

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(79) 414 final

Brussels, 17th July 1979

COMMISSION COMMUNICATION TO THE COUNCIL
ON THE RESULTS OF THE NEGOTIATIONS FOR THE CONCLUSION
OF THE CONVENTION ON THE CONSERVATION OF EUROPEAN
WILDLIFE AND NATURAL HABITATS

PROPOSAL FOR A COUNCIL DECISION
CONCERNING THE CONCLUSION OF THE CONVENTION ON THE
CONSERVATION OF EUROPEAN WILDLIFE AND NATURAL HABITATS

(presented by the Commission to the Council)

COM(79) 414 final

Results of the negotiations within the Council of Europe for the conclusion of the Convention on the conservation of European wildlife and natural habitats

1. In accordance with the Council decision of 14 June 1979, the Commission held discussions with the Secretariat of the Council of Europe on the amendments to be made to the text of the draft Convention on the conservation of European wildlife and natural habitats so as to enable the Community to become a contracting party,
2. This decision was taken in response to the two communications submitted by the Commission to the Council (COM(79) 146 final of 23.3.79 and COM(79) 264 final of 16.5.1979) in which it outlined the background to the negotiations and the content of the proposed Convention, and explained the reasons which necessitated that the Community become a contracting party to it.
3. The amendments to be brought to the text of the Convention to enable the Community to become a contracting party to it were annexed to the Commission communication to the Council of 16 May 1979 mentioned above.
4. Subsequent to the formal request made by the Commission on behalf of the Community, the amendments in question were accepted by the Committee of Ministers of the Council of Europe at its 306th meeting held on 18 June 1979.

The negotiations for the conclusion of the Convention have now been completed, with the final text being adopted by the Committee of Ministers at its above mentioned meeting.

5. The convention on the conservation of European Wildlife and natural habitats is a binding instrument whose aims 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", with particular emphasis being given to "endangered and vulnerable species, including endangered and vulnerable migratory species". By means of "appropriate and necessary legislative and administrative measures", the contracting parties undertake to ensure the conservation and special protection of wild flora and fauna species and their natural habitats (specified in annexes to the Convention).
6. In accordance with the decision taken by the Committee of Ministers of the Council of Europe, the Convention will be open for signature on the first day of the 3rd Conference of European Environment Ministers to be held in Bern, Switzerland on 19-21 september 1979.
7. Article 19 of the Convention states that : "This Convention shall be open for signature by the Member States of the Council of Europe, by the non-member States which have participated in its elaborated and by the European Economic Community".
8. To enable the Community to sign the Convention along with the other Contracting Parties at the above mentioned 3rd Conference of European Environment Ministers, it will be necessary for the Council to authorise, in sufficient time beforehand, the President of the Council to nominate the persons empowered to sign the Convention on behalf of the Community.
9. The Council should ensure that, in addition to the Community, all the Member States be in a position to sign the Convention at the above 3rd Conference of the European Environment Ministers, and that, as soon as possible afterwards, conclusion and ratification procedures of the Convention by the Community and Member States be completed.

10. In conclusion, the Commission recommends that the Council should :

a) Firstly, and as soon as possible,

- decide to proceed to the signature of the Convention on the conservation of European wildlife and natural habitats, and
- authorize the President of the Council to nominate the persons entitled to sign, on behalf of the European Economic Community, this Convention, subject to its conclusion, at the 3rd the European Environment Ministers to be held in Bern on 19-21 September 1979.

b) Secondly, complete the procedures required for the conclusion of the Convention on the conservation of European wildlife and natural habitats by adopting the decision for which a proposal is annexed.

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PROPOSAL FOR A COUNCIL DECISION

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

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,

HAVING REGARD to the opinion of the Economic and Social Committee,

WHEREAS the aim of the Community environment policy as stated in the Council declaration of 22 November 1973 on the programme of action of the European Communities on the Environment (1), as 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 (2), is to improve the setting and quality of life, and the surroundings and living conditions of the peoples of the Community by, inter alia, ensuring the sound management of resources and of the natural environment and avoiding any exploitation of them which causes significant damage to the ecological balance, as well as seeking common solutions to environment problems with States outside the Community, particularly in international organisations;

WHEREAS, as part of the Community programme of action on the Environment, the Council adopted on 2 April a Directive on the conservation of wild birds, which covers the protection, management and control of these species and lays down rules for their exploitation;

WHEREAS, therefore, the Community has participated in the negotiations within the Council of Europe of a Convention on the conservation of European wildlife and natural habitats;

(1) OJ N° C 112, 20.12.1973, p. 1

(2) OJ N° C 139, 13.6.1977, p. 1

WHEREAS the Community signed, on _____, the Convention on the conservation of European wildlife and natural habitats,

WHEREAS it is necessary for the Community to conclude this Convention in order to achieve one of the Community's objectives in the field of the protection of the environment and of the quality of life, and whereas the Treaty has not provided the necessary powers for the conclusion of this 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 acts as provided in Article 19 of the Convention (1).

(1) The date of entry into force of the Convention will be published in the Official Journal of the European Communities by the General Secretariat of the Council

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 co-operate with other States in the field of nature conservation;

Recognising 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;

Recognising 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;

Recognising 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 co-operation 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 No. 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 co-operation of several States, and to promote such co-operation.

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 minimise 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, insofar 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 recognisable 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 re-population, of re-introduction 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 2 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 authorised 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 co-ordinate 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 3a) 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 co-operate whenever appropriate and in particular where this would enhance the effectiveness of measures taken under other articles of this Convention;
 - b) to encourage and co-ordinate 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.

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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 3/4 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 3/4 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 thirtieth day after all the Contracting Parties have informed the Secretary General that they have accepted it.
4. The provisions of paragraphs 1, 2a) and 3 of this Article shall apply to the adoption of new appendices to this Convention.

Article 17

1. Any amendment to the Appendices 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 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 months' 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 arbitration 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 authorised 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 authorised thereto, have signed this Convention.

Done at, this, 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.

A P P E N D I X I / A N N E X E I

Strictly protected flora species
Espèces de flore strictement protég

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 rehsteineri Wartm.

Omphalodes littoralis Lehm.

Onosma caespitosum Kotschy

Onosma troodi Kotschy

Solenanthus 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 blearica J.D.Rodriguez

Centaurea heldreichii Halácsy

Centaurea horrida Badaro

Appendix I/Annexe I

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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 argyrothamnus 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
Diplotaxis 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 cyprica Post

Salvia crassifolia Sibth. & Smith

Sideritis cyprica 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 lochia* 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.Burt
- Ranunculus kykkoënsis* Meikle
- Ranunculus weyleri* Mares

RUBIACEAE

- Galium litorale* Guss.

SCROPHULARIACEAE

- Antirrhinum charidemi* Lange
- Euphrasia marchesettii* Wettst. