bellied) spider monkey or Panama spider monkey	
	<i>Brachyteles arachnoides</i>	
	Woolly spider monkey	
	<i>Cacajao spp.</i>	
	All uakaris	
	<i>Chiropotes albinasus</i>	
	White-nosed saki	
	<i>Lagothrix flavicauda</i>	
	<i>Saimiri oerstedii</i>	
	Red-backed squirrel monkey or Central American squirrel monkey	
<i>Cercopithecidae</i>	<i>Cercocebus galeritus galeritus</i>	
Old world monkeys	Tana river mangabey (monkey)	
	<i>Cercopithecus diana</i> = 304	
	Diana monkey (Roloway monkey included)	
	<i>Colobus pennanti kirki</i> = 305	
	Kirk's or Zanzibar red colobus	
	<i>Colobus rufomitratu</i> = 306	
	Tana river red colobus	
	<i>Macaca silenus</i>	
	Lion-tailed macaque or wanderoo	
	<i>Nasalis spp.</i> = 307	
	Proboscis monkey	
	<i>Papio leucophaeus</i> = 308	
	Drill	
	<i>Papio sphinx</i> = 308	
	Mandrill	

	Appendix I	Appendix II
	<i>Presbytis entellus</i> Entellus, true, hanuman or common langur	
	<i>Presbytis geei</i> Golden langur	
	<i>Presbytis pileata</i> Capped langur or capped monkey or bonneted langur	
	<i>Presbytis potenziani</i> Mentawai leaf monkey or long-tailed langur	
	<i>Pygathrix spp.</i> = 309 Douc langur	
<i>Hylobatidae</i> Gibbons	<i>Hylobatidae spp.</i> All gibbons	
<i>Pongidae</i> Great apes	<i>Pongidae spp.</i> All great apes (gorilla, orang-utan and chimpanzees)	
EDENTATA Édentatés		
<i>Myrmecophagidae</i> Ant-eaters		<i>Myrmecophaga tridactyla</i> (C 1) Giant ant-eater
		<i>Tamandua tetradactyla chapadensis</i> (C 1) Mato grosso tamandua or Mato grosso collared ant-eater
<i>Bradypodidae</i> Sloths		<i>Bradypus variegatus</i> = 310 Bolivian three-toed sloth
<i>Dasypodidae</i> Armadillos	<i>Priodontes maximus</i> = 311 Giant armadillo	
PHOLIDOTA Pangolins or scaly ant-eaters		
<i>Manidae</i> Pangolins		<i>Manis crassicaudata</i> (C 1) Indian pangolin
		<i>Manis javanica</i> (C 1) Malayan pangolin
		<i>Manis pentadactyla</i> (C 1) Chinese pangolin
	<i>Manis temmincki</i> South African or Cape pangolin or scaly ant-eater	
LAGOMORPHA Lagomorphs (double-toothed rodents)		
<i>Leporidae</i> Rabbits and hares	<i>Caprolagus hispidus</i> Assam rabbit or hispid hare	<i>Nesolagus netscheri</i> Sumatra (short-eared) rabbit
	<i>Romerolagus diazi</i> Volcano rabbit	
RODENTIA Rodents		
<i>Sciuridae</i> Squirrels and marmots	<i>Cynomys mexicanus</i> Mexican prairie dog or Mexican prairie marmot	<i>Lariscus hosei</i> Four-striped ground squirrel
		<i>Ratusfa spp.</i> (C 1) All giant squirrels
<i>Heteromyidae</i> Pocket mice and kangaroo mice		<i>Dipodomys phillipsii phillipsii</i> Phillips' kangaroo rat
<i>Muridae</i> Rats and mice	<i>Leporillus conditor</i> Stick-nest rat or house-building rat	<i>Notomys spp.</i> All Australian hopping mice
	<i>Pseudomys fumeus</i> Smokey (false) mouse	
	<i>Pseudomys praeconis</i> Shark Bay (false) mouse	

	Appendix I	Appendix II
		<i>Pseudomys shortridgei</i> Shortridge's (false) mouse or blunt-faced rat or Shortridge's native mouse
	<i>Xeromys myoides</i> False water-rat	
	<i>Zyzomys pedunculatus</i> Central thick-tailed rat or Macdonnell Range rock-rat	
<i>Chinchillidae</i> Chinchillas	<i>Chinchilla</i> spp. + 201 All chinchillas	
CETACEA Cetaceans (whales, dolphins and porpoises)		CETACEA spp. (*) (C 1) All whales, dolphins and porpoises
<i>Platanistidae</i> River dolphins	<i>Lipotes vexillifer</i> White flag dolphin or white fin dolphin or Chinese river dolphin or Baiji or Chinese lake dolphin	
	<i>Platanista</i> spp. Susus or Ganges and Indus river dolphins	
<i>Ziphiidae</i>	<i>Berardius</i> spp. <i>Hyperoodon</i> spp.	
<i>Physeteridae</i>	<i>Physeter macrocephalus</i> = 312 Sperm whale or spermacet whale or cachalot or pot whale	
<i>Delphinidae</i> Dolphins	<i>Sotalia</i> spp. All South American river dolphins	
	<i>Sousa</i> spp. All humpbacked dolphins	
<i>Phocoenidae</i>	<i>Neophocaena phocaenoides</i> (Indian) finless porpoise or finless black porpoise or black finless porpoise	
	<i>Phocoena sinus</i> Cochito or vagueta or Gulf of California harbour porpoise	
<i>Eschrichtiidae</i> Grey whales	<i>Eschrichtius robustus</i> (= glaucus) Grey whale or gray whale or California gray or devil fish or hard head or mussel digger or gray back or rip sack	
<i>Balaenopteridae</i> Rorquals	<i>Balaenoptera acutorostrata</i> (**) — 101 (†) <i>Balaenoptera borealis</i> Sei whale or Rudophi's rorqual or pollack whale or coalfish whale	
	<i>Balaenoptera edeni</i> Bryde's whale	
	<i>Balaenoptera musculus</i> Blue whale or Sibbald's rorqual or sulphur bottom	
	<i>Balaenoptera physalus</i> (True) fin whale or (common) finback or common rorqual or finner or herring whale or razorback or fin-backed whale	
	<i>Megaptera novaeangliae</i> Humpback (whale) or humpbacked whale or hump whale or bunch or hunchbacked whale	
<i>Balaenidae</i> Right whales	<i>Balaena</i> spp. = 313 Right whale	
	<i>Caperea marginata</i> (†)	
CARNIVORA Carnivores		
<i>Canidae</i> Dogs, wolves and foxes	<i>Canis lupus</i> (**) + 202 Grey wolf or wolf or gray wolf or common wolf or timber wolf	<i>Canis lupus</i> (*) — 102 Grey wolf (C 2)
		<i>Chrysocyon brachyurus</i> Maned wolf (C 2)
		<i>Cuon alpinus</i> Asiatic wild dog or dhole or Indian wild dog
		<i>Dusicyon culpaeus</i> Colpeo fox or colpeo or red fox

(†) Enters into force on 1 January 1986.

	Appendix I	Appendix II
		<i>Dusicyon griseus</i> = 315 Chico grey fox or chilla or Argentine grey fox or little fox
	<i>Speothos venaticus</i> Bush dog or savannah dog	<i>Vulpes cana</i> Dog fox, corsac or steppe fox or Afghan fox or Blandford's fox <i>Vulpes zerda</i> = 316 Fennec fox
<i>Ursidae</i> Bears	<i>Ailuropoda melanoleuca</i> Giant panda <i>Selenarctos thibetanus</i> = 317 Asiatic black bear or Himalayan (black) bear <i>Tremarctos ornatus</i> Spectacled bear or Andean bear	<i>Ursus arctos</i> (*) + 203 Brown bear or grizzly bear
	<i>Ursus arctos isabellinus</i> Himalayan brown bear or red bear <i>Ursus arctos nelsoni</i> Mexican (grizzly) bear <i>Ursus arctos pruinosis</i> Tibet(an) brown bear	<i>Ursus maritimus</i> = 318 (C 2) Polar bear <i>Ailurus fulgens</i> (C 2) Lesser panda or red panda or red cat-bear
<i>Procyonidae</i> Raccoons		
<i>Mustelidae</i> Weasels, badgers, skunks and others	<i>Aonyx congica</i> (**) + 204 = 319 Cameroon clawless otter or small-toothed clawless otter or small-clawed otter	<i>Conepatus humboldtii</i> Patagonian skunk
	<i>Enhydra lutris nereis</i> Southern sea otter or Californian sea otter <i>Lutra felina</i> Marine otter or chungungo or sea cat or chingungo <i>Lutra longicaudis</i> = 320 Long-tailed otter (La Plata otter or South American otter or lobito de rio and Central American otter included) <i>Lutra lutra</i> Eurasian or European (river) otter or Old World otter or common otter <i>Lutra provocax</i> Southern river otter or luillin	<i>Lutrinae spp.</i> (*) All otters
	<i>Mustela nigripes</i> Black-footed ferret <i>Pteronura brasiliensis</i> Giant otter or Brazilian otter	
<i>Viverridae</i> Genets, civets and mongooses		<i>Cryptoprocta ferox</i> Fossa (cat) <i>Cynogale bennettii</i> (C 1) Otter civet <i>Eupleres goudotii</i> = 321 (C 1) Fanalouc or fanalouc (mongoose) or Malagasy mongoose or small-toothed mongoose or slender fanalouc <i>Fossa fossa</i> (C 1) Malagasy civet or fanaloka (civet) <i>Hemigalus derbyanus</i> Banded palm civet or Hardwick's civet banded musang <i>Prionodon linsang</i> (C 1) (Banded) linsang
<i>Hyaenidae</i> Hyaenas	<i>Prionodon pardicolor</i> Spotted linsang or tiger-civet <i>Hyaena brunnea</i> Brown hyaena	

	Appendix I	Appendix II
<p><i>Felidae</i> Cats or felines</p>	<p><i>Acinonyx jubatus</i> Cheetah or hunting leopard</p> <p><i>Felis bengalensis bengalensis</i> — 103 Leopard cat (sub-species)</p> <p><i>Felis caracal</i> (**) + 205 = 322 Caracal (lynx) or desert lynx</p> <p><i>Felis concolor coryi</i> Florida puma or Florida cougar or Florida panther</p> <p><i>Felis concolor costaricensis</i> Costa Rican puma or Central American puma</p> <p><i>Felis concolor cougar</i> Eastern puma or Eastern cougar or Eastern panther</p> <p><i>Felis jacobita</i> Andean or mountain cat</p> <p><i>Felis marmorata</i> Marbled cat</p> <p><i>Felis nigripes</i> Black-footed cat</p> <p><i>Felis pardalis mearnsi</i> Costa Rican ocelot</p> <p><i>Felis pardalis mitis</i> Brazilian ocelot</p> <p><i>Felis planiceps</i> Flat-headed cat</p> <p><i>Felis rubiginosa</i> (**) + 206 Rusty-spotted cat</p> <p><i>Felis rufa escuinapae</i> = 323 Mexican bobcat</p> <p><i>Felis temmincki</i> Asiatic golden cat or Temminck's (golden) cat</p> <p><i>Felis tigrina oncilla</i> Little spotted cat or tiger cat (sub-species)</p> <p><i>Felis wiedii nicaraguae</i> Nicaraguan margay</p> <p><i>Felis wiedii salvinia</i> Guatemalan margay</p> <p><i>Felis yagouaroundi cacomitli</i> Jaguarundi of Eastern Mexico</p> <p><i>Felis yagouaroundi fossata</i> Jaguarundi of Southern Mexico</p> <p><i>Felis yagouaroundi panamensis</i> Panama jaguarundi</p>	<p><i>Felidae</i> spp. (*) [C 2: <i>Felis bengalensis</i> (*) All cats</p> <p><i>Felis concolor</i> (*)</p> <p><i>Felis geoffroi</i></p> <p><i>Felis pajeros</i></p> <p><i>Felis pardalis</i> (*)</p> <p><i>Felis serval</i></p> <p><i>Felis tigrina</i> (*)</p> <p><i>Felis wiedii</i> (*)</p> <p><i>Felis yagouaroundi</i> (*)</p> <p><i>Lynx lynx</i></p> <p><i>Lynx pardinus</i></p> <p><i>Felis sylvestris</i>]</p>

	Appendix I	Appendix II
	<i>Felis yagouaroundi tolteca</i> Jaguarundi of Western Mexico <i>Neofelis nebulosa</i> Clouded leopard <i>Panthera leo persica</i> Asiatic lion or Indian lion <i>Panthera onca</i> Jaguar <i>Panthera pardus</i> Leopard <i>Panthera tigris</i> (**) — 104 Tiger (except Siberian tiger) <i>Panthera uncia</i> Snow leopard	
PINNIPEDIA Seals and walruses		
<i>Otariidae</i> Eared seals		<i>Arctocephalus</i> spp. (*) All (Southern) fur seals
	<i>Arctocephalus townsendi</i> Guadalupe fur seal or Lower Californian fur seal	
<i>Phocidae</i> True seals		<i>Mirounga</i> spp. Elephant seals (C 1)
	<i>Monachus</i> spp. All monk seals	
TUBULIDENTATA Aardvarks or ant bears		
<i>Orycteropodidae</i> Aardvarks		<i>Orycteropus afer</i> Aardvark or ant bear
PROBOSCIDEA Proboscideans		
<i>Elephantidae</i> Elephants	<i>Elephas maximus</i> Asian elephant or Indian elephant	<i>Loxodonta africana</i> African elephant (C 2)
SIRENIA Sea cows		
<i>Dugongidae</i> Dugongs	<i>Dugong dugon</i> (**) — 105 Dugong or sea cow	<i>Dugong dugon</i> (*) + 207 Dugong or sea cow (C 1)
<i>Trichechidae</i> Manatees	<i>Trichechus inunguis</i> Amazonian or South American manatee <i>Trichechus manatus</i> West Indian or North American or Caribbean manatee	<i>Trichechus senegalensis</i> West African manatee (C 1)
PERISSODACTYLA Odd-toed ungulates		
<i>Equidae</i> Horses	<i>Equus africanus</i> <i>Equus grevyi</i> Grevy's zebra	<i>Equus hemionus</i> (*) = 324 Asiatic wild ass or Asian wild ass (C 1)
	<i>Equus hemionus hemionus</i> Mongolian wild ass or Oziggetai or kulan <i>Equus hemionus khur</i> Indian wild ass or khar or ghor-khar <i>Equus przewalskii</i> Przewalski's horse or Mongolian wild horse	

	Appendix I	Appendix II
		<i>Equus zebra bartmannae</i> (C 1) Hartmann's mountain zebra
<i>Tapiridae</i> Tapirs	<i>Equus zebra zebra</i> Cape mountain zebra <i>Tapiridae</i> spp. (**) Tapirs	<i>Tapirus terrestris</i> (C 1) South American or Brazilian tapir
<i>Rhinocerotidae</i> Rhinoceroses	<i>Rhinocerotidae</i> spp. All rhinoceroses or rhinos	
ARTIODACTYLA Even-toed ungulates		
<i>Suidae</i> Old World pigs or swine	<i>Babyrousa babyrussa</i> Babirusa or deer hog or babiroussa <i>Sus salvanius</i> Pygmy hog	
<i>Hippopotamidae</i> Hippopotamuses		<i>Choeropsis liberiensis</i> (C 2) Pygmy hippopotamus
<i>Camelidae</i> Camels and llamas		<i>Lama guanicoe</i> Guanaco
<i>Cervidae</i> True deer	<i>Vicugna vicugna</i> Vicugna or vicugna <i>Blastocerus dichotomus</i> Marsh deer or guascu pucu <i>Cervus dama mesopotamicus</i> = 325 Persian fallow deer or Mesopotamian fallow deer <i>Cervus duvauceli</i> Swamp deer or barasingha <i>Cervus elaphus hanglu</i> Kashmir stag or hanglu or Kashmir deer <i>Cervus eldi</i> Brow-antlered deer or Eld's deer or thamin <i>Cervus porcinus annamiticus</i> = 326 Ganges or Thai hog deer <i>Cervus porcinus calamianensis</i> = 326 Calamian (hog) deer or Philippine deer <i>Cervus porcinus kuhli</i> = 326 Kuhl's (hog) deer or Bawean (hog) deer <i>Hippocamelus</i> spp. Andean, Chilean or Peruvian huemal or taruca or Chilean or Peruvian guemal or Andean huemul or Chilean or Peruvian huemul <i>Moschus</i> spp. (**) + 208 Musk deer <i>Muntiacus crinifrons</i> Black muntjac <i>Ozotoceros bezoarticus</i> Pampas deer <i>Pudu pudu</i> Chilean pudu	<i>Cervus elaphus bactrianus</i> Bactrian (red) deer or Bokharan deer of Bactrian wapiti <i>Moschus</i> spp. (**) - 106 Musk deer <i>Pudu mephistophiles</i> (C 2) Northern pudu
<i>Bovidae</i> Cattle, sheep, goats, antelopes, etc.	<i>Addax nasomaculatus</i> Addax	<i>Ammotragus lervia</i> <i>Antilocapra americana mexicana</i> (C 1) Mexican pronghorn

	Appendix I	Appendix II
	<p><i>Antilocapra americana peninsularis</i> Lower California pronghorn or peninsular pronghorn</p> <p><i>Antilocapra americana sonoriensis</i> Sonoran pronghorn</p> <p><i>Bison bison athabasca</i> Wood bison</p> <p><i>Bos gaurus</i> = 327 Gaur or saladang or seladang or Indian wild ox</p> <p><i>Bos mutus</i> = 328 Wild yak</p> <p><i>Bos sauveli</i> = 329 Kouprey</p> <p><i>Bubalus depressicornis</i> = 330 Lowland anoa</p> <p><i>Bubalus mindorensis</i> = 330 Tamaraw or tamarou</p> <p><i>Bubalus quarlesi</i> = 330 Mountain anoa</p> <p><i>Capra falconeri chiltanensis</i> Chiltan markhor</p> <p><i>Capra falconeri jerdoni</i> Straight-horned markhor</p> <p><i>Capra falconeri megaceros</i> Kabul markhor</p> <p><i>Capricornis sumatraensis</i> Serow</p> <p><i>Gazella dama</i></p> <p><i>Hippotragus niger variani</i> Giant sable antelope</p> <p><i>Nemorhaedus goral</i> Goral</p> <p><i>Oryx dammah</i> = 331 Scimitar-horned or white oryx</p> <p><i>Oryx leucoryx</i> Arabian oryx</p>	<p><i>Budorcas taxicolor</i> Takin (Bovid)</p> <p><i>Capra falconeri</i> (*) Markhor (C 1)</p> <p><i>Cephalophus dorsalis</i></p> <p><i>Cephalophus jentinki</i></p> <p><i>Cephalophus monticola</i> Blue duiker (antelope)</p> <p><i>Cephalophus ogilbyi</i></p> <p><i>Cephalophus sylvicultor</i></p> <p><i>Cephalophus zebra</i></p> <p><i>Damaliscus dorcas dorcas</i> Bontebok (antelope)</p> <p><i>Hippotragus equinus</i> Roan antelope</p> <p><i>Kobus leche</i> Lechwe (antelope)</p> <p><i>Ovis ammon</i> (*) Argali or Marco Polo sheep (C 2)</p>

	Appendix I	Appendix II
	<p><i>Ovis ammon hodgsoni</i> Great Tibetan sheep or nyan</p> <p><i>Ovis orientalis ophion</i> = 332 Cyprian mouflon</p> <p><i>Ovis vignei</i> Urial or shapu or shapo</p> <p><i>Pantholops hodgsoni</i> Chiru or orong or Tibetan antelope</p> <p><i>Rupicapra rupicapra ornata</i> Abruzzi chamois</p>	<p><i>Ovis canadensis</i> + 209 Mountain or bighorn sheep</p>
	<p>AVES BIRDS</p>	
STRUTHIONIFORMES		
<i>Struthionidae</i>	<i>Struthio camelus</i> + 210	
RHEIFORMES		
Rheas		
<i>Rheidae</i>	<i>Pterocnemia pennata</i>	
Rheas	Lesser or Darwin's rhea or Puna rhea	
		<i>Rhea americana albescens</i> Argentine (greater) rhea or Argentine (commone) rhea
TINAMIFORMES		
Tinamous		
<i>Tinamidae</i>		<i>Rhynchotus rufescens maculicollis</i> Bolivian red-winged tinamou; Bolivian rufous tinamou
Tinamous		<i>Rhynchotus rufescens pallescens</i> Argentine rufous tinamou or Argentine red-winged tinamou
		<i>Rhynchotus rufescens rufescens</i> Brazilian rufous tinamou or Brazilian red-winged tinamou
	<i>Tinamus solitarius</i> Solitary tinamou	
SPHENISCIFORMES		
Penguins		
<i>Spheniscidae</i>		<i>Spheniscus demersus</i> (C 1) Black-footed penguin or jackan penguin
Penguins	<i>Spheniscus humboldti</i>	
PODICIPEDIFORMES		
Grebes		
<i>Podicipedidae</i>	<i>Podilymbus gigas</i>	
Grebes	Atitlan (pied-billed) grebe or giant pied-billed grebe	
PROCELLARIIFORMES		
Tube-nosed swimmers		
<i>Diomedidae</i>	<i>Diomedea albatrus</i>	
Albatrosses	Short-tailed albatross or Steller's albatross	
PELECANIFORMES		
Pelicans and kin		
<i>Pelecanidae</i>	<i>Pelecanus crispus</i>	
Pelicans	Dalmatian pelican	

	Appendix I	Appendix II
<i>Sulidae</i> Boobies and gannets	<i>Sula abbotti</i> Abbott's booby	
<i>Fregatidae</i> Frigate birds	<i>Fregata andrewsi</i> Christmas Island frigate bird	
CICONIIFORMES Wading birds (herons and kin)		
<i>Ciconiidae</i> Storks	<i>Ciconia ciconia boyciana</i> Japanese white stork or white oriental stork	<i>Ciconia nigra</i> Black stork (C 1)
	<i>Jabiru mycteria</i> Jabiru stork	
<i>Threskiornithidae</i> Ibises and spoonbills	<i>Geronticus eremita</i> Hermit ibis	<i>Geronticus calvus</i> (Southern) bald ibis
	<i>Nipponia nippon</i> Japanese crested ibis	
		<i>Platalea leucorodia</i> White or Eurasian spoonbill (C 1)
<i>Phoenicopteridae</i> Flamingos		<i>Phoenicopteridae</i> spp. [C 1: <i>Phoenicoparrus andinus</i> Andean flamingo <i>Phoenicoparrus jamesi</i> James' flamingo <i>Phoenicopaterus chilensis</i> Chilean flamingo <i>Phoenicopaterus ruber ruber</i> Caribbean flamingo or American flamingo or Cuban flamingo or rosy flamingo or West Indian flamingo]
ANSERIFORMES Waterfowl		
<i>Anatidae</i> Ducks, geese and swans		<i>Anas aucklandica aucklandica</i> Auckland Island flightless teal (C 2)
		<i>Anas aucklandica chlorotis</i> New Zealand brown teal (C 2)
	<i>Anas aucklandica nesiotis</i> Campbell Island brown or Campbell Island flightless teal	
	<i>Anas laysanensis</i> = 333 Laysan duck or Laysan teal	<i>Anas bernieri</i> Madagascar teal (C 2)
	<i>Anas oustaleti</i> Marianas (Island) duck or Oustalet's grey duck or Marianas mallard (duck)	
	<i>Branta canadensis leucopareia</i> Aleutian Canada goose	
	<i>Branta sandvicensis</i> Hawaiian goose or néné	<i>Branta ruficollis</i> Red-breasted goose (C 1)
	<i>Cairina scutulata</i> White-winged wood duck	
		<i>Coscoroba coscoroba</i> Coscoroba (swan) (C 1)
		<i>Cygnus columbianus jankowskii</i> Eastern Bewick's swan or Jankowski's swan (C 1)
		<i>Cygnus melanocoryphus</i> Black-necked swan

	Appendix I	Appendix II
		<i>Dendrocygna arborea</i> Black-billed whistling duck or Cuban tree duck <i>Oxyura leucocephala</i>
	<i>Rhodonessa caryophyllacea</i> p.e. Pink-headed duck	<i>Sarkidiornis melanotos</i> Comb duck or knob-billed duck
FALCONIFORMES Birds of prey		FALCONIFORMES spp. (*) — 107 (C 1) Diurnal birds of prey (except New World vultures)
<i>Cathartidae</i> New World vultures	<i>Gymnogyps californianus</i> California condor <i>Vultur gryphus</i> Andean condor	
<i>Accipitridae</i> True hawks	<i>Aquila heliaca</i> Imperial eagle <i>Chondrohierax wilsonii</i> Cuba(n) hook-billed kite <i>Haliaeetus albicilla</i> White-tailed (sea) eagle or grey sea eagle <i>Haliaeetus leucocephalus</i> American bald eagle <i>Harpia harpyja</i> Harpy eagle <i>Pithecophaga jefferyi</i> Monkey-eating or Philippine eagle	
<i>Falconidae</i> Falcons and caracaras	<i>Falco araea</i> Seychelles kestrel <i>Falco jugger</i> Laggar falcon <i>Falco newtoni aldabranus</i> Aldabra kestrel <i>Falco peregrinus</i> = 335 Peregrine falcon (Barbary falcon/Shaheen included) <i>Falco punctatus</i> Mauritius kestrel <i>Falco rusticolus</i> Gyrfalcon	
GALLIFORMES Game birds of fowl-like birds		
<i>Megapodiidae</i> Mound or builders	<i>Macrocephalon maleo</i> Maleo (bird) or maleo megapode	<i>Megapodius freycinet abbotti</i> Abbott's scrub fowl or Abbott's megapode <i>Megapodius freycinet nicobariensis</i> Nicobar scrub fowl or Nicobar megapode
<i>Cracidae</i> Curassows and guans	<i>Aburria jacutinga</i> = 336 Black-fronted piping guan or black-faced piping guan or black-faced curassow or jacutinga <i>Aburria pipile pipile</i> = 336 Trinidad white-headed curassow or Trinidad white-headed piping guan <i>Crax blumenbachii</i> Red-billed curassow or mutum <i>Crax mitu mitu</i> = 337 Razor-billed curassow or mitu <i>Oreophasis derbianus</i> Horned guan <i>Penelope albipennis</i> White-winged guan	

	Appendix I	Appendix II
<i>Phasianidae</i> Pheasants, partridges, quails and peacocks		<i>Argusianus argus</i> (C 1) Great argus pheasant
	<i>Catreus wallichii</i> Cheer pheasant	
	<i>Colinus virginianus ridgwayi</i> Masked bobwhite	
	<i>Crossoptilon crossoptilon</i> White-eared pheasant or Tibetan-eared pheasant	
	<i>Crossoptilon mantchuricum</i> Brown-eared pheasant	
		<i>Cyrtonyx montezumae mearnsi</i> — 108 (C 1) Mearn's Montezuma quail or Mearn's harlequin quail
		<i>Cyrtonyx montezumae montezumae</i> (C 1) Montezuma quail or Massena harlequin quail
		<i>Francolinus ochropectus</i> (C 1) Pale-bellied francolin; Tadjoura francolin
		<i>Francolinus swierstrai</i> Swierstra's francolin
		<i>Gallus sonneratii</i> (C 1) Grey jungle fowl; Sonnerat's jungle fowl
		<i>Ithaginis cruentus</i> (C 1) Blood pheasant
	<i>Lophophorus spp.</i> Monals or monal pheasants	
	<i>Lophura edwardsi</i> Edward's pheasant	
	<i>Lophura imperialis</i> Imperial pheasant	
	<i>Lophura swinhoii</i> Swinhoe's pheasant	
		<i>Pavo muticus</i> Green pea fowl
		<i>Polyplectron bicalcaratum</i> (C 1) Grey or common peacock-pheasant
	<i>Polyplectron emphanum</i> Palawan or peacock pheasant	
		<i>Polyplectron germaini</i> (C 1) Germain's peacock pheasant
		<i>Polyplectron malacense</i> (C 1) Malay(sian) peacock pheasant
	<i>Syrmaticus ellioti</i> Elliot's pheasant	
	<i>Syrmaticus humiae</i> Hume's pheasant or (Hume's) bar-tailed pheasant	
	<i>Syrmaticus mikado</i> Mikado pheasant	
<i>Tetraogallus caspius</i> Caspian snowcock		
<i>Tetraogallus tibetanus</i> Tibetan snowcock		
<i>Tragopan blythii</i> Blyth's tragopan		
<i>Tragopan caboti</i> Cabot's tragopan		
<i>Tragopan melanocephalus</i> Western (horned) tragopan		
<i>Tympanuchus cupido attwateri</i> Attwater's (greater) prairie chicken		
	<i>Tetrao mlkosiewiczzi</i> = 338 Caucasian black grouse or Caucasian blackcock	

	Appendix I	Appendix II
GRUIFORMES Cranes, rails and kin		
<i>Turnicidae</i>		<i>Turnix melanogaster</i> Black-breasted button quail
<i>Pedionomidae</i>		<i>Pedionomus torquatus</i> Plains wanderer
<i>Gruidae</i> Cranes	<i>Grus americana</i> Whooping crane <i>Grus canadensis nesiotes</i> Cuba sandhill crane <i>Grus canadensis pulla</i> Mississippi sandhill crane <i>Grus japonensis</i> Manchurian or red-crowned crane or Japanese crane <i>Grus leucogeranus</i> Siberian white crane or snow crane <i>Grus monacha</i> Hooded crane <i>Grus nigricollis</i> Black-necked crane or Tibetan crane <i>Grus vipio</i> White naped crane or white-necked crane	<i>Gruidae spp.</i> [C 1: <i>Grus canadensis pratensis</i> Florida sandhill crane]
<i>Rallidae</i> Rails		<i>Gallirallus australis hectori</i> (C 2) New Zealand wood rail or Eastern Weka rail
<i>Rhynochetidae</i> Kagu	<i>Tricholimnas sylvestris</i> Lord Howe wood rail or Lord Howe Island wood hen <i>Rhynochetos jubatus</i> Kagu	
<i>Otididae</i> Bustards	<i>Chlamydotis undulata</i> Houbara bustard <i>Choriotis nigriceps</i> Great Indian bustard <i>Eupodotis bengalensis</i> = 339 Bengal florican or Bengal bustard	<i>Otis tarda</i> (C 1) Great bustard
CHARADRIIFORMES Waders, gulls and auks		
<i>Scolopacidae</i> Sandpipers	<i>Numenius borealis</i> Eskimo curlew <i>Numenius tenuirostris</i> Slender-billed or long-billed curlew <i>Tringa guttifer</i> Nordmann's or spotted greenshank	<i>Numenius minutus</i> Little or Pygmy curlew or whimbrel or Siberian baby curlew
<i>Laridae</i> Gulls and terns	<i>Larus relictus</i> Relict gull or khar turunt tsakhiai	<i>Larus brunnicapalus</i> (C 1) Brown-headed gull
COLUMBIFORMES Pigeons, sandgrouse and dodos		
<i>Columbidae</i> Pigeons and doves	<i>Caloenas nicobarica</i> Nicobar dove or pigeon <i>Ducula mindorensis</i> Mindoro imperial pigeon or Mindoro zone-tailed pigeon	

	Appendix I	Appendix II
<i>PSITTACIFORMES</i> Parrots and kin		<i>Gallicolumba luzonica</i> (C 2) Bleeding heart pigeon or bleeding heart dove <i>Goura spp.</i> (C 1) All crowned pigeons or gouras <i>PSITTACIFORMES spp. (*)</i> — 109 (C 2) Parrots and related birds (except: budgerigar, cockatiel and rose-ringed parakeet)
<i>Psittacidae</i> Parrots	<i>Amazona arausiaca</i> Red-necked amazon or jacquot <i>Amazona barbadensis</i> Yellow-shouldered amazon <i>Amazona brasiliensis</i> Red-tailed amazon <i>Amazona dufresniana rhodocorytha</i> Red-crowned amazon or red-browed parrot or red-crowned parrot <i>Amazona guildingii</i> St Vincent parrot or St Vincent amazon <i>Amazona imperialis</i> Imperial amazon or imperial parrot <i>Amazona leucocephala</i> Cuban amazon or Cuban parrot or Bahamas parrot or Bahaman parrot <i>Amazona pretrei</i> Red-spectacled amazon or red-spectacled parrot <i>Amazona versicolor</i> St Lucia amazon or St Lucia parrot <i>Amazona vinacea</i> Vinaceous amazon or vinaceous (breasted) parrot <i>Amazona vittata</i> Puerto Rican amazon or Puerto Rico parrot or Puerto Rican parrot or red-fronted amazon <i>Anodorhynchus glaucus p.e.</i> Glaucous macaw <i>Anodorhynchus leari</i> Lear's or Indigo macaw <i>Ara glaucogularis</i> = 340 <i>Ara ambigua</i> <i>Ara macao</i> <i>Ara guarouba</i> Golden parakeet or golden conure or Queen of Bavaria or Queen of Bavaria's conure <i>Cyanopsitta spixii</i> Little blue or Spix's macaw <i>Cyanoramphus auriceps forbesi</i> Forbes parakeet or Forbes' kakariki <i>Cyanoramphus novaezelandiae</i> Red-fronted parakeet or red-fronted kakariki or New Zealand parakeet <i>Geopsittacus occidentalis p.e.</i> (Australian) night parrot <i>Neophema chrysogaster</i> Orange-bellied parakeet or orange-bellied parrot <i>Ognorhynchus icterotis</i> <i>Opopsitta diophthalma coxeni</i> = 341 Cexen blue-browed fig parrot or Coxen two-eyed fig parrot or Coxen double-eyed fig parrot <i>Pezoporus wallicus</i> Ground parrot or ground parakeet or swamp parakeet <i>Pionopsitta pileata</i> Pileated or red-capped parrot <i>Psephotus chrysopterygius</i> Golden-shouldered parakeet and hooded parakeet <i>Psephotus pulcherrimus p.e.</i> Paradise parrot or beautiful parakeet <i>Psittacula echo</i> Mauritius ring-necked parakeet	

	Appendix I	Appendix II
	<i>Psittacus erithacus princeps</i> Fernando Poo grey or Principe parrot <i>Pyrrhura cruentata</i> Blue-throated conure or ochre-marked parakeet or red-rumped conure <i>Rhynchopsitta spp.</i> Thick-billed parrot and maroon-fronted parrot <i>Strigops habroptilus</i> Kakapo or owl parrot	
CUCULIFORMES Cuckoos and kin <i>Musophagidae</i> Turacos or plantain eaters		<i>Tauraco corythaix</i> (C 1) Helmeted or knysna turaco <i>Tauraco porphyreolophus</i> = 342 (C 1) Purple- or violet-crested turaco
STRIGIFORMES Owls <i>Tytonidae</i> Barn owls <i>Strigidae</i> Typical owls	<i>Tyto soumagnei</i> Madagascar owl or Soumagne's owl <i>Athene blewitti</i> Forest spotted owlet or forest little owl <i>Ninox novaeseelandiae royana</i> Norfolk Island boobook owl <i>Ninox squamipila natalis</i> Christmas Island (hawk) owl <i>Otus gurneyi</i> = 343 Giant scops owl	STRIGIFORMES spp. (*) (C 1) Nocturnal birds of prey or owls
APODIFORMES Swifts and hummingbirds <i>Trochilidae</i> Hummingbirds	<i>Ramphodon dohrnii</i> = 344 Hook-billed hermit	
TROGONIFORMES Trogons <i>Trogonidae</i> Trogons	<i>Pharomachrus mocinno</i> Quetzal <i>Pharomachrus mocinno mocinno</i> Mexican resplendent quetzal or magnificent quetzal	
CORACIIFORMES Kingfishers and kin <i>Bucerotidae</i> Hornbills	<i>Buceros bicornis homrai</i> Homrai pied hornbill or Homrai great Indian hornbill or Northern great pied hornbill <i>Rhinoplax vigil</i> Helmeted hornbill	<i>Aceros narcondami</i> (C 1) Narcondam hornbill <i>Buceros bicornis</i> (*) (C 1) Great pied hornbill or great Indian hornbill <i>Buceros hydrocorax hydrocorax</i> (C 1) Luzon rufous hornbill or Philippine hornbill <i>Buceros rhinoceros rhinoceros</i> (C 1) Malayan rhinoceros hornbill
PICIFORMES Woodpeckers, toucans and kin <i>Picidae</i> Woodpeckers	<i>Campephilus imperialis</i> Imperial woodpecker <i>Dryocopus javensis richardsi</i> Tristram's or white-bellied black woodpecker	<i>Picus squamatus flavirostris</i> (C 1) Western scaly-bellied green woodpecker; Western scaly woodpecker

	Appendix I	Appendix II
PASSERIFORMES Songbirds or perching birds		
<i>Cotingidae</i> Cotingas	<i>Cotinga maculata</i> Banded or spotted cotinga	<i>Rupicola spp.</i> Cocks (C 2)
	<i>Xipholena atropurpurea</i> White-winged cotinga	
<i>Pittidae</i> Pittas	<i>Pitta kochi</i> Koch's pitta	<i>Pitta brachyura nympha</i> Japanese fairy pitta (C 2)
<i>Atrichornithidae</i> Scrub-birds	<i>Atrichornis clamosus</i> Noisy scrub-bird or Western scrub-bird	
<i>Hirundinidae</i> Swallows and martins		<i>Pseudochelidon sirintarae</i> White-eyed river martin (C 1)
<i>Muscicapidae</i> Old World flycatchers	<i>Dasyornis broadbenti littoralis</i> p.e. Western rufous bristlebird or lesser rufous bristlebird or rufous-headed bristlebird	
	<i>Dasyornis longirostris</i> Western bristlebird or long-billed bristlebird	<i>Niltava ruecki</i> = 345 Rueck's blue flycatcher
	<i>Picathartes spp.</i> Rock-fowl	<i>Psophodes nigrogularis</i> Western whipbird or black-throated whipbird or mallee whipbird (C 2)
<i>Zosteropidae</i> White-eyes	<i>Zosterops albogularis</i> White-breasted silver-eye	
<i>Meliphagidae</i> Honeyeaters	<i>Meliphaga cassidix</i> Helmeted honeyeater or subcrested honeyeater	
<i>Fringillidae</i> Finches or New World seedeaters	<i>Carduelis cucullatus</i> = 346 Red siskin	<i>Carduelis yarrellii</i> = 346 Yellow-faced siskin
<i>Estrildidae</i>		<i>Emblema oculata</i> Red-eared fire-tail
		<i>Poephila cincta cincta</i> Black-throated finch
<i>Sturnidae</i> Starlings	<i>Leucopsar rothschildi</i> Rothschild's mynah or Rothschild's starling or Bali mynah or white starling	
<i>Paradisaeidae</i> Birds of paradise		<i>Paradisaeidae spp.</i> Birds of paradise (C 1)
REPTILIA REPTILES		
TESTUDINATA Chelonians, tortoises terrapins and turtles		
<i>Dermatemydidae</i>		<i>Dermatemys mawii</i> Central American river turtle
<i>Emydidae</i> Freshwater turtles	<i>Batagur baska</i> Common batagur or river terrapin or tuntong	<i>Clemmys muhlenbergi</i> Bog turtle or Muhlenberg's turtle
	<i>Geoclemys hamiltonii</i> Black pond turtle or Hamilton's terrapin or spotted pond turtle	
	<i>Kachuga tecta tecta</i> India tent turtle or India roof(ed) turtle or India sawback turtle or dura turtle	

	Appendix I	Appendix II
<i>Testudinidae</i> Land tortoises	<p><i>Melanochelys tricarinata</i> = 347 Three-keeled turtle or Bengal three-keeled land terrapin or Asian three-keeled turtle or three-keeled land tortoise</p> <p><i>Morenia ocellata</i> Burmese swamp turtle or Bengal eyed terrapin or Burmese peacock turtle</p> <p><i>Terrapene coahuila</i> Aquatic box turtle or water box turtle or coahuila turtle</p>	<p><i>Testudinidae</i> spp. (*) (C 2) Land tortoises [C 1: <i>Testudo graeca</i> <i>Testudo hermanni</i> <i>Testudo marginata</i>]</p>
<i>Cheloniidae</i> Sea turtles	<p><i>Geochelone elephantopus</i> = 348 Galapagos giant tortoise</p> <p><i>Geochelone radiata</i> = 348 (Madagascar) radiated tortoise</p> <p><i>Geochelone yniphora</i> = 348 Madagascar tortoise or angulated tortoise or angonoka</p>	
<i>Dermochelyidae</i> Leather-back turtles	<p><i>Gopherus flavomarginatus</i> Bolson tortoise or Mexican giant gopher tortoise</p> <p><i>Psammobates geometricus</i> = 348 Geometric tortoise</p> <p><i>Cheloniidae</i> spp. (True) sea turtles</p> <p><i>Dermochelys coriacea</i> Leather-back turtle or luth turtle or leathery turtle</p>	
<i>Trionychidae</i> Soft-shelled turtles	<p><i>Lissemys punctata punctata</i> India flap-shell(ed) turtle or flap-shell(ed) spotted turtle</p> <p><i>Trionyx ater</i> Black soft-shell(ed) turtle or black mud turtle or Cuatro Cienages soft-shell(ed) turtle</p> <p><i>Trionyx gangeticus</i> Ganges soft-shell(ed) turtle or Indian soft-shell(ed) turtle</p> <p><i>Trionyx hurum</i> Peacock-marked soft-shell(ed) turtle or brown soft-shell(ed) turtle or peacock softshell(ed) turtle</p> <p><i>Trionyx nigricans</i> Dark-coloured soft-shell(ed) turtle or sacred black mud turtle</p>	
<i>Pelomedusidae</i> Side-necked turtles		<p><i>Erymnochelys madagascariensis</i> = 349 (C 2)</p> <p><i>Peltocephalus dumeriliana</i> = 349 (C 2)</p> <p><i>Podocnemis</i> spp. (C 2) River turtles or sideneck turtles</p>
<i>Chelidae</i> Snake-necked turtles	<p><i>Pseudemysdura umbrina</i> Short-necked (swamp) turtle or (western) swamp turtle</p>	
CROCODYLLA Crocodilians		<p>CROCODYLLA spp. (*) = 350 (C 2)</p>
<i>Alligatoridae</i> Alligators and caimans	<p><i>Alligator sinensis</i> China alligator or Chinese alligator</p> <p><i>Caiman crocodilus apaporiensis</i> Rio Apaporis (spectacled) caiman or Apaporis river caiman</p> <p><i>Caiman latirostris</i> Broad-nosed caiman or broad-snouted caiman</p> <p><i>Melanosuchus niger</i> Black caiman</p>	
<i>Crocodylidae</i> True crocodiles and false gavia	<p><i>Crocodylus acutus</i> American crocodile</p> <p><i>Crocodylus cataphractus</i> African slender-snouted crocodile or African sharp-nosed crocodile</p>	

	Appendix I	Appendix II
	<i>Crocodylus intermedius</i> Orinoco crocodile <i>Crocodylus moreletii</i> Morelet's crocodile <i>Crocodylus niloticus</i> (**) — 110 Nile crocodile or African crocodile <i>Crocodylus novaeguineae mindorensis</i> Philippine or Mindoro crocodile <i>Crocodylus palustris</i> Mugger (crocodile) or marsh crocodile or broad-snouted crocodile <i>Crocodylus porosus</i> (**) — 111 Saltwater crocodile or estuarine crocodile <i>Crocodylus rhombifer</i> Cuban crocodile <i>Crocodylus siamensis</i> Siamese crocodile <i>Osteolaemus tetraspis</i> (African) dwarf crocodile <i>Tomistoma schlegelii</i> False gavial or tomistoma (crocodile) or false gharial <i>Gavialis gangeticus</i> (Indian) gavial or gharial	
<i>Gavialidae</i> Gavials		
RHYNCHOCEPHALIA Mesozoic rhynchocephalia		
<i>Sphenodontidae</i> Tuatara	<i>Sphenodon punctatus</i> Tuatara	
SAURIA Lizards		
<i>Gekkonidae</i> Geckos		<i>Cyrtodactylus serpensinsula</i> Serpent Island gecko <i>Phelsuma</i> spp. (C 2) Day geckos
<i>Pygopodidae</i> Snake lizards		<i>Paradelma orientalis</i> Queensland snake-lizard or Queensland flap-footed lizard
<i>Agamidae</i> Agamids		<i>Uromastyx</i> spp. (C 2) Spiny-tailed lizards or mastigures or spiny-tailed agamids or dabb lizards or palm lizards <i>Bradypodion</i> spp. = 351
<i>Chamaeleonidae</i> Chameleons		<i>Chamaeleo</i> spp. [C 1: <i>Chamaeleo chamaeleon</i>] Chamaeleons
<i>Iguanidae</i> Iguanids	<i>Brachylophus</i> spp. Banded and Fiji chested iguanas <i>Cyclura</i> spp. Ground iguanas or West Indian rock iguanas	<i>Amblyrhynchus cristatus</i> (C 2) Galapagos marine iguana <i>Conolophus</i> spp. (C 2) (Galapagos) land iguanas or land lizards <i>Iguana</i> spp. (Common) iguanas <i>Phrynosoma coronatum blainvillei</i> San Diego or Blainville horned lizard
<i>Cordylidae</i>	<i>Sauromalus varius</i>	<i>Cordylus</i> spp. Girdled lizards <i>Pseudocordylus</i> spp. Crag lizards

	Appendix I	Appendix II
<i>Teiidae</i> Teiid lizard		<i>Cremidophorus hyperythrus</i> (C 1) Orange-throated whiptail (lizard) or orange-throated race runner <i>Crocodilurus lacertinus</i> Dragon lizard or dragon lizardet <i>Dracaena guianensis</i> Caiman lizard or armoured teyou or four-foot caiman lizard or croco-teju <i>Tupinambis spp.</i> Tegus or tegu lizard
<i>Helodermatidae</i> Gila monster or beaded lizards		<i>Heloderma spp.</i> (C 1) Gila monster and beaded lizard or poisonous lizards
<i>Varanidae</i> Monitors	<i>Varanus bengalensis</i> Bengal or Indian monitor <i>Varanus flavescens</i> Yellow monitor or ruddy snub-nosed monitor or yellow land lizard or (Indian) oralgrain lizard <i>Varanus griseus</i> Desert or grey monitor <i>Varanus komodoensis</i> Komodo dragon or Komodo (Island) monitor or ora	<i>Varanus spp. (*)</i> (C 2) Monitors or goannas
SERPENTES Snakes		
<i>Boidae</i> Giant snakes (boas and pythons)	<i>Acrantophis spp.</i> Madagascar boas <i>Bolyeria multocarinata</i> Round Island boas <i>Casarea dussumieri</i> Keel-scaled boas or Round Island boas <i>Epicrates inornatus</i> Yellow tree or Puerto Rican boa or culebra grande <i>Epicrates monensis</i> <i>Epicrates subflavus</i> Jamaica(n) boa <i>Python molurus molurus</i> Indian (rock) python or tiger python <i>Sanzinia madagascariensis</i> Sanzinia or Madagascar tree boa	<i>Boidae spp. (*)</i> [C 2: <i>Constrictor</i> (= Boa) <i>constrictor</i> <i>Eunectes spp.</i> <i>Python spp. (*)</i> <i>Eryx jaculus</i>] Giant snakes or boids or boas and pythons or giant constricting snakes
<i>Colubridae</i> Colubrid snakes (water snakes, grass snakes and tree snakes)		<i>Clelia clelia</i> = 352 Mussurana (snake) or usurana <i>Cyclagras gigas</i> = 353 (C 2) South American false cobra or South American water cobra or beach cobra or surucucu <i>Elachistodon westermanni</i> Indian egg-eating snake or Indian egg-eater or Westermann's snake <i>Thamnophis couchi hammondi</i> = 354 Two-striped garter snake
<i>Elapidae</i>		<i>Hoplocephalus bungaroides</i> Broad-headed snake

	Appendix I	Appendix II
	<i>AMPHIBIA</i> <i>AMPHIBIANS</i>	
<i>CAUDATA</i> Tailed amphibians <i>Ambystomidae</i> Mole salamanders		<i>Ambystoma dumerilii</i> Lake Patzcuaro salamander or achoque <i>Ambystoma lermaense</i> Lake Lerma salamander <i>Ambystoma mexicanum</i> Axolotl (salamander)
<i>Cryptobranchidae</i> Giant salamanders	<i>Andrias spp.</i> = 355 Giant salamanders	
<i>ANURA</i> Tail-less amphibians (frogs and toads)		
<i>Bufo</i> True toads	<i>Atelopus varius zeteki</i> Zetek's frog or (Panamanian) golden frog or golden arrow poison frog <i>Bufo superciliaris</i> Cameroon toad <i>Nectophrynoides spp.</i> Viviparous African toads	<i>Bufo retiformis</i> Sonoran green toad (C 2)
<i>Myobatrachidae</i>		<i>Rheobatrachus spp.</i> Gastric brooding frogs
<i>Ranidae</i>		<i>Rana hexadactyla</i> Six-fingered frogs <i>Rana tigerina</i> Indian bullfrog
	<i>PISCES</i> <i>FISH</i>	
<i>CERATODIFORMES</i>		
<i>Ceratodidae</i> Ceratodes		<i>Neoceratodus forsteri</i> Australian lungfish or ceratodus or Queensland lungfish
<i>COELACANTHIFORMES</i>		
<i>Coelacanthidae</i>		<i>Latimeria chalumnae</i> Coelacanth
<i>ACIPENSERIFORMES</i> Sturgeon and paddlefishes		
<i>Acipenseridae</i> Sturgeons	<i>Acipenser brevirostrum</i> Shortnose sturgeon <i>Acipenser sturio</i> Common sturgeon or Baltic sturgeon	<i>Acipenser oxyrinchus</i> Atlantic sturgeon
<i>OSTEOGLOSSIFORMES</i> Bonytongues and kin		
<i>Osteoglossidae</i> Bony-tongues	<i>Scleropages formosus</i> Asiatic bony-tongue or Asian bony-tongue or kelesa or golden dragon fish or golden dragon fish or golden arowana	<i>Arapaima gigas</i> Arapaima or pirarucu (C 1)

	Appendix I	Appendix II
<i>SALMONIFORMES</i> Salmon		
<i>Salmonidae</i> Salmonids		<i>Salmo chrysogaster</i> Mexican golden trout <i>Stenodus leucichthys leucichthys</i> Beloribitsa
<i>CYPRINIFORMES</i> Carp and carp-like-fish		
<i>Cyprinidae</i> Carp		<i>Caecobarbus geertsi</i> African blind barb fish or Congo blind barb <i>Plagopterus argentissimus</i> Woundfin
	<i>Probarbus jullieni</i> Ikan temoleh or pla eesok (Thai) or ikaa temelian (Malay)	
<i>Catastomidae</i>	<i>Chasmistes cujus</i> Cui-ui	<i>Ptychocheilus lucius</i> Colorado river squawfish or Colorado squawfish
<i>SILURIFORMES</i> Catfish		
<i>Schilbeidae</i> Schilbeid catfish	<i>Pangasianodon gigas</i> Giant catfish	
<i>ATHERINIFORMES</i> Silversides		
<i>Cyprinodontidae</i> Toothed carp		<i>Cynolebias constanciae</i> Annual tropical killifish or pearlfish <i>Cynolebias marmoratus</i> Annual tropical killifish or ginger pearlfish <i>Cynolebias minimus</i> Annual tropical killifish or minute pearlfish <i>Cynolebias opalescens</i> Annual tropical killifish or opalescent pearlfish <i>Cynolebias splendens</i> Annual tropical killifish or splendid pearlfish <i>Xiphophorus couchianus</i> Monterrey platyfish
<i>Poeciliidae</i> Guppies, platies and kin (livebearers)		
<i>PERCIFORMES</i> Perch-like fish		
<i>Sciaenidae</i> Drumfish or croakers	<i>Cynoscion macdonaldi</i> Totoaba or MacDonald weakfish	
	<i>INSECTA</i> <i>INSECTS</i>	
<i>LEPIDOPTERA</i> Butterflies and moths		
<i>Papilionidae</i> Swallowtails and parnassian		<i>Ornithoptera spp.</i> = 356 (C 1) Birdwing butterflies <i>Parnassius apollo</i> Apollo butterfly or mountain apollo <i>Trogonoptera spp.</i> = 356 (C 1) Birdwing butterflies <i>Troides spp.</i> = 356 (C 1) Birdwing butterflies

	Appendix I	Appendix II
<p>ARACHNIDA ARANEAE <i>Theraphosidae</i></p>		<p><i>Brachypelma smithi</i> Mexican red-legged or red kneed tarantula</p>
	<p>MOLLUSCA MOLLUSCS</p>	
<p>MYTILOIDA <i>Mytilidae</i> VENEROIDA <i>Tridacnidae</i> Giant clams UNIONOIDA Naiads or freshwater bivalves <i>Unionidae</i> Freshwater mussels</p>	<p><i>Conradilla caelata</i> Birdwing pearl mussel or rimosa naiad</p> <p><i>Dromus dromas</i> Dromedary pearly mussel or Dromedary naiad <i>Epioblasma curtisi</i> = 358 Curtis pearly mussel or Curtis' naiad <i>Epioblasma florentina</i> = 358 Yellow-blossom pearly mussel or yellow-blossom naiad <i>Epioblasma sampsoni</i> = 358 Sampson's pearly mussel or Sampson's naiad <i>Epioblasma sulcata perobliqua</i> = 358 White catspaw mussel or white cat's paw mussel <i>Epioblasma torulosa gubernaculum</i> = 358 Green-blossomed pearly mussel or green-blossomed naiad</p> <p><i>Epioblasma torulosa torulosa</i> = 358 Tuberculed blossom pearly mussel or tuberculed-blossom naiad <i>Epioblasma turgidula</i> = 358 Turgid blossom pearly mussel or turgid-blossom naiad <i>Epioblasma walkeri</i> = 358 Brown blossom pearly mussel or brown-blossom naiad or tan riffle shell <i>Fusconaia cuneolus</i> Fine-rayed pigtoe pearly mussel or fine-rayed pigtoe <i>Fusconaia edgariana</i> Shiny pigtoe (pearly mussel)</p> <p><i>Lampsilis bigginsi</i> Higgin's eye (pearly mussel) <i>Lampsilis orbiculata orbiculata</i> Pink mucket (pearly mussel) <i>Lampsilis satura</i> Pain pocketbook (mussel) <i>Lampsilis virescens</i> Alabama lamp pearly mussel or Alabama lamp naiad</p> <p><i>Plethobasis cicatricosus</i> White wartyback (pearly mussel) <i>Plethobasus cooperianus</i> Orange-footed pimpleback</p> <p><i>Pleurobema plenum</i> Rough pigtoe (pearly mussel) <i>Potamilus capax</i> = 359 Fat pocketbook (pearly mussel) <i>Quadrula intermedia</i> Cumberland monkey face or Cumberland monkey face pearly mussel <i>Quadrula sparsa</i> Appalachian monkey face or Appalachian monkey face pearly mussel <i>Toxolasma cylindrella</i> = 360 Pale lilliput pearly mussel or pale lilliput naiad <i>Unio nickliniana</i> Nicklin's pearly mussel <i>Unio tampicoensis tecomatensis</i> Tampico pearly mussel (sub-species) <i>Villosa trabalis</i> = 361 Cumberland bean (pearly mussel)</p>	<p><i>Choromytilus chorus</i> = 357</p> <p><i>Tridacnidae</i> spp. Giant clams</p> <p><i>Cyprogenia aberti</i> Edible pearly mussel or edible naiad</p> <p><i>Epioblasma torulosa rangiana</i> = 358 Tan blossom naiad or tan-blossomed pearly mussel</p> <p><i>Fusconaia subrotunda</i> Long solid mussel or long solid naiad <i>Lampsilis brevicula</i> Ozark lamp pearly mussel or ozark lamp naiad</p> <p><i>Lexingtonia dolabelloides</i> Slab sided naiad</p> <p><i>Pleurobema clava</i></p>

	Appendix I	Appendix II
<i>STYLOMMATOPHORA</i>		
Land snails		
<i>Camaenidae</i> American land snails		<i>Papustyla pulcherrima</i> = 362 Manus Island tree snail or green tree snails or emerald green snail
<i>Paryphantidae</i>		<i>Paryphanta</i> spp. + 211 New Zealand amber snails
<i>MESAGASTROPODA</i>		
Fore-gill snails		
<i>Hydrobiidae</i> Freshwater snails		<i>Coahuilix hubbsi</i> Coahuilix de Hubbs <i>Cochliopina milleri</i> Miller's <i>Durangonella coahuilae</i> Durangonello de Coahuila <i>Mexipyrus carranzae</i> Mexipyrus de Carranza <i>Mexipyrus churinceanus</i> Mexipyrus de Churince <i>Mexipyrus escobeda</i> Mexipyrus de Escobeda <i>Mexipyrus lugo</i> Mexipyrus de Lugo <i>Mexipyrus mojarrales</i> Mexipyrus de West el Mojarral <i>Mexipyrus multilineatus</i> Mexipyrus de East el Mojarral <i>Mexithauma quadripaludium</i> Mexithauma de Ciénegas <i>Nymphophilus minckleyi</i> Nymphophilos de Minckley <i>Paludiscala caramba</i> Paludiscala de Oro
	<i>ANTHOZOA</i>	
<i>ANTIPATHARIA</i>		<i>ANTIPATHARIA</i> spp. (C 2) Black corals or antipatharians
<i>SCLERACTINIA</i>		
<i>Pocilloporidae</i>		<i>Seriatopora</i> spp. Birds nest corals <i>Pocillopora</i> spp. Brown stem cluster corals <i>Stylophora</i> spp. Cauliflower corals
<i>Acroporidae</i>		<i>Acropora</i> spp. Branch corals
<i>Agaricidae</i>		<i>Pavona</i> spp. Cactus corals
<i>Fungiidae</i>		<i>Fungia</i> spp. Mushroom corals <i>Halomitra</i> spp. Bowl corals <i>Polyphyllia</i> spp. Feather corals
<i>Faviidae</i>		<i>Favia</i> spp. Brain corals <i>Platygyra</i> spp. Brain corals
<i>Merulinidae</i>		<i>Merulina</i> spp. Merulina corals
<i>Mussidae</i>		<i>Lobophyllia</i> spp. Brain root corals
<i>Pectiniidae</i>		<i>Pectinia</i> spp. Lettuce corals
<i>Caryophylliidae</i>		<i>Euphyllia</i> spp. Brain trumpet corals
<i>HYDROZOA</i>		

	Appendix I	Appendix II
ATHECATA		
<i>Milleporidae</i>		<i>Millepora spp.</i> Yellow fire corals
ALCYONARIA		
COENOTHECALIA		
<i>Helioporidae</i>		<i>Heliopora spp.</i> Blue corals
STOLONIFERA		
<i>Tubiporidae</i>		<i>Tubipora spp.</i> Organpipe corals

FLORA

AGAVACEAE	<i>Agave arizonica</i> <i>Agave parviflora</i>	<i>Agave victoriae-reginae</i> † 1
	<i>Nolina interrata</i>	
APOCYNACEAE		<i>Pachypodium spp.</i> (*) † 1 Elephant's trunks or halfmen
	<i>Pachypodium namaquanum</i>	
ARACEAE Arum family	<i>Alocasia sanderana</i> Arum <i>Alocasia zebrina</i> Arum	
ARALIACEAE		<i>Panax quinquefolius</i> † 2 American ginseng or celery-leaved panax
ARAUCARIACEAE Monkey puzzle family	<i>Araucaria araucana</i> (**) + 212 Monkey-puzzle tree or hardy monkey-puzzle	<i>Araucaria araucana</i> (*) — 112 † 1 Monkey-puzzle tree or hardy monkey-puzzle
ASCLEPIADACEAE		<i>Ceropegia spp.</i> † 1 Rosary vines <i>Frerea indica</i> † 1 Milkweed
BYBLIDACEAE		<i>Byblis spp.</i> † 1 Byblis or rainbow plants
CACTACEAE Cactus family	<i>Ancistrocactus tobuschii</i> <i>Ariocarpus agavoides</i> Living rock cactus <i>Ariocarpus scapharostrus</i> Living rock cactus <i>Ariocarpus trigonus</i> <i>Aztekium ritteri</i> Aztec cactus <i>Backebergia militaris</i> <i>Coryphanta minima</i> = 363 <i>Coryphanta sneedii</i> = 363	CACTACEAE <i>spp.</i> (*) + 213 † 3 Cacti

	Appendix I	Appendix II
	<p><i>Coryphanta werdermannii</i> <i>Echinocereus lindsayi</i> Lindsay's cactus <i>Echinomastus erectocentrus</i> = 364 <i>Echinomastus mariposensis</i> = 364 <i>Leuchtenbergia principis</i> <i>Lobeira macdougallii</i> = 365 <i>Mammillaria pectinifera</i> = 366 <i>Mammillaria plumosa</i> <i>Mammillaria solisioides</i> <i>Obregonia denegrii</i> Peyote or artichoke cactus <i>Pediocactus bradyi</i> <i>Pediocactus despainii</i> <i>Pediocactus knowltonii</i> <i>Pediocactus papyracanthus</i> <i>Pediocactus paradinei</i> <i>Pediocactus peeblesianus</i> <i>Pediocactus sileri</i> <i>Pediocactus winkleri</i> <i>Pelecyphora</i> spp.</p> <p><i>Sclerocactus glaucus</i> <i>Sclerocactus mesae</i> — <i>verdae</i> <i>Sclerocactus pubispinus</i> <i>Sclerocactus wrightiae</i> <i>Strombocactus disciformis</i> <i>Turbinicarpus</i> spp. <i>Wilcoxia schmollii</i></p>	<p><i>Rhipsalis</i> spp. † 4 Coral cacti</p>
CARYOCARACEAE	<i>Caryocar costaricense</i>	
CEPHALOTACEAE		<i>Cephalotus follicularis</i> † 1 Albany pitcher plant
COMPOSITAE Composite family	<i>Saussurea lappa</i> Costas	
CRASSULACEAE	<i>Dudleya stolonifera</i> <i>Dudleya traskiae</i>	
CUPRESSACEAE Cypress family	<i>Fitz-Roya cupressoides</i> (**) — 113 Alerce or Chilean false larch <i>Pilgerodendron uviferum</i>	<i>Fitz-Roya cupressoides</i> (*) + 214 † 1
CYATHEACEAE Tree-fern family		CYATHEACEAE spp. † 1 Tree ferns
CYCADACEAE Cycads		CYCADACEAE spp. † 5 Cycads
DIAPENSIACEAE		<i>Shortia galacifolia</i> † 1
DICKSONIACEAE Dicksonia family		DICKSONIACEAE spp. † 1 Tree ferns

	Appendix I	Appendix II
<i>DIDIEREACEAE</i>		<i>DIDIEREACEAE</i> spp. + 1 Tree ferns
<i>DIOSCOREACEAE</i> Yams		<i>Dioscorea deltoidea</i> + 1 Elephant's foot
<i>ERICACEAE</i>		<i>Kalmia cuneata</i> + 1
<i>EUPHORBIACEAE</i> Euphorbias		<i>Euphorbia</i> spp. - 114 + 1 Euphorbias
<i>FAGACEAE</i> Beech family		<i>Quercus copeyensis</i> + 1 Copey oak
<i>FOUQUIERLACEAE</i>		<i>Fouquieria columnaris</i> + 1
	<i>Fouquieria fasciculata</i> <i>Fouquieria purpusii</i>	
<i>GENTIANACEAE</i> Gentian family	<i>Prepusa hookeriana</i> Scarlet flowered prepusa or white flowered prepusa	
<i>HUMIRIACEAE</i>	<i>Vantanea barbourii</i> <i>Ira chiricana</i>	
<i>JUGLANDACEAE</i> Walnut, hickory and pecan family	<i>Engelhardtia pterocarpa</i>	
<i>LEGUMINOSAE</i> Laburnum family	<i>Cynometra hemitomophylla</i> <i>Platymiscium pleiostachyum</i> Quira macawood <i>Tachigalia versicolor</i>	<i>Thermopsis mongolica</i>
<i>LILIACEAE</i> Lily family	<i>Aloe albida</i> <i>Aloe pillansii</i> <i>Aloe polyphylla</i> Spiral aloe <i>Aloe thorncroftii</i> <i>Aloe vossii</i>	<i>Aloe</i> spp. (*) + 6 Aloes
<i>MELASTOMATACEAE</i>	<i>Lavoisiera itambana</i>	
<i>MELIACEAE</i> Mahogany family	<i>Guarea longipetiola</i> Musk-wood	<i>Swietenia humilis</i> + 1 Honduras mahogany or baywood
<i>MORACEAE</i>	<i>Batocarpus costaricensis</i> A mulberry	
<i>NEPENTHACEAE</i>	<i>Nepenthes rajah</i> Giant tropical pitcher-plant	
<i>ORCHIDACEAE</i> Orchid family	<i>Cattleya skinneri</i> Skinner's cattleya or white nun <i>Cattleya trianae</i> Winter cattleya or Christmas orchid <i>Didicicia cunninghamii</i>	<i>ORCHIDACEAE</i> spp. (*) = 367 + 7 Orchids (C 1: 106 species)

	Appendix I	Appendix II
	<p><i>Laelia jongbeana</i> <i>Laelia lobata</i> <i>Lycaste virginalis</i> var. <i>alba</i> = 368 White nun <i>Peristeria elata</i> Holy Ghost or dove orchid or dove flower or Holy Ghost flower <i>Renanthera imschootiana</i> Red vanda <i>Vanda coerulea</i> Blue vanda</p>	
PALMAE Palm family		<p><i>Areca ipot</i> † 1 <i>Chrysalidocarpus decipiens</i> † 1 Butterfly palm <i>Chrysalidocarpus lutescens</i> † 1 Madagascar palm <i>Neodypsis decaryi</i> † 1 <i>Phoenix hanceana</i> var. <i>philippinensis</i> † 1 <i>Salacca clemensiana</i> † 1</p>
PINACEAE Pine family	<p><i>Abies guatemalensis</i> Guatamalan fir or pinabete</p>	
PODOCARPACEAE Podocarpus family	<p><i>Podocarpus costalis</i> <i>Podocarpus parlatoresi</i> Parlatore's podocarp</p>	
PORTULACACEAE Purslane family		<p><i>Anacampseros</i> spp. † 1 Purselanes <i>Lewisia cotyledon</i> † 1 <i>Lewisia maguirei</i> † 1 <i>Lewisia serrata</i> † 1 <i>Lewisia tweedyi</i> † 1</p>
PRIMULACEAE Primrose family		<p><i>Cyclamen</i> spp. † 1 [C 1: <i>Cyclamen graecum</i> (incl. <i>Cyclamen mindleri</i>) <i>Cyclamen creticum</i> <i>Cyclamen balearicum</i> C 2: <i>Cyclamen</i> spp.] Cyclamens</p>
PROTEACEAE Protea family	<p><i>Orotbannus zeyheri</i> Marsh-rose <i>Protea odorata</i></p>	
RUBIACEAE Madder family	<p><i>Balmea stormae</i> Ayugue</p>	
SARRACENIACEAE	<p><i>Sarracenia alabamensis alabamensis</i> <i>Sarracenia jonesii</i> <i>Sarracenia oreophila</i></p>	<p><i>Darlingtonia californica</i> † 1</p>
STANGERIACEAE Cycad family	<p><i>Stangeria eriopus</i> = 369 Hottentot's head</p>	
STERCULIACEAE Sterculia family		<p><i>Pterygota excelsa</i> = 370 † 1</p>

	Appendix I	Appendix II
<i>THEACEAE</i>		<i>Camellia chrysantha</i>
<i>WELWITSCHLACEAE</i>	<i>Welwitschia bainesii</i> = 371	
<i>ZAMIACEAE</i> Cycad (palm) family	<i>Ceratozamia</i> spp. <i>Encephalartos</i> spp. Bread-palms or bread trees <i>Microcyas calocoma</i> .. Palma corcho	<i>ZAMIACEAE</i> spp. (*) + 5 Cycas
<i>ZINGIBERACEAE</i> Ginger family	<i>Hedychium philippinense</i> Philippine garland-flower	
<i>ZYGOPHYLLACEAE</i> Lignum vitae family		<i>Guaiacum sanctum</i> + 1 Lignum-vitae or holy wood or tree of life

Appendix III (*) (*)

Interpretation

1. Species included in this appendix are referred to:
 - (a) by the name of the species; or
 - (b) as being all of the species included in a higher taxon or designated part thereof.
2. The abbreviation 'spp.' is used to denote all species of a higher taxon occurring on the territory of the party which has submitted that taxon for inclusion in this appendix.
3. Other references to taxa higher than species are for the purpose of information or classification only.
4. An asterisk (*) placed against the name of a species or higher taxon indicates that one or more geographically separate populations, sub-species or species, of that species or taxon, are included in Appendix I and that those populations, sub-species or species are excluded from Appendix III.
5. Two asterisks (**) placed against the name of a species or higher taxon indicate that one or more geographically separate populations, sub-species or species, of that species or taxon, are included in Appendix II and that those populations, sub-species or species are excluded from Appendix III.
6. The symbol '=' followed by a number placed against the name of a species denotes that the name of that species shall be interpreted as follows:
 - = 372 Includes synonym *Tamandua mexicana*.
 - = 373 Includes synonym *Cabassous gymnurus*.
 - = 374 Includes synonym *Manis longicaudata*.
 - = 375 Includes generic synonym *Coendou*.
 - = 376 Includes synonym *Galictis allamandi*.
 - = 377 Includes generic synonym *Viverra*.
 - = 378 Also referenced *Tragelaphus eurycerus*; includes generic synonym *Taurotragus*.
 - = 379 Also referenced as *Ardeola ibis*.
 - = 380 Also referenced as *Egretta alba*.
 - = 381 Also referenced as *Columba mayeri*.
 - = 382 Also referenced as *Terpsiphone bourbonnensis*.
 - = 383 Formerly included in genus *Natrix*.
7. The name of the countries placed against the names of species or other taxa are those of the parties submitting these species or taxa for inclusion in this appendix.
8. Any animal or plant, whether live or dead, of a species or other taxon listed in this appendix, is covered by the provisions of the Convention, as is any readily recognizable part or derivative thereof, except plant seeds, spores and tissue cultures (conference resolution 4.24).

(*) The entries '(C 1)' and '(C 2)' after the name of a species or a higher taxon show that one or more sub-species or species, of that species or taxon, appear in part 1 or 2 of Annex C to the Regulation.

(*) The translations of the Latin names are given as a guide only.

	Species	Country
FAUNA ANIMALS		
MAMMALIA MAMMALS		
CHIROPTERA Bats		
<i>Phyllostomatidae</i> New World leaf-nosed bats	<i>Vampyrops lineatus</i> False vampire bat	Uruguay
EDENTATA Edentates		
<i>Myrmecophagidae</i>	<i>Tamandua tetradactyla</i> (**) = 372	Guatemala
<i>Choloepidae</i> Sloths	<i>Choloepus hoffmanni</i> Hoffmann's sloth	Costa Rica
<i>Dasypodidae</i> Armadillos	<i>Cabassous centralis</i>	Costa Rica
	<i>Cabassous tatouay</i> = 373 Eleven-banded or broad-banded armadillo	Uruguay
PHOLIDOTA Pangolins or scaly ant-eaters		
<i>Manidae</i> Pangolins	<i>Manis gigantea</i> (C 1) Giant pangolin	Ghana
	<i>Manis tetradactyla</i> = 374 Long-tailed pangolin	(C 1) Ghana
	<i>Manis tricuspis</i> (C 1) Small-scaled tree pangolin	Ghana
RODENTIA Rodents		
<i>Sciuridae</i> Squirrels and marmots	<i>Epixerus ebii</i> Ebian's palm squirrel	Ghana
	<i>Sciurus deppei</i>	Costa Rica
<i>Anomaluridae</i> Scaly-tailed squirrels	<i>Anomalurus spp.</i> All large scaly-tailed flying squirrels	Ghana
	<i>Idiurus spp.</i> All small scaly-tailed flying squirrels	Ghana
<i>Hystricidae</i> Old World porcupines	<i>Hystrix spp.</i> All Old World crested porcupines	Ghana
<i>Erethizontidae</i> New World porcupines	<i>Sphiggurus spinosus</i> = 375 South American tree-porcupines	Uruguay
CARNIVORA Carnivores		
<i>Procyonidae</i> Raccoons	<i>Bassaricyon gabbii</i> Olingo	Costa Rica
	<i>Bassariscus sumichrasti</i> Mexican cacomistle	Costa Rica
	<i>Nasua nasua solitaria</i> Ring-tailed or red coati	Uruguay

	Species	Country
<i>Mustelidae</i> Weasels, badgers, skunks and others	<i>Galictis vittata</i> = 376 Grison	Costa Rica
	<i>Mellivora capensis</i> Ratel or honey-badger	Ghana, Botswana
<i>Viverridae</i> Genets, civets and mongooses	<i>Civettictis civetta</i> = 377 African civet or civet cat	Botswana
<i>Protelidae</i> Hyaenas	<i>Proteles cristatus</i> Aardwolf	Botswana
PINNIPEDIA Seals and walruses		
<i>Odobenidae</i> Walruses	<i>Odobenus rosmarus</i> Atlantic walrus	Canada
ARTODACTYLA Even-toed ungulates		
<i>Tayassuidae</i>	<i>Tayassu tajacu</i>	Guatemala
<i>Hippopotamidae</i> Hippopotamuses	<i>Hippopotamus amphibius</i> Common hippopotamus	(C 2) Ghana
<i>Tragulidae</i> Chevrotains	<i>Hyemoschus aquaticus</i> Water chevrotain	Ghana
<i>Cervidae</i> True deer	<i>Cervus elaphus barbarus</i> Barbary deer	Tunisia
	<i>Mazama americana cerasina</i>	Guatemala
	<i>Odocoileus virginianus mayensis</i>	Guatemala
<i>Bovidae</i> Cattle, sheep, goats, antelopes, etc.	<i>Antilope cervicapra</i> Blackbuck or Indian antelope	Nepal
	<i>Boocercus eurycerus</i> = 378 Bongo	Ghana
	<i>Bubalus bubalis</i> Asiatic or water buffalo, or arna	Nepal
	<i>Damaliscus lunatus</i> Swift topi or sassaby	Ghana
	<i>Gazella cuvieri</i> Cuvier's gazelle	Tunisia
	<i>Gazella dorcas</i> Dorcas gazelle	Tunisia
	<i>Gazella leptoceros</i> Slender-horned or Loder's gazelle	Tunisia
	<i>Tetracerus quadricornis</i> Four-horned antelope or chousingha	Nepal
	<i>Tragelaphus spekei</i> Sitatunga or marshbuck	Ghana
	AVES BIRDS	
RHEIFORMES Rheas		
<i>Rbeidae</i> Rheas	<i>Rhea americana</i> (**) Common rhea or nandu, so South American ostrich	Uruguay
CICONIIFORMES Wading birds (herons and kin)		
<i>Ardeidae</i> Herons and bitterns	<i>Ardea goliath</i> Goliath heron	Ghana

	Species	Country
	<i>Bubulcus ibis</i> = 379 (C 1) Cattle egret	Ghana
	<i>Casmerodius albus</i> = 380 (C 1) Common or great egret	Ghana
	<i>Egretta garzetta</i> (C 1) Little egret	Ghana
<i>Ciconiidae</i> Storks	<i>Ephippiorhynchus senegalensis</i> Saddle-billed stork	Ghana
	<i>Leptoptilos crumeniferus</i> Marabou (adjutant) stork	Ghana
<i>Threskiornithidae</i> Ibises and spoonbills	<i>Hagedashia hagedash</i> Hadada ibis	Ghana
	<i>Lampribis rara</i> Spotted-breasted ibis	Ghana
	<i>Threskiornis aethiopicus</i> Sacred ibis	Ghana
ANSERIFORMES Waterfowl		
<i>Anatidae</i> Ducks, geese and swans	<i>Anatidae</i> spp. (*) (**) [C 1: <i>Alopochen aegyptiacus</i> <i>Anas querquedula</i> <i>Aythya nyroca</i>]	Ghana
GALLIFORMES Gamebirds or fowl-like birds		
<i>Cracidae</i>	<i>Crax rubra</i> (C 2) Great curassow	Costa Rica, Guatemala
	<i>Ortalis vetula</i> (C 2)	Guatemala
	<i>Penelopina nigra</i> (C 2)	Guatemala
<i>Phasianidae</i> Pheasants, partridges, quails and peacocks	<i>Agelastes meleagrides</i> White-breasted guineafowl	Ghana
	<i>Agriocharis ocellata</i>	Guatemala
	<i>Tragopan satyra</i> Horned tragopan or pheasant	Nepal
CHARADRIIFORMES		
<i>Burhinidae</i>	<i>Burhinus bistriatus</i>	Guatemala
COLUMBIFORMES Pigeons, sandgrouse and doves		
<i>Columbidae</i> Pigeons and doves	<i>Columbidae</i> spp. (*) (**) All pigeons and doves (C 1: <i>Columba livia</i>)	Ghana
	<i>Nesoenas mayeri</i> = 381	Mauritius
PSITTACIFORMES Parrots and kin		
<i>Psittacidae</i> Parrots	<i>Psittacula krameri</i> (*)	Ghana

	Species	Country
CUCULIFORMES Cuckoos and kin		
<i>Musophagidae</i> Turacos or plantain eaters	<i>Musophagidae</i> spp. (**) All turacos	Ghana
PICIFORMES		
<i>Ramphastidae</i>	<i>Ramphastos sulphuratus</i>	Guatemala
PASSERIFORMES Song birds or perching birds		
<i>Muscicapidae</i> Old World flycatchers	<i>Bebrornis rodericanus</i> (. . .) brush warbler	Mauritius
	<i>Tchitreia bourbonnensis</i> = 382 Paradise flycatcher	Mauritius
<i>Emberizidae</i> Buntings	<i>Gubernatrix cristata</i> Green or yellow cardinal	Uruguay
<i>Icteridae</i> Icterids	<i>Xanthopsar flavus</i>	Uruguay
<i>Fringillidae</i> Finches or New World seedeaters	<i>Fringillidae</i> spp. (*) (**) All finches or New World seedeaters	Ghana
<i>Ploceidae</i> Weaver bird	<i>Ploceidae</i> spp. All ploceid weaver birds	Ghana
	REPTILIA REPTILES	
TESTUDINATA Chelonians (tortoises, terrapins and turtles)		
<i>Trionychidae</i> Soft-shelled turtles	<i>Trionyx triunguis</i> Nile soft-shelled turtle	Ghana
<i>Pelomedusidae</i> Side-necked turtles	<i>Pelomedusa subrufa</i> Helmeted turtle	Ghana
	<i>Pelusios</i> spp. Side-necked turtles	Ghana
SERPENTES		
<i>Colubridae</i>	<i>Atretium schistosum</i> Olive keelback water snake	India
	<i>Cerberus rhynchops</i> Dog-faced water snake	India
	<i>Natrix picator</i> Checkered keelback water snake	India
	<i>Ptyas mucosus</i> Indian rat snake	India
<i>Elapidae</i>	<i>Naja naja</i> Indian cobra	India
	<i>Ophiophagus bannah</i> King cobra	India
<i>Viperidae</i>	<i>Vipera russellii</i> Russell's viper	India

	Species	Country
FLORA PLANTS		
<i>GNETACEAE</i>	<i>Gnetum montanum</i>	Nepal
<i>MAGNIOLIACEAE</i> Magnolia family	<i>Talauma bodgsonii</i> Safan	Nepal
<i>PAPAVERACEAE</i> Poppy family	<i>Meconopsis regia</i>	Nepal
<i>PODOCARPACEAE</i> Podocarpus family	<i>Podocarpus nerifolius</i> Yellow wood	Nepal
<i>TETRACENTRACEAE</i>	<i>Tetracentron spp.</i>	Nepal

ANNEX B

Animal and plant parts or products referred to in Article 2

No	CCT heading No	Description
1 (a)	ex 41.01 ex 41.02 C ex 41.05 B ex 43.01 ex 43.02	Furskins, skins, and hides (complete or bellies and backs) of <i>Colobus angolensis</i> , <i>Colobus guereza</i> and <i>Colobus polykomos</i> and of animals belonging to the species <i>Canidae</i> , <i>Ursidae</i> , <i>Lutrinae</i> , <i>Viverridae</i> , <i>Felidae</i> , <i>Arctocephalus</i> , <i>Elephantidae</i> , <i>Equidae</i> and <i>Camelidae</i> , included in Appendices I, II and III to the Convention
1 (b)	ex 43.03 B	Articles, covers, rugs and wall-hangings made from the furskins, skins and hides referred to in 1 (a)
2	ex 05.09 ex 05.15 B ex 99.05	Heads, trophies or parts of trophies of animals belonging to the species <i>Elephantidae</i> , <i>Rhinocerotidae</i> , <i>Suidae</i> , <i>Cervidae</i> , <i>Bovidae</i> and <i>Choeropsis liberiensis</i> , included in Appendices I, II and III to the Convention
3 (a)	ex 05.09 ex 95.05 B ex 99.05	Tusks and substantial parts thereof of animals belonging to the species <i>Elephantidae</i> , <i>Monodon monoceros</i> and <i>Odobenus rosmarus</i>
3 (b)	ex Chapters 66, 71, 92, 97, 98 and 99	Articles made wholly or partly of the ivory mentioned under 3 (a)
4	ex 05.09 ex 95.05 B ex 99.05	Horns, entire or worked, of animals belonging to the <i>Rhinocerotidae</i> species
5	ex 05.14	Musk of animals belonging to the <i>Moschus</i> species
6	ex 53.02 B ex 53.05	Hair of the <i>Vicugna vicugna</i> and <i>Lama guanicoe</i>
7	ex 02.04 C ex 02.06 C ex 05.15 B ex 16.03 ex 23.01 A ex 05.09 ex 15.04 ex 15.08 ex 15.12 15.15 A ex Chapter 41 ex Chapters 42, 43 and 64	Meat and meat offals of all <i>Cetacea</i> species; extracts, juices, meal and powders from meat and meat offals of all <i>Cetacea</i> species Whalebone and similar bone, unworked or simply prepared but not cut to shape, and hair and waste of these products Oils and fats of cetaceans Spermaceti, crude, pressed or refined, whether or not coloured Leather, treated with whale oil or oil of other cetaceans, whether or not modified The following products, treated with whale oil or oil of other cetaceans, whether or not modified or made from leather treated with the same oil: — Leather articles, saddlery and harness travel goods; handbags and similar containers; furskins and artificial fur; footwear, gaiters and the like; parts of such articles
8	ex 05.07 B ex 67.01 ex 99.05	Skins, plumage, parts thereof and feathers of the species of bird included in Appendices I, II and III to the Convention and items made therefrom
9	ex 04.05 A II ex 99.05	Eggs and eggshells of the species of bird included in Appendices I, II and III to the Convention
10	ex 05.09 ex 95.05 B ex 99.05	The unworked casque of <i>Rhinoplax vigil</i> and items carved from it

No	CCT heading No	Description
11 (a)	ex 41.01 ex 41.05 ex 99.05	Entire hides and skins and substantial parts of the hides and skins of the species of reptiles shown in Appendices I, II and III to the Convention
11 (b)	ex 42.02 B ex 42.03	Travel goods, handbags and similar containers, clothing and clothing accessories of leather made from the hides and skins mentioned in 11 (a)
12	ex 05.09 ex 05.15 B ex 95.05 B ex 99.05	Shells, unworked or simply prepared of turtles; tortoise-shell
13	ex 02.04 C II ex 02.06 C II ex 21.05 A	Turtle meat and turtle soup
14	ex 05.15 B ex 99.05	Wings of the species of butterfly included in Appendices I and II to the Convention and articles made from them
15	ex 99.05	Preserved or stuffed animals of the species listed in Appendices I and II to the Convention and parts thereof
16	ex 06.02 ex 06.04 ex 44.03 B	Stems of tree ferns (<i>Cyatheaceae</i> and <i>Dicksoniaceae</i>) as well as timber and roots designated in Appendix II to the Convention

ANNEX C

LIST OF SPECIES
given special treatment by the Community

NB:

An asterisk (*) placed after the name of a species or a higher taxon shows that one or more geographically separate populations, sub-species or species, of that species or taxon, are already included in Appendix I to the Convention.

PART 1

SPECIES REFERRED TO IN ARTICLE 3 (1)

FAUNA

MAMMALIA

EDENTATA

*Myrmecophagidae**Myrmecophaga tridactyla**Tamandua tetradactyla chapadensis*

PHOLIDOTA

*Manidae**Manis spp. (*)*

RODENTIA

*Sciuridae**Ratusfa spp.*CETACEA *spp. (*) (*)*

CARNIVORA

*Viverridae**Cynogale bennetti**Eupleres goudotii* = 321*Fossa fossa**Prionodon linsang*

PINNIPEDIA

*Phocidae**Mirounga spp.*

SIRENIA

*Dugongidae**Dugong dugon (*)* + 207*Trichechidae**Trichechus senegalensis*

PERISSODACTYLA

*Equidae**Equus hemionus (*)* = 324*Equus zebra hartmannae**Tapiridae**Tapirus terrestris*

ARTIODACTYLA

*Bovidae**Antilocapra americana mexicana**Capra falconeri (*)*

(*) With the exception of specimens of the species listed in Appendix II to the Convention, and the products and derivatives thereof, taken by the people of Greenland under licence granted by the competent authorities of Greenland or Denmark.

Statement on Article 2

The Council and the Commission state that, in view of the predominantly cultural nature of the making of certain handicraft articles in Greenland from specimens of *Cetacea* and of the low volume of such activity, it shall not be regarded as predominantly commercial, and that the granting of appropriate export and import licences may therefore be regarded as consistent with the relevant provisions of the Regulation.

The management authorities in Denmark will, in consultation with the Commission, monitor such exports and imports, which must not significantly exceed the present low level.

AVES

SPHENISCIFORMES

*Spheniscidae**Spheniscus demersus*

CICONIIFORMES

*Ardeidae**Bubulcus ibis* = 379*Casmerodius albus* = 380*Egretta garzetta**Ciconiidae**Ciconia nigra**Threskiornithidae**Platalea leucorodia**Phoenicopteridae**Phoenicoparrus andinus**Phoenicoparrus jamesi**Phoenicopterus chilensis**Phoenicopterus ruber ruber*

ANSERIFORMES

*Anatidae**Branta ruficollis**Coscoroba coscoroba**Cygnus columbianus jankowskii* = 334*Alopochen aegyptiacus**Anas querquedula**Aythya nyroca*

FALCONIFORMES spp. (*) — 107

GALLIFORMES

*Phasianidae**Argusianus argus**Cyrtonyx montezumae mearnsi* — 108*Cyrtonyx montezumae montezumae**Francolinus ochropectus**Gallus sonneratii**Ithaginis cruentus**Polyplectron bicalcaratum**Polyplectron germaini**Polyplectron malacense*

TESTUDINATA

*Testudinidae**Testudo graeca**Testudo bermanni**Testudo marginata*

OSTEOGLOSSIFORMES

*Osteoglossidae**Arapaima gigas*

GRUIFORMES

*Gruidae**Grus canadensis pratensis**Otididae**Otis tarda*

CHARADRIIFORMES

*Laridae**Larus brunnicephalus*

COLUMBIFORMES

*Columbidae**Columba livia**Goura spp.*

CUCULIFORMES

*Musophagidae**Tauraco corythaix**Tauraco porphyreolophus* = 342

STRIGIFORMES spp. (*)

CORACIIFORMES

*Bucerotidae**Aceros narcondami**Buceros bicornis* (*)*Buceros hydrocorax hydrocorax**Buceros rhinoceros rhinoceros*

PICIFORMES

*Picidae**Picus squamatus flavirostris*

PASSERIFORMES

*Hirundinidae**Pseudochelidon sirintarae**Paradisacidae spp.*

REPTILIA

SAURIA

*Chamaeleonidae**Chamaeleo chamaeleon**Teiidae**Cnemidophorus hyperythrus**Helodermatidae**Heloderma spp.*

PISCES

INSECTA

LEPIDOPTERA

*Papilionidae**Ornithoptera* spp. = 356*Parnassius apollo**Trogonoptera* spp. = 356*Troides* spp. = 356

FLORA

ORCHIDACEAE

Cypripedium calceolus
Epipactis palustris
Epipactis helleborine
Epipactis leptochila
Epipactis muelleri
Epipactis dunensis
Epipactis purpurata
Epipactis phyllanthos
Epipactis atrorubens
Epipactis microphylla
Cephalanthera damasonium
Cephalanthera longifolia
Cephalanthera cucullata
Cephalanthera epipactoides
Cephalanthera rubra
Limodorum abortivum
Epipogium aphyllum
Neottia nidus-avis
Listera ovata
Listera cordata
Spiranthes spiralis
Spiranthes aestivalis
Spiranthes romanzoffiana
Goodyera repens
Gemmaea diphylla
Herminium monorchis
Neottianthe cucullata
Platanthera bifolia
Platanthera chlorantha
Chamorchis alpina
Gymnadenia conopsea
Gymnadenia odoratissima
Pseudorchis albida
Pseudorchis frivaldii
Nigritella nigra
Coeloglossum viride
Dactylophiza iberica
Dactylophiza sambucina
Dactylophiza sulphurea
Dactylophiza incarnata
Dactylophiza majalis
Dactylophiza cordigera
Dactylophiza traunsteineri
Dactylophiza russowii
Dactylophiza elata
Dactylophiza maculata
Dactylophiza fuchsii
Dactylophiza saccifera
Neotinea maculata
Traunsteinera globosa
Orchis papilionacea
Orchis boryi
Orchis morio
Orchis longicornu
Orchis coriophora

Orchis sancta
Orchis ustulata
Orchis tridentata
Orchis lactea
Orchis italica
Orchis simia
Orchis militaris
Orchis punctulata
Orchis purpurea
Orchis saccata
Orchis patens
Orchis spitzelii
Orchis mascula
Orchis pallens
Orchis provincialis
Orchis anatolica
Orchis quadripunctata
Orchis laxiflora
Aceras anthropophorum
Himantoglossum hircinum
Barlia robertiana
Anacamptis pyramidalis
Serapias cordigera
Serapias neglecta
Serapias vomeracea
Serapias lingua
Serapias parviflora
Ophrys insectifera
Ophrys speculum
Ophrys lutea
Ophrys fusca
Ophrys pallida
Ophrys sphegodes
Ophrys spruneri
Ophrys ferrum-equinum
Ophrys bertolonii
Ophrys lunulata
Ophrys argolica
Ophrys reinholdii
Ophrys cretica
Ophrys carmeli
Ophrys scolopax
Ophrys fuciflora
Ophrys arachniformis
Ophrys tenthredinifera
Ophrys apifera
Ophrys bombyliflora
Corallorhiza trifida
Liparis loeselii
Microstylis monophyllos
Hammarbya paludosa

PRIMULACEAE

Cyclamen graecum (incl. *Cyclamen mindleri*)
Cyclamen creticum
Cyclamen balearicum

PART 2

SPECIES REFERRED TO IN ARTICLE 3 (2)

FAUNA

MAMMALIA

MONOTREMATA

Tachyglossidae
Zaglossus spp.

MARSUPIALIA

Macropodidae
Dendrolagus bennettianus
Dendrolagus inustus
Dendrolagus lumholtzi
Dendrolagus ursinus

PRIMATES *spp.* (*)

CARNIVORA

Canidae
Canis lupus (*)
Chrysocyon brachyurus
Ursidae
Ursus maritimus = 318
Procyonidae
Ailurus fulgens
Felidae
Felis bengalensis (*)

Felis concolor (*)
Felis geoffroyi
Felis pajeros
Felis pardalis (*)
Felis serval
Felis tigrina (*)
Felis wiedii (*)
Felis yagouaroundi (*)
Lynx lynx
Lynx pardinus
Felis sylvestris

PROBOSCIDEA

Elephantidae
Loxodonta africana

ARTIODACTYLA

Hippopotamidae
Choeropsis liberiensis
Hippopotamus amphibius
Cervidae
Pudu mephistophiles
Bovidae
Ovis ammon (*)

AVES

ANSERIFORMES

Anatidae
Anas aucklandica aucklandica
Anas aucklandica chlorotis
Anas bernieri

GALLIFORMES

Cracidae
Crax rubra
Ortalis vetula
Penelopina nigra

GRUIFORMES

Rallidae
Gallirallus australis hectori

TESTUDINATA

Testudinidae spp. (except for *Testudo graeca*, *Testudo hermanni* and *Testudo marginata*, which are included in part 1 of Annex C)

Pelomedusidae
Erymnochelys madagascariensis = 349
Peltocephalus dumeriliana = 349
Podocnemis spp.

COLUMBIFORMES

Columbidae
Gallinolumba luzonica

PSITTACIFORMES spp. (*) — 109

PASSERIFORMES

Cotingidae
Rupicola spp.
Pittidae
Pitta brachyura nympha
Muscicapidae
Psophodes nigrogularis

REPTILIA

CROCODYLIA spp. (*) = 350

SAURIA

Gekkonidae
Phelsuma spp.
Agamidae
Uromastyx spp.

Iguanidae

Amblyrhynchus cristatus
Conolophus spp.

Varanidae

Varanus spp. (*)

ANURA

Bufonidae

Bufo retiformis

ANTIPATHARIA spp.

PRIMULACEAE

Cyclamen spp.

SERPENTES

Boidae

Constrictor constrictor (syn. *Boa constrictor*)

Eunectes spp.

Python spp. (*)

Eryx jaculus

Colubridae

Cyclagras gigas = 353

AMPHIBIA

ANTHOZOA

FLORA

COMMISSION REGULATION (EEC) No 3418/83
of 28 November 1983

laying down provisions for the uniform issue and use of the documents required for the implementation in the Community of the Convention on international trade in endangered species of wild fauna and flora

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3626/82 of 3 December 1982 on the implementation in the Community of the Convention on international trade in endangered species of wild fauna and flora (1), and in particular Article 21 thereof,

Having regard to Council Regulation (EEC) No 348/81 of 20 January 1981 on common rules for imports of whale or other cetacean products (2), and in particular Article 2 (2) thereof,

Whereas provisions are required to implement Regulation (EEC) No 3626/82;

Whereas, in order to ensure uniformity of the forms on which documents used for the purposes of that Regulation are drawn up, it is necessary to lay down the conditions which must be satisfied for their completion, issue and use; whereas it is accordingly appropriate to have specimens or models to which the said forms must correspond;

Whereas this Regulation covers *inter alia* the field hitherto covered by Commission Regulation (EEC) No 3786/81 of 22 December 1981 laying down provisions for the implementation of the common rules for imports of whale or other cetacean products (3); whereas that Regulation should therefore be repealed;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on the Convention on international trade in endangered species of wild fauna and flora and that of the Committee on Cetacean Products,

HAS ADOPTED THIS REGULATION:

TITLE I

PROVISIONS RELATING TO FORMS AND THEIR USE

Section I

FORMS

Article 1

1. The forms on which Community import permits, import certificates, export permits and re-export certificates are drawn up shall correspond, except as regards spaces reserved for national use, to the specimens shown in Annex I. These permits and certificates shall be issued and used in accordance with the provisions of Regulation (EEC) No 3626/82 and of this Regulation.

2. The forms to be completed as the certificates referred to in Article 11 of Regulation (EEC) No 3626/82 shall correspond, except as regards spaces reserved for national use, to the specimens shown in Annex II. These certificates shall be issued and used in accordance with the provisions of Regulation (EEC) No 3626/82 and of this Regulation.

Their use shall be without prejudice to formalities relating to export and re-export and to the forms used for such formalities.

3. The label for which provision is made in Article 12 of Regulation (EEC) No 3626/82 shall be as

(1) OJ No L 384, 31. 12. 1982, p. 1.

(2) OJ No L 39, 12. 2. 1981, p. 1.

(3) OJ No L 377, 31. 12. 1981, p. 42.

shown in the specimen in Annex III. It shall be issued and used in accordance with the provisions of Regulation (EEC) No 3626/82 and of this Regulation.

Article 2

The forms and the label referred to in Article 1 shall be supplied on request by the management authorities and, where appropriate, other authorities designated by the Member States.

Article 3

1. The paper used for the permits and certificates referred to in Article 1 (1) and (2) shall be free of mechanical pulp, dressed for writing purposes and weigh at least 55 g/m².

2. For the permits and certificates referred to in Article 1 (1) the paper shall be:

- white for the original,
- pale blue for the copy for the permittee, bearing the number '1',
- pink for the copy for the exporting or re-exporting country or for return by customs to the issuing authority, as appropriate, bearing the number '2',
- yellow for the copy for the issuing authority, bearing the number '3',
- white for the application.

3. The form for the import certificate shall consist only of an original, a copy for the issuing authority and a copy for the importer.

4. For the certificates referred to in Article 1 (2) the paper shall be:

- pale blue for the original,
- yellow for the copy for the issuing authority,
- white for the application.

5. The paper used for the originals of permits and re-export certificates shall have a guilloche pattern background, printed in grey on the front, so as to reveal any falsification by mechanical or chemical means.

6. The size of the forms shall be 210 × 297 millimetres.

7. (a) The form shall be printed and completed in one of the official Community languages as

specified by the competent authorities of each Member State. Where necessary the competent authorities of a Member State in which the document is produced may require a translation of it into the or one of the official languages of that Member State.

(b) Where appropriate a translation of headings 1 to 20 into another Community language and/or one of the official working languages of the Convention may be printed on the back of the original and of all copies of the import permit, import certificate, export permit and re-export certificate.

8. Import permits, import certificates, export permits and re-export certificates shall show the name and address of the printer or a mark enabling the printer to be identified.

9. Member States shall be responsible for the printing of the forms.

10. The forms shall be completed by typewriter. The separate application forms and import certificates may, however, be completed in typescript or legibly in manuscript; in the latter case they shall be completed in ink and in block capitals. They may not contain any erasures or alterations.

Section II

USE OF FORMS

Import permits

Article 4

1. Import permits shall be issued by the management authorities of the Member States in accordance with the provisions and under the conditions laid down in Regulation (EEC) No 3626/82.

2. A separate import permit shall be issued for each consignment.

Article 5

1. The applicant must complete boxes 1, 4 and 6 to 20 of the application form and boxes 1, 4 and 6 to 18 of the original and all copies. Member States may, however, provide that only the application

form is to be completed and that the latter may relate to more than one consignment.

2. The duly completed form must be submitted to the management authority referred to in Article 9 of Regulation (EEC) No 3626/82.

3. Applications for the introduction into the Community of specimens of the species referred to in Articles 2 (a) and 3 of Regulation (EEC) No 3626/82 shall contain and be accompanied by sufficient information, in particular, regarding the purpose of and necessity for such introduction and in the case of live specimens their proposed housing so as to enable the management authority to determine whether a permit should be issued.

4. Member States may also require the applicant to provide proof that the State of (re-)exportation will allow the export or re-export of the specimens concerned. Presentation of an export permit or re-export certificate does not necessarily imply that an import permit will be issued.

Article 6

Import permits for specimens of the species referred to in Article 2 (a) and 3 (1) of Regulation (EEC) No 3626/82 shall impose conditions designed to prevent the specimens being used, or sold or otherwise disposed of commercially for purposes other than that for which the permit was issued, after the importation has taken place.

Article 7

The copy for the exporting or re-exporting country of an import permit issued for specimens of the species listed in Appendix I to the Convention and Part 1 of Annex C to Regulation (EEC) No 3626/82 shall be returned to the applicant for submission to the management authority of the State of exportation or re-export. An undertaking by the competent management authority that an import permit will be issued can be given directly to the management authority of the country of exportation or re-export.

Article 8

1. Without prejudice to Article 15 (1) of Regulation (EEC) No 3626/82, import permits shall be valid throughout the Community.

2. The period of validity of an import permit shall not exceed six months. An import permit shall, however, not be valid after the date of expiry of the requisite corresponding documentation from the country of (re-)export.

3. If expired, the holder shall immediately return the original and all copies of an unused import permit in his possession to the issuing management authority.

Article 9

The importer or his authorized representative shall surrender the original, the copy for the permittee and any documentation from the (re-)exporting country, as specified in the import permit, together with the relevant customs entry, to the customs office at which customs import formalities are completed.

Article 10

The customs office referred to in Article 9 shall, after completing box 20, forward the original of the import permit and any documentation from the country of (re-)export, to the management authority in its country and return the copy for the permittee to the importer or to his authorized representative.

Import certificates

Article 11

Member States may provide that introduction into the Community from third countries of specimens of the species which are not covered by Article 2 (a) or 3 of Regulation (EEC) No 3626/82 shall be subject to the presentation of an import certificate instead of an import permit.

Article 12

The importer or his authorized representative must complete boxes 1, 4 and 7 to 18 and bar box 19 of the original and of the copies of the import certificate and surrender them together with the requisite documentation from the (re-)exporting country and the relevant customs entry to the customs office at which the customs import formalities are completed.

Article 13

Article 10 shall also apply to import certificates.

Export permits*Article 14*

1. Export permits shall be issued by the management authorities of the Member States in accordance with the provisions and under the conditions laid down in Regulation (EEC) No 3626/82.
2. A separate export permit shall be issued for each consignment.

Article 15

1. The applicant must complete boxes 1, 4 and 7 to 20 of the application form and boxes 1, 4 and 7 to 18 of the original and all copies. Member States may, however, provide that only the application form is to be completed and that the latter may relate to more than one consignment.
2. The duly completed form must be submitted to the management authority referred to in Article 9 of Regulation (EEC) No 3626/82.
3. Applications for the exportation of live animals shall be accompanied by sufficient information regarding the preparation for and shipment of the specimens concerned so as to enable the management authority to determine whether the requirements of the Convention are met.

Article 16

1. The period of validity of an export permit shall not exceed six months.
2. On expiry, the holder shall immediately return the original and all copies of an unused export permit in his possession to the issuing management authority.

Article 17

The exporter or his authorized representative shall surrender the original, the copy for the permittee, and the copy for return to the issuing authority,

together with the export declaration, to the customs office at which the customs export formalities are completed.

Article 18

The customs office referred to in Article 17 shall, after completing box 20, forward the copy for return to the issuing authority to the management authority in its country and return the original and the copy for the permittee to the exporter or to his authorized representative.

Article 19

In the case of artificially propagated plants Member States may provide that the certificate referred to in Article 22 (e) or, where appropriate, a plant health certificate shall be used instead of an export permit.

Re-export certificates*Article 20*

The provisions of Articles 14 to 19 shall also apply to re-export certificates.

Article 21

1. Applications for a re-export certificate shall be accompanied by documentary evidence that the specimens concerned were introduced into the Community in accordance with Regulation (EEC) No 3626/82 or, before that Regulation came into force, with the provisions of the Convention, or that the specimens are parts or derivatives of such previously introduced specimens.

2. In the case of specimens acquired before the Convention became applicable to them in a Member State, the certificate referred to in Article 22 (c) shall be the export permit or re-export certificate within the meaning of Article 10 (3) of Regulation (EEC) No 3626/82.

Certificates*Article 22*

The certificates referred to hereinafter shall be issued by the management authorities of the Member States:

- (a) certificates stating that a specimen entered the territory to which Regulation (EEC) No 3626/82 applies, before that Regulation came into force, but in accordance with the provisions of the Convention;
- (b) certificates stating that a specimen was introduced into the Community in accordance with the provisions of Regulation (EEC) No 3626/82;
- (c) certificates stating that a specimen was acquired before the Convention became applicable to it;
- (d) certificates stating that a specimen of an animal species was born and bred in captivity or is a part of such an animal or was derived therefrom;
- (e) certificates stating that a specimen of a plant species was artificially propagated or is a part of such a plant or was derived therefrom;
- (f) certificates stating that a specimen was removed from the natural state under provisions in force in a Member State or with the approval of the competent authorities of that Member State.

Article 23

Where consignments which are covered by an import permit or import certificate in accordance with Regulation (EEC) No 3626/82 are split, or where parts or derivatives from such previously imported specimens are concerned, one of the certificates referred to in Article 22 (a) and (b) shall be issued for the purposes of Articles 21 and 29.

Article 24

1. The applicant must complete boxes 1 and 4 to 13 of the application form and, where applicable, boxes 1 and 4 to 12 of the original and the copy.
2. Applications shall contain or be accompanied by documentary evidence so as to allow the management authority to determine whether a certificate should be issued.

Labels

Article 25

The label referred to in Article 12 of Regulation (EEC) No 3626/82 shall be supplied by manage-

ment authorities to registered scientists and scientific institutions. It shall bear the registration number of the scientist or scientific institution and bear a serial number as a means of identification.

Article 26

Registered scientists and scientific institutions shall immediately provide the competent management authority with full details about the use of every label.

TITLE II

GENERAL PROVISIONS

Article 27

Where a management authority receives permits or certificates issued in another Member State it shall forward them together with any corresponding (re-)export documentation to the management authority in that Member State within one month of the date of receipt.

Article 28

Management authorities shall keep applications for, and originals of permits and certificates and other relevant documentation for at least two years.

Article 29

1. For the movement of specimens within the Community and for the purpose of Article 6 of Regulation (EEC) No 3626/82, proof that the conditions prescribed by Regulation (EEC) No 3626/82 and by this Regulation have been complied with shall be furnished by the production of the copy for the permittee of the import permit or the copy for the importer of the import certificate, after endorsement by customs, or by one of the certificates referred to in Articles 19 and 22.

2. Pursuant to the provisions of Article 9 (2) of Regulation (EEC) No 3626/82, the competent authorities of a Member State shall not be obliged to accept certificates issued by another Member State under Article 22 (c).

TITLE III
FINAL PROVISIONS

Article 30

Commission Regulation (EEC) No 3786/81 is hereby repealed.

Article 31

1. Permits and certificates issued under national legislation concerning implementation of the Convention before 1 January 1984 may continue to be used until their last day of validity.

2. Until 1 March 1984, Member States in which the forms provided for in this Regulation are not yet

available may use the documents previously used for the implementation of the Convention provided that they insert therein the items provided for in the Community forms and that the documents comply with the rules laid down in this Regulation.

Article 32

Each Member State shall inform the Commission of any provisions which it adopts in the field covered by this Regulation. The Commission shall communicate this information to the other Member States.

Article 33

This Regulation shall enter into force on 1 January 1984.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 28 November 1983.

For the Commission
Karl-Heinz NARJES
Member of the Commission

ANNEX I

PERMITS AND CERTIFICATES PROVIDED FOR IN ARTICLE 1 (1)

EUROPEAN COMMUNITY 1 Exporter or re-exporter		CITES <input type="checkbox"/> IMPORT PERMIT <input type="checkbox"/> IMPORT CERTIFICATE <input type="checkbox"/> EXPORT PERMIT <input type="checkbox"/> RE-EXPORT CERTIFICATE	
4 Importer (consignee)		APPLICATION 2 Number _____ 3 Last day of validity _____	
6 Permanent address at which live animals will be kept		7 Country of (re)exportation	
8 Permanent address at which live animals will be kept		8 Country of destination	

EUROPEAN COMMUNITY 1 Exporter or re-exporter		CITES <input type="checkbox"/> IMPORT PERMIT <input type="checkbox"/> IMPORT CERTIFICATE <input type="checkbox"/> EXPORT PERMIT <input type="checkbox"/> RE-EXPORT CERTIFICATE	
4 Importer (consignee)		ORIGINAL 2 Number _____ 3 Last day of validity _____	
6 Permanent address at which live animals are to be kept		7 Country of (re)exportation	
8 Permanent address at which live animals are to be kept		8 Country of destination	

8 Full description of goods (sex, age, distinguishing marks, etc.)		11 Net mass (kg)		12 Quantity	
10 Customs tariff number		13 Country of origin		15 Appendix/ Annex No.	
14 Permit no. country of origin		16 Source (*)		18 Source (*)	
17 Scientific name		18 Common name		12 Quantity	
9 Full description of goods (sex, age, distinguishing marks, etc.)		11 Net mass (kg)		12 Quantity	
10 Customs tariff number		13 Country of origin		15 Appendix/ Annex No.	
14 Permit no. country of origin		16 Source (*)		18 Source (*)	
17 Scientific name		18 Common name		12 Quantity	
9 Full description of goods (sex, age, distinguishing marks, etc.)		11 Net mass (kg)		12 Quantity	
10 Customs tariff number		13 Country of origin		15 Appendix/ Annex No.	
14 Permit no. country of origin		16 Source (*)		18 Source (*)	
17 Scientific name		18 Common name		12 Quantity	
9 Full description of goods (sex, age, distinguishing marks, etc.)		11 Net mass (kg)		12 Quantity	
10 Customs tariff number		13 Country of origin		15 Appendix/ Annex No.	
14 Permit no. country of origin		16 Source (*)		18 Source (*)	
17 Scientific name		18 Common name		12 Quantity	
18 (A) In the case of importation of Appendix I and Annex C 1 specimens - Purpose for which the importation is required _____ (*) - I have acquired the specimens on _____ (*) - The goods were introduced into the Community in accordance with the provisions applicable to them at that time (*)					
20 APPLICATION I hereby apply for a(n) <input type="checkbox"/> import permit <input type="checkbox"/> export permit <input type="checkbox"/> re-export certificate for the goods described above I declare that I am aware of the legislation on wildlife conservation in the country of importation/(re)exportation and that to the best of my knowledge and belief all the particulars in this application and in any supporting documents are correct					
(Place and date) _____ (Signature) _____ (*) (*) Enclose documentary evidence					

8 Full description of goods (sex, age, distinguishing marks, etc.)		11 Net mass (kg)		12 Quantity	
10 Customs tariff number		13 Country of origin		15 Appendix/ Annex No.	
14 Permit no. country of origin		16 Source (*)		18 Source (*)	
17 Scientific name		18 Common name		12 Quantity	
9 Full description of goods (sex, age, distinguishing marks, etc.)		11 Net mass (kg)		12 Quantity	
10 Customs tariff number		13 Country of origin		15 Appendix/ Annex No.	
14 Permit no. country of origin		16 Source (*)		18 Source (*)	
17 Scientific name		18 Common name		12 Quantity	
9 Full description of goods (sex, age, distinguishing marks, etc.)		11 Net mass (kg)		12 Quantity	
10 Customs tariff number		13 Country of origin		15 Appendix/ Annex No.	
14 Permit no. country of origin		16 Source (*)		18 Source (*)	
17 Scientific name		18 Common name		12 Quantity	
18 THE <input type="checkbox"/> IMPORTATION <input type="checkbox"/> RE-EXPORTATION OF THE GOODS DESCRIBED ABOVE IS HEREBY PERMITTED The (re)export documentation from the country of (re)exportation <input type="checkbox"/> has been presented <input type="checkbox"/> must be presented to the customs office of importation SPECIAL CONDITIONS					
20 FOR CUSTOMS PURPOSES Goods <input type="checkbox"/> imported <input type="checkbox"/> re-exported Net mass (kg) _____ Quantity _____ Customs document type _____ number _____ date _____ (Place and date) _____ (Signature) _____ (Official stamp) _____					

P - The specimens were acquired before the provisions of the Convention became applicable to them.

The term "acquired" means
 (i) the initial removal of whole live or dead specimens from their habitat, or
 (ii) the introduction to personal possession for any part or derivative
 Date of acquisition is stated

(*) W - As specimens were taken from the wild
 C - The specimens are second or subsequent generation offspring, produced by a parental breeding stock in a controlled environment, or are parts of such animals or were derived therefrom
 A - The specimens were artificially propagated, are parts of such plants or were derived therefrom.

ANNEX II

CERTIFICATES PROVIDED FOR IN ARTICLE 1 (2)

EUROPEAN COMMUNITY		CITES CERTIFICATE ORIGINAL	
1 Holder	2 Number	3 ISSUING AUTHORITY	4
4 Full description of goods (sex, age, distinguishing marks, etc)		5 Country of origin and permit no	7 Quantity
11 Scientific name		8 Appendix/ Annex No	10 Source (*)
4 Full description of goods (sex, age, distinguishing marks, etc)		5 Country of origin and permit no	7 Quantity
11 Scientific name		8 Appendix/ Annex No	10 Source (*)
4 Full description of goods (sex, age, distinguishing marks, etc)		5 Country of origin and permit no	7 Quantity
11 Scientific name		8 Appendix/ Annex No	10 Source (*)
4 Full description of goods (sex, age, distinguishing marks, etc)		5 Country of origin and permit no	7 Quantity
11 Scientific name		8 Appendix/ Annex No	10 Source (*)
13 I HEREBY CERTIFIED THAT THE SPECIMENS DESCRIBED ABOVE		12 Common name	
<input type="checkbox"/> entered the territory to which Regulation (EEC) No 3626/82 applies, before that Regulation came into force, but in accordance with the provisions of the Convention <input type="checkbox"/> were introduced into the Community in accordance with the provisions of Regulation (EEC) No 3626/82 <input type="checkbox"/> were acquired before the Convention became applicable in them in (Member State) <input type="checkbox"/> were born and bred in captivity, are parts of such animals, or were derived therefrom <input type="checkbox"/> were artificially propagated, are parts of such plants, or were derived therefrom <input type="checkbox"/> were removed from the natural state under the legal provisions in force <input type="checkbox"/> were removed from the natural state with the approval of the competent authorities		(Place and date)	

(*) W - As specimens were taken from the wild
 C - The specimens are second or subsequent generation offspring, produced by a parental breeding stock in a controlled environment, or are parts of such animals or were derived therefrom
 A - The specimens were artificially propagated, are parts of such plants or were derived therefrom

CITES CERTIFICATE APPLICATION			
2 Number	3 ISSUING AUTHORITY		
4 Full description of goods (sex, age, distinguishing marks, etc)		5 Country of origin and permit no	7 Quantity
11 Scientific name		8 Appendix/ Annex No	10 Source (*)
4 Full description of goods (sex, age, distinguishing marks, etc)		5 Country of origin and permit no	7 Quantity
11 Scientific name		8 Appendix/ Annex No	10 Source (*)
4 Full description of goods (sex, age, distinguishing marks, etc)		5 Country of origin and permit no	7 Quantity
11 Scientific name		8 Appendix/ Annex No	10 Source (*)
4 Full description of goods (sex, age, distinguishing marks, etc)		5 Country of origin and permit no	7 Quantity
11 Scientific name		8 Appendix/ Annex No	10 Source (*)
13 I HEREBY APPLY FOR A CERTIFICATE THAT THE SPECIMENS DESCRIBED ABOVE		12 Common name	
<input type="checkbox"/> entered the territory to which Regulation (EEC) No 3626/82 applies, before that Regulation came into force, but in accordance with the provisions of the Convention <input type="checkbox"/> were introduced into the Community in accordance with the provisions of Regulation (EEC) No 3626/82 <input type="checkbox"/> were acquired before the Convention became applicable in them in (Member State) <input type="checkbox"/> were born and bred in captivity, are parts of such animals, or were derived therefrom <input type="checkbox"/> were artificially propagated, are parts of such plants, or were derived therefrom <input type="checkbox"/> were removed from the natural state under the legal provisions in force <input type="checkbox"/> were removed from the natural state with the approval of the competent authorities		(Place and date)	

P - The specimens were acquired before the provisions of the Convention became applicable to them
 The term "acquired" means
 (i) the initial removal of whole live or dead specimens from their habitat, or
 (ii) the introduction to personal possession for any part or derivative
 Date of acquisition is stated
 U - The data are not available or unknown.

ANNEX III

LABEL PROVIDED FOR IN ARTICLE 1 (3)

<p style="text-align: center;">CITES</p> <p>SCIENTIFIC MATERIAL / MATÉRIEL SCIENTIFIQUE / WISSENSCHAFTSGUT / 19</p> <ul style="list-style-type: none">— Convention on international trade in endangered species of wild fauna and flora— Convention sur le commerce international des espèces de faune et de flore sauvages menacées d'extinction.— Übereinkommen über den internationalen Handel mit gefährdeten Arten freilebender Tiere und Pflanzen. <p style="text-align: center;">Article VII (6)</p> <p>Regulation (EEC) No</p>	6,4 cm
<p style="text-align: center;">CITES</p> <p>SCIENTIFIC MATERIAL / MATÉRIEL SCIENTIFIQUE / WISSENSCHAFTSGUT / 19</p> <ul style="list-style-type: none">— Convention on international trade in endangered species of wild fauna and flora.— Convention sur le commerce international des espèces de faune et de flore sauvages menacées d'extinction.— Übereinkommen über den internationalen Handel mit gefährdeten Arten freilebender Tiere und Pflanzen <p style="text-align: center;">Article VII (6)</p> <p>Regulation (EEC) No</p> <p style="text-align: center;">RETURN CONSIGNMENT / RETOUR / RÜCKSENDUNG</p>	8,4 cm

←----- 10,4 cm -----→

COUNCIL REGULATION (EEC) No 348/81
of 20 January 1981
on common rules for imports of whales or other cetacean products

(as amended by the Act of Accession of Spain and Portugal of 12 June 1985
(OJ L 302, 15.11.85, p. 9))

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the conservation of cetacean species calls for measures which will restrict international trade; whereas these should be Community-level measures and should at the same time respect the Community's international obligations;

Whereas, pending the adoption at Community level of more general measures concerning the supervision of trade in species of wild fauna and flora, imports of the main whale or other cetacean products should be subject, in an initial stage, to import permits, while the possibility of extending the list of these products is also reserved; whereas, in order to clarify the situation, it may be useful to note that, pending this

possible extension, the Member States continue to be competent for taking, in compliance with the Treaty, measures for the protection of the species relating to imports of products not covered by this Regulation; whereas the competent authorities should not issue such permits unless they have assured themselves that the products in question are not to be used for commercial purposes,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January 1982 the introduction into the Community of the products listed in the Annex shall be subject to the production of an import licence. No such licence shall be issued in respect of products to be used for commercial purposes.

2. Member States shall notify the Commission before 1 July 1981 of the names and addresses of the authorities competent to issue the import licences referred to in paragraph 1. The Commission shall immediately inform the other Member States thereof.

Article 2

1. A Committee on Cetacean Products, hereinafter referred to as 'the Committee' is hereby set up, consisting of representatives of the Member States with a representative of the Commission as chairman.

The Committee shall adopt its own rules of procedure.

It may examine any question relating to the application of this Regulation, including the question of control, submitted to it by its chairman either on his own initiative or at the request of the representative of a Member State.

⁽¹⁾ OJ No C 121, 20. 5. 1980, p. 5.

⁽²⁾ OJ No C 291, 10. 11. 1980, p. 46.

⁽³⁾ OJ No C 300, 18. 11. 1980, p. 13.

2. The following procedure shall be adopted for implementing this Regulation :

- (a) the Commission representative shall submit to the Committee a draft of the provisions to be adopted. The Committee shall deliver an opinion on the draft within a time limit set by the chairman having regard to the urgency of the matter. Decisions shall be taken by a majority of 54 votes, the votes of the Member States being weighted as provided for in Article 148 (2) of the Treaty. The chairman shall not vote.
- (b) The Commission shall adopt the provisions envisaged if they are in accordance with the opinion of the Committee.
- (c) If the provisions envisaged are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall without delay submit to the Council a proposal with regard to the provisions to be adopted. The Council shall act by a qualified majority. If, within

three months of the proposal being submitted to it, the Council has not acted, the proposed provisions shall be adopted by the Commission.

Article 3

1. At the earliest opportunity, the Commission shall submit to the Council a report on whether the list of products in the Annex to this Regulation should be extended, and on the possibilities for supervising compliance with its provisions, together with proposals, as the case may be.
2. The Council acting by qualified majority on a proposal from the Commission may decide to extend the list referred to in paragraph 1.
3. Pending such decision, Member States may take, in compliance with the Treaty, measures concerning whales or other cetacean products not covered by this Regulation for the protection of the species.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 20 January 1981.

For the Council

The President

Ch. A. van der KLAUW

ANNEX

CCT heading No	Description
ex 02.04 C	Meat and edible meat offals of cetaceans, fresh, chilled or frozen
ex 02.06 C	Meat and edible meat offals of cetaceans, salted, in brine, dried or smoked
ex 05.09	Whalebone and the like, unworked or simply prepared but not cut to shape, and hair and waste of these products
ex 05.15 B	Meat and meat offals of cetaceans, unfit for human consumption
ex 15.04	Fats and oils of cetaceans, whether or not refined
ex 15.08	Oils of cetaceans, boiled, oxidized, dehydrated, sulphurized, blown, or polymerized by heat in vacuum or in inert gas, or otherwise modified
ex 15.12	Oils and fats of cetaceans, wholly or partly hydrogenated or solidified or hardened by any other process, whether or not refined, but not further prepared
15.15 A	Spermaceti, crude, pressed or refined, whether or not coloured
ex 16.03	Extracts and juices of the meat of cetaceans
ex 23.01 A	Flours and meals of the meat and offals of cetaceans, unfit for human consumption
ex Chapter 41	Leather treated with oil, whether or not modified, of whales or of other cetaceans

All the products listed below which have been treated with oil, whether or not modified, of whales or of other cetaceans or which have been made from leather treated with such oil :

ex Chapter 42	Articles of leather, saddlery and harness; travel goods, handbags and similar containers
ex Chapter 43	Fur skins and manufactures thereof
ex Chapter 64	Footwear, gaiters and the like; parts of such articles.

COUNCIL DIRECTIVE
of 28 March 1983

concerning the importation into Member States of skins of certain seal pups and products derived therefrom

(83/129/EEC)

(as amended by Council Directive 85/444/EEC of 27 September 1985 amending Council Directive 83/129/EEC concerning the importation into Member States of skins of certain seal pups and products derived therefrom (OJ L 259, 1.10.85, p. 70))

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas the European Parliament adopted a resolution on Community trade in seal products, and in particular in products derived from the pups of harp and hooded seals;

Whereas, in several Member States, voluntary or statutory measures already exist to restrict the importation or marketing of the skins of whitecoat pups of harp seals and of pups of hooded seals (blue-backs); whereas one Member State already requires the marking of all seal products;

Whereas various studies have raised doubts concerning the population status of the harp and hooded seals and especially as to the effect of non-traditional hunting on the conservation and population status of hooded seals;

Whereas the exploitation of seals and of other species, depending upon their capacity to withstand such exploitation and with due respect for the balance of nature, is a natural and legitimate occupation and in certain areas of the world forms an important part of the traditional way of life and economy; whereas hunting, as traditionally practised by the Inuit people, leaves seal pups unharmed and it is therefore appropriate to see that the interests of the Inuit people are not affected;

Whereas further investigation into the scientific aspects and consequences of the culling of pups of harp and hooded seals is desirable; whereas, pending the results of such investigation, temporary measures in accordance with the resolution of the Council and

of the representatives of the Governments of the Member States of 5 January 1983 ⁽³⁾ should be taken or maintained;

Whereas it has been noted that the hunt of seal pups has already been limited to some extent; whereas the Council has requested the Commission to continue to seek, in the context of continued contacts with the countries concerned, solutions which make restrictions of imports dispensable;

Whereas the Council will reconsider the situation on the basis of a report to be presented by the Commission before 1 September 1983,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. Member States shall take or maintain all necessary measures to ensure that the products listed in the Annex are not commercially imported into their territories.
2. Member States shall forthwith inform the Commission of such measures.

Article 2

This Directive shall apply from 1 October 1983 to 1 October 1989, unless the Council decides otherwise, by a decision taken by qualified majority on a proposal from the Commission, having regard to a report to be presented to the Council by the Commission before 1 September 1983.

Article 3

This Directive shall only apply to products not resulting from traditional hunting by the Inuit people.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 28 March 1983.

For the Council

The President

J. ERTL

⁽¹⁾ OJ No C 334, 20. 12. 1982, p. 132.

⁽²⁾ OJ No C 346, 31. 12. 1982, p. 1.

⁽³⁾ OJ No C 14, 18. 1. 1983, p. 1.

ANNEX

No	CCT heading No	Description
1	ex 43.01 ex 43.02 A	Raw furskins and furskins, tanned or dressed, including furskins assembled in plates, crosses and similar forms : — of whitecoat pups of harp seals, — of pups of hooded seals (blue-backs)
2	ex 43.03	Articles of the furskins referred to in 1

COUNCIL DECISION
of 4 September 1981
on the conclusion of the Convention on the conservation of Antarctic marine living resources

(81/691/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission⁽¹⁾,

Having regard to the opinion of the European Parliament⁽²⁾,

Whereas the fragile ecological balance of the Antarctic Ocean requires international regulation of the management and conservation of the marine living resources thereof;

Whereas, to this end, an International Convention on the conservation of Antarctic marine living resources, hereinafter referred to as 'the Convention', has been drawn up at the diplomatic conference held in Canberra in May 1980 in which the Community participated;

Whereas the Convention will enter into force on the 30th day following the date of deposit of the eighth instrument of ratification; whereas, after the entry into force of the Convention, the Community may accede thereto;

Whereas, in order to contribute to the conservation of the resources in the area covered by the Convention and in which Community fishermen carry on their

activities, it is necessary for the Community to accede to the Convention,

HAS DECIDED AS FOLLOWS:

Article 1

The Convention on the conservation of Antarctic marine living resources is hereby approved on behalf of the European Economic Community.

The text of the Convention is annexed to this Decision.

Article 2

The President of the Council shall deposit the instrument of approval with the Australian Government, in accordance with Article XXVIII of the Convention⁽³⁾.

Article 3

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 4 September 1981.

For the Council

The President

P. WALKER

⁽¹⁾ OJ No C 317, 4. 12. 1980, p. 4.

⁽²⁾ OJ No C 101, 4. 5. 1981, p. 116.

⁽³⁾ The date of entry into force of the Convention with respect to the Community will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

**CONVENTION ON THE CONSERVATION OF ANTARCTIC MARINE
LIVING RESOURCES**

THE CONTRACTING PARTIES,

RECOGNIZING the importance of safeguarding the environment and protecting the integrity of the ecosystem of the seas surrounding Antarctica;

NOTING the concentration of marine living resources found in Antarctic waters and the increased interest in the possibilities offered by the utilization of these resources as a source of protein;

CONSCIOUS of the urgency of ensuring the conservation of Antarctic marine living resources;

CONSIDERING that it is essential to increase knowledge of the Antarctic marine ecosystem and its components so as to be able to base decisions on harvesting on sound scientific information;

BELIEVING that the conservation of Antarctic marine living resources calls for international cooperation with due regard for the provisions of the Antarctic Treaty and with the active involvement of all States engaged in research or harvesting activities in Antarctic waters;

RECOGNIZING the prime responsibilities of the Antarctic Treaty Consultative Parties for the protection and preservation of the Antarctic environment and, in particular, their responsibilities under Article IX, paragraph 1 (f) of the Antarctic Treaty in respect of the preservation and conservation of living resources in Antarctica;

RECALLING the action already taken by the Antarctic Treaty Consultative Parties including, in particular, the agreed measures for the conservation of Antarctic fauna and flora, as well as the provisions of the Convention for the conservation of Antarctic seals;

BEARING in mind the concern regarding the conservation of Antarctic marine living resources expressed by the consultative parties at the ninth consultative meeting of the Antarctic Treaty and the importance of the provisions of recommendation IX-2 which led to the establishment of the present Convention;

BELIEVING that it is in the interest of all mankind to preserve the waters surrounding the Antarctic continent for peaceful purposes only and to prevent their becoming the scene or object of international discord;

RECOGNIZING, in the light of the foregoing, that it is desirable to establish suitable machinery for recommending, promoting, deciding upon and coordinating the measures and scientific studies needed to ensure the conservation of Antarctic marine living organisms,

HAVE AGREED AS FOLLOWS:

Article I

1. This Convention applies to the Antarctic marine living resources of the area south of 60° South latitude and to the Antarctic marine living resources of the area between that latitude and the Antarctic Convergence which form part of the Antarctic marine ecosystem.

2. Antarctic marine living resources means the populations of fin fish, molluscs, crustaceans and all other species of living organisms, including birds, found south of the Antarctic.

3. The Antarctic marine ecosystem means the complex of relationships of Antarctic marine living resources with each other and with their physical environment.

4. The Antarctic Convergence shall be deemed to be a line joining the following points along parallels of latitude and meridians of longitude :

50°S, 0° ; 50°S, 30°E ; 45°S, 30°E ; 45°S, 80°E ; 55°S, 80°E ; 55°S, 150°E ; 60°S, 150°E ; 60°S, 50°W ; 50°S, 50°W ; 50°S, 0°.

Article II

1. The objective of this Convention is the conservation of Antarctic marine living resources.

2. For the purposes of this Convention, the term 'conservation' includes rational use.

3. Any harvesting and associated activities in the area to which this Convention applies shall be conducted in accordance with the provisions of this Convention and with the following principles of conservation :

- (a) prevention of decrease in the size of any harvested population to levels below those which ensure its stable recruitment. For this purpose its size should not be allowed to fall below a level close to that which ensures the greatest net annual increment ;
- (b) maintenance of the ecological relationships between harvested, dependent and related populations of Antarctic marine living resources and the restoration of depleted populations to the levels defined in subparagraph (a) above ; and
- (c) prevention of changes or minimization of the risk of changes in the marine ecosystem which are not potentially reversible over two or three decades, taking into account the state of available knowledge of the direct and indirect impact of harvesting, the effect of the introduction of alien species, the effects of associated activities on the marine ecosystem and of the effects of environmental changes, with the aim of making possible the sustained conservation of Antarctic marine living resources.

Article III

The Contracting Parties, whether or not they are Parties to the Antarctic Treaty, agree that they will not engage in any activities in the Antarctic Treaty area contrary to the principles and purposes of that Treaty and that, in their relations with each other, they are bound by the obligations contained in Articles I and V of the Antarctic Treaty.

Article IV

1. With respect to the Antarctic Treaty area, all Contracting Parties, whether or not they are Parties to the Antarctic Treaty, are bound by Articles IV and VI of the Antarctic Treaty in their relations with each other.

2. Nothing in this Convention and no acts or activities taking place while the present Convention is in force shall :

- (a) constitute a basis for asserting, supporting or denying a claim to territorial sovereignty in the Antarctic Treaty area or create any rights of sovereignty in the Antarctic Treaty area ;
- (b) be interpreted as a renunciation or diminution by any Contracting Party of, or as prejudicing, any right or claim or basis of claim to exercise coastal State jurisdiction under international law within the area to which this Convention applies ;
- (c) be interpreted as prejudicing the position of any Contracting Party as regards its recognition or non-recognition of any such right, claim or basis of claim ;
- (d) affect the provision of Article IV, paragraph 2, of the Antarctic Treaty that no new claim, or enlargement of an existing claim, to territorial sovereignty in Antarctica shall be asserted while the Antarctic Treaty is in force.

Article V

1. The Contracting Parties which are not Parties to the Antarctic Treaty acknowledge the special obligations and responsibilities of the Antarctic Treaty Consultative Parties for the protection and preservation of the environment of the Antarctic Treaty area.

2. The Contracting Parties which are not Parties to the Antarctic Treaty agree that, in their activities in the Antarctic Treaty area, they will observe as and when appropriate the agreed measures for the conservation of Antarctic fauna and flora and such other measures as have been recommended by the Antarctic Treaty Consultative Parties in fulfilment of their responsibility for the protection of the Antarctic environment from all forms of harmful human interference.

3. For the purposes of this Convention, 'Antarctic Treaty Consultative Parties' means the Contracting Parties to the Antarctic Treaty whose representatives participate in meetings under Article IX of the Antarctic Treaty.

Article VI

Nothing in this Convention shall derogate from the rights and obligations of Contracting Parties under the International Convention for the regulation of whaling and the Convention for the conservation of Antarctic seals.

Article VII

1. The Contracting Parties hereby establish and agree to maintain the Commission for the conservation of Antarctic marine living resources (hereinafter referred to as 'the Commission').

2. Membership in the Commission shall be as follows :

- (a) each Contracting Party which participated in the meeting at which this Convention was adopted shall be a member of the Commission ;
- (b) each State Party which has acceded to this Convention pursuant to Article XXIX shall be entitled to be a member of the Commission during such time as that acceding Party is engaged in research or harvesting activities in relation to the marine living resources to which this Convention applies ;
- (c) each regional economic integration organization which has acceded to this Convention pursuant to Article XXIX shall be entitled to be a member of the Commission during such time as its States members are so entitled ;
- (d) a Contracting Party seeking to participate in the work of the Commission pursuant to subparagraphs (b) and (c) above shall notify the Depositary of the basis upon which it seeks to become a member of the Commission and of its willingness to accept conservation measures in force. The Depositary shall communicate to each member of the Commission such notification and accompanying information. Within two months of receipt of such communication from the Depositary, any member of the Commission may request that a special meeting of the Commission be held to consider the matter. Upon receipt of such request, the Depositary shall call such a meeting. If there is no request for a meeting, the Contracting Party submitting the notification shall be deemed to have satisfied the requirements for Commission membership.

3. Each member of the Commission shall be represented by one representative who may be accompanied by alternate representatives and advisers.

Article VIII

The Commission shall have legal personality and shall enjoy in the territory of each of the States Parties such legal capacity as may be necessary to perform its function and achieve the purposes of this Convention. The privileges and immunities to be enjoyed by the Commission and its staff in the territory of a State Party shall be determined by agreement between the Commission and the State Party concerned.

Article IX

1. The function of the Commission shall be to give effect to the objective and principles set out in Article II of this Convention. To this end, it shall :

- (a) facilitate research into and comprehensive studies of Antarctic marine living resources and of the Antarctic marine ecosystem ;
- (b) compile data on the status of and changes in population of Antarctic marine living resources and on factors affecting the distribution, abundance and productivity of harvested species and dependent or related species or populations ;
- (c) ensure the acquisition of catch and effort statistics on harvested populations ;
- (d) analyze, disseminate and publish the information referred to in subparagraphs (b) and (c) above and the reports of the Scientific Committee ;
- (e) identify conservation needs and analyze the effectiveness of conservation measures ;
- (f) formulate, adopt and revise conservation measures on the basis of the best scientific evidence available, subject to the provisions of paragraph 5 of this Article ;
- (g) implement the system of observation and inspection established under Article XXIV of this Convention ;
- (h) carry out such other activities as are necessary to fulfil the objective of this Convention.

2. The conservation measures referred to in paragraph 1 (f) above include the following :

- (a) the designation of the quantity of any species which may be harvested in the area to which this Convention applies ;
- (b) the designation of regions and sub-regions based on the distribution of populations of Antarctic marine living resources ;

- (c) the designation of the quantity which may be harvested from the populations of regions and sub-regions ;
- (d) the designation of protected species ;
- (e) the designation of the size, age and, as appropriate, sex of species which may be harvested ;
- (f) the designation of open and closed seasons for harvesting ;
- (g) the designation of the opening and closing of areas, regions or sub-regions for purposes of scientific study or conservation, including special areas for protection and scientific study ;
- (h) regulation of the effort employed and methods of harvesting, including fishing gear, with a view *inter alia* to avoiding undue concentration of harvesting in any region or sub-region ;
- (i) the taking of such other conservation measures as the Commission considers necessary for the fulfilment of the objective of this Convention, including measures concerning the effects of harvesting and associated activities on components of the marine ecosystem other than the harvested populations.

3. The Commission shall publish and maintain a record of all conservation measures in force.

4. In exercising its functions under paragraph 1 above, the Commission shall take full account of the recommendations and advice of the Scientific Committee.

5. The Commission shall take full account of any relevant measures or regulations established or recommended by the consultative meetings pursuant to Article IX of the Antarctic Treaty or by existing fisheries commissions responsible for species which may enter the area to which this Convention applies, in order that there shall be no inconsistency between the rights and obligations of a Contracting Party under such regulations or measures and conservation measures which may be adopted by the Commission.

6. Conservation measures adopted by the Commission in accordance with this Convention shall be implemented by members of the Commission in the following manner :

- (a) the Commission shall notify conservation measures to all members of the Commission ;
- (b) conservation measures shall become binding upon all members of the Commission 180 days after such notification, except as provided in subparagraphs (c) and (d) below ;
- (c) if a member of the Commission, within 90 days following the notification specified in subparagraph (a), notifies the Commission that it is unable to accept the conservation measure, in whole or in part, the measure shall not, to the extent stated, be binding upon that member of the Commission ;

- (d) in the event that any member of the Commission invokes the procedure set forth in subparagraph (c) above, the Commission shall meet at the request of any member of the Commission to review the conservation measure. At the time of such meeting and within 30 days following the meeting, any member of the Commission shall have the right to declare that it is no longer able to accept the conservation measure, in which case the member shall no longer be bound by such measure.

Article X

1. The Commission shall draw the attention of any State which is not a Party to this Convention to any activity undertaken by its nationals or vessels which, in the opinion of the Commission, affects the implementation of the objective of this Convention.

2. The Commission shall draw the attention of all Contracting Parties to any activity which, in the opinion of the Commission, affects the implementation by a Contracting Party of the objective of this Convention or the compliance by that Contracting Party with its obligations under this Convention.

Article XI

The Commission shall seek to cooperate with Contracting Parties which may exercise jurisdiction in marine areas adjacent to the area to which this Convention applies in respect of the conservation of any stock or stocks of associated species which occur both within those areas and the area to which this Convention applies, with a view to harmonizing the conservation measures adopted in respect of such stocks.

Article XII

1. Decisions of the Commission on matters of substance shall be taken by consensus. The question of whether a matter is one of substance shall be treated as a matter of substance.

2. Decisions on matters other than those referred to in paragraph 1 above shall be taken by a simple majority of the members of the Commission present and voting.

3. In Commission consideration of any item requiring a decision, it shall be made clear whether a regional economic integration organization will participate in the taking of the decision and, if so, whether any of its member States will also participate. The number of Contracting Parties so participating shall not exceed the number of member States of the regional economic integration organization which are members of the Commission.

4. In the taking of decisions pursuant to this Article, a regional economic integration organization shall have only one vote.

Article XIII

1. The headquarters of the Commission shall be established at Hobart, Tasmania, Australia.

2. The Commission shall hold a regular annual meeting. Other meetings shall also be held at the request of one-third of its members and as otherwise provided in this Convention. The first meeting of the Commission shall be held within three months of the entry into force of this Convention, provided that among the Contracting Parties there are at least two States conducting harvesting activities within the area to which this Convention applies. The first meeting shall, in any event, be held within one year of the entry into force of this Convention. The Depositary shall consult with the signatory States regarding the first Commission meeting, taking into account that a broad representation of such States is necessary for the effective operation of the Commission.

3. The Depositary shall convene the first meeting of the Commission at the headquarters of the Commission. Thereafter, meetings of the Commission shall be held at its headquarters, unless it decides otherwise.

4. The Commission shall elect from among its members a chairman and vice-chairman, each of whom shall serve for a term of two years and shall be eligible for re-election for one additional term. The first chairman shall, however, be elected for an initial term of three years. The chairman and vice-chairman shall not be representatives of the same Contracting Party.

5. The Commission shall adopt and amend as necessary the rules of procedure for the conduct of its meetings, except with respect to the matters dealt with in Article XII of this Convention.

6. The Commission may establish such subsidiary bodies as are necessary for the performance of its functions.

Article XIV

1. The Contracting Parties hereby establish the Scientific Committee for the Conservation of Antarctic Marine Living Resources (hereinafter referred to as 'the Scientific Committee') which shall

be a consultative body to the Commission. The Scientific Committee shall normally meet at the headquarters of the Commission unless the Scientific Committee decides otherwise.

2. Each member of the Commission shall be a member of the Scientific Committee and shall appoint a representative with suitable scientific qualifications who may be accompanied by other experts and advisers.

3. The Scientific Committee may seek the advice of other scientists and experts as may be required on an *ad hoc* basis.

Article XV

1. The Scientific Committee shall provide a forum for consultation and cooperation concerning the collection, study and exchange of information with respect to the marine living resources to which this Convention applies. It shall encourage and promote cooperation in the field of scientific research in order to extend knowledge of the marine living resources of the Antarctic marine ecosystem.

2. The Scientific Committee shall conduct such activities as the Commission may direct in pursuance of the objective of this Convention and shall :

- (a) establish criteria and methods to be used for determinations concerning the conservation measures referred to in Article IX of this Convention ;
- (b) regularly assess the status and trends of the populations of Antarctic marine living resources ;
- (c) analyze data concerning the direct and indirect effects of harvesting on the populations of Antarctic marine living resources ;
- (d) assess the effects of proposed changes in the methods or levels of harvesting and proposed conservation measures ;
- (e) transmit assessments, analyses, reports and recommendations to the Commission as requested or on its own initiative regarding measures and research to implement the objective of this Convention ;
- (f) formulate proposals for the conduct of international and national programs of research into Antarctic marine living resources.

3. In carrying out its functions, the Scientific Committee shall have regard to the work of other relevant technical and scientific organizations and to the scientific activities conducted within the framework of the Antarctic Treaty.

Article XVI

1. The first meeting of the Scientific Committee shall be held within three months of the first meeting of the Commission. The Scientific Committee shall meet thereafter as often as may be necessary to fulfil its functions.
2. The Scientific Committee shall adopt and amend as necessary its rules of procedure. The rules and any amendments thereto shall be approved by the Commission. The rules shall include procedures for the presentation of minority reports.
3. The Scientific Committee may establish with the approval of the Commission, such subsidiary bodies as are necessary for the performance of its functions.

Article XVII

1. The Commission shall appoint an executive secretary to serve the Commission and Scientific Committee according to such procedures and on such terms and conditions as the Commission may determine. His term of office shall be for four years and he shall be eligible for reappointment.
2. The Commission shall authorize such staff establishment for the secretariat as may be necessary and the executive secretary shall appoint, direct and supervise such staff according to such rules and procedures and on such terms and conditions as the Commission may determine.
3. The executive secretary and secretariat shall perform the functions entrusted to them by the Commission.

Article XVIII

The official languages of the Commission and of the Scientific Committee shall be English, French, Russian and Spanish.

Article XIX

1. At each annual meeting, the Commission shall adopt by consensus its budget and the budget of the Scientific Committee.
2. A draft budget for the Commission and the Scientific Committee and any subsidiary bodies shall be prepared by the executive secretary and submitted to the members of the Commission at least 60 days before the annual meeting of the Commission.
3. Each member of the Commission shall contribute to the budget. Until the expiration of five years after the entry into force of this Convention, the contribution of each member of the Commission

shall be equal. Thereafter the contribution shall be determined in accordance with two criteria: the amount harvested and an equal sharing among all members of the Commission. The Commission shall determine by consensus the proportion in which these two criteria shall apply.

4. The financial activities of the Commission and Scientific Committee shall be conducted in accordance with financial regulations adopted by the Commission and shall be subject to an annual audit by external auditors selected by the Commission.
5. Each member of the Commission shall meet its own expenses arising from attendance at meetings of the Commission and of the Scientific Committee.
6. A member of the Commission that fails to pay its contributions for two consecutive years shall not, during the period of its default, have the right to participate in the taking of decisions in the Commission.

Article XX

1. The members of the Commission shall, to the greatest extent possible, provide annually to the Commission and to the Scientific Committee such statistical, biological and other data and information as the Commission and Scientific Committee may require in the exercise of their functions.
2. The members of the Commission shall provide, in the manner and at such intervals as may be prescribed, information about their harvesting activities, including fishing areas and vessels, so as to enable reliable catch and effort statistics to be compiled.
3. The members of the Commission shall provide to the Commission at such intervals as may be prescribed information on steps taken to implement the conservation measures adopted by the Commission.
4. The members of the Commission agree that in any of their harvesting activities, advantage shall be taken of opportunities to collect data needed to assess the impact of harvesting.

Article XXI

1. Each Contracting Party shall take appropriate measures within its competence to ensure compliance with the provisions of this Convention and with conservation measures adopted by the Commission to which the Party is bound in accordance with Article IX of this Convention.
2. Each Contracting Party shall transmit to the Commission information on measures taken pursuant to paragraph 1 above, including the imposition of sanctions for any violation.

Article XXII

1. Each Contracting Party undertakes to exert appropriate efforts, consistent with the Charter of the United Nations, to the end that no one engages in any activity contrary to the objective of this Convention.
2. Each Contracting Party shall notify the Commission of any such activity which comes to its attention.

Article XXIII

1. The Commission and the Scientific Committee shall cooperate with the Antarctic Treaty Consultative Parties on matters falling within the competence of the latter.
2. The Commission and the Scientific Committee shall cooperate, as appropriate, with the Food and Agriculture Organization of the United Nations and with other specialized agencies.
3. The Commission and the Scientific Committee shall seek to develop cooperative working relationships, as appropriate, with inter-governmental and non-governmental organizations which could contribute to their work, including the Scientific Committee on Antarctic Research, the Scientific Committee on Oceanic Research and the International Whaling Commission.
4. The Commission may enter into agreements with the organizations referred to in this Article and with other organizations as may be appropriate. The Commission and the Scientific Committee may invite such organizations to send observers to their meetings and to meetings of their subsidiary bodies.

Article XXIV

1. In order to promote the objective and ensure observance of the provisions of this Convention, the Contracting Parties agree that a system of observation and inspection shall be established.
2. The system of observation and inspection shall be elaborated by the Commission on the basis of the following principles :
 - (a) Contracting Parties shall cooperate with each other to ensure the effective implementation of the system of observation and inspection, taking account of the existing international practice. This system shall include *inter alia* procedures for boarding and inspection by observers and inspectors designated by the members of the Commission and procedures for flag-State prosecution and sanctions on the basis of evidence resulting from such boarding and inspections. A report of such prosecutions and sanctions imposed shall be

included in the information referred to in Article XXI of this Convention ;

- (b) in order to verify compliance with measures adopted under this Convention, observation and inspection shall be carried out on board vessels engaged in scientific research or harvesting of marine living resources in the area to which this Convention applies, through observers and inspectors designated by the members of the Commission and operating under terms and conditions to be established by the Commission ;
 - (c) designated observers and inspectors shall remain subject to the jurisdiction of the Contracting Party of which they are nationals. They shall report to the member of the Commission by which they have been designated which in turn shall report to the Commission.
3. Pending the establishment of the system of observation and inspection, the members of the Commission shall seek to establish interim arrangements to designate observers and inspectors and such designated observers and inspectors shall be entitled to carry out inspections in accordance with the principles set out in paragraph 2 above.

Article XXV

1. If any dispute arises between two or more of the Contracting Parties concerning the interpretation or application of this Convention, those Contracting Parties shall consult among themselves with a view to having the dispute resolved by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement or other peaceful means of their own choice.
2. Any dispute of this character not so resolved shall, with the consent in each case of all Parties to the dispute, be referred for settlement to the International Court of Justice or to arbitration ; but failure to reach agreement on reference to the International Court or to arbitration shall not absolve Parties to the dispute from the responsibility of continuing to seek to resolve it by any of the various peaceful means referred to in paragraph 1 above.
3. In cases where the dispute is referred to arbitration the arbitral tribunal shall be constituted as provided in the Annex to this Convention.

Article XXVI

1. This Convention shall be open for signature at Canberra from 1 August to 31 December 1980 by the States participating in the Conference on the conservation of Antarctic marine living resources held at Canberra from 7 to 20 May 1980.
2. The States which so sign will be the original signatory States of the Convention.

Article XXVII

1. This Convention is subject to ratification, acceptance or approval by signatory States.
2. Instruments of ratification, acceptance or approval shall be deposited with the Government of Australia, hereby designated as the Depositary.

Article XXVIII

1. This Convention shall enter into force on the 30th day following the date of deposit of the eighth instrument of ratification, acceptance or approval by States referred to in paragraph 1 of Article XXVI of this Convention.
2. With respect to each State or regional economic integration organization which subsequent to the date of entry into force of this Convention deposits an instrument of ratification, acceptance, approval or accession, the Convention shall enter into force on the 30th day following such deposit.

Article XXIX

1. This Convention shall be open for accession by any State interested in research or harvesting activities in relation to the marine living resources to which this Convention applies.
2. This Convention shall be open for accession by regional economic integration organizations constituted by sovereign States which include among their members one or more States members of the Commission and to which the States members of the organization have transferred in whole or in part, competences with regard to the matters covered by this Convention. The accession of such regional economic integration organizations shall be the subject of consultations among members of the Commission.

Article XXX

1. This Convention may be amended at any time.
2. If one-third of the members of the Commission request a meeting to discuss a proposed amendment, the Depositary shall call such a meeting.
3. An amendment shall enter into force when the Depositary has received instruments of ratification, acceptance or approval thereof from all the members of the Commission.

4. Such amendment shall thereafter enter into force as to any other Contracting Party when notice of ratification, acceptance or approval by it has been received by the Depositary. Any such Contracting Party from which no such notice has been received within a period of one year from the date of entry into force of the amendment in accordance with paragraph 3 above shall be deemed to have withdrawn from this Convention.

Article XXXI

1. Any Contracting Party may withdraw from this Convention on 30 June of any year, by giving written notice not later than 1 January of the same year to the Depositary, which, upon receipt of such a notice, shall communicate it forthwith to the other Contracting Parties.
2. Any other Contracting Party may, within 60 days of the receipt of a copy of such a notice from the Depositary, give written notice of withdrawal to the Depositary in which case the Convention shall cease to be in force on 30 June of the same year with respect to the Contracting Party giving such notice.
3. Withdrawal from this Convention by any Member of the Commission shall not affect its financial obligations under this Convention.

Article XXXII

The Depositary shall notify all Contracting Parties of the following :

- (a) signatures of this Convention and the deposit of instruments of ratification, acceptance, approval or accession ;
- (b) the date of entry into force of this Convention and of any amendment thereto.

Article XXXIII

1. This Convention, of which the English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Government of Australia which shall transmit duly certified copies thereof to all signatory and acceding Parties.
2. This Convention shall be registered by the Depositary pursuant to Article 102 of the Charter of the United Nations.

In witness whereof the undersigned, being duly authorized, have signed this Convention.

Drawn up at Canberra this 20th day of May 1980.

*ANNEX***ARBITRAL TRIBUNAL**

The arbitral tribunal referred to in paragraph 3 of Article XXV shall be composed of three arbitrators who shall be appointed as follows :

The Party commencing proceedings shall communicate the name of an arbitrator to the other Party which, in turn, within a period of 40 days following such notification, shall communicate the name of the second arbitrator. The Parties shall, within a period of 60 days following the appointment of the second arbitrator, appoint the third arbitrator, who shall not be a national of either Party and shall not be of the same nationality as either of the first two arbitrators. The third arbitrator shall preside over the tribunal.

If the second arbitrator has not been appointed within the prescribed period, or if the Parties have not reached agreement within the prescribed period on the appointment of the third arbitrator, that arbitrator shall be appointed, at the request of either Party, by the Secretary-General of the Permanent Court of Arbitration, from among persons of international standing not having the nationality of a State which is a Party to this Convention.

The arbitral tribunal shall decide where its headquarters will be located and shall adopt its own rules of procedure.

The award of the arbitral tribunal shall be made by a majority of its members, who may not abstain from voting.

Any Contracting Party which is not a Party to the dispute may intervene in the proceedings with the consent of the arbitral tribunal.

The award of the arbitral tribunal shall be final and binding on all Parties to the dispute and on any Party which intervenes in the proceedings and shall be complied with without delay. The arbitral tribunal shall interpret the award at the request of one of the Parties to the dispute or of any intervening Party.

Unless the arbitral tribunal determines otherwise because of the particular circumstances of the case, the expenses of the tribunal, including the remuneration of its members, shall be borne by the Parties to the dispute in equal shares.

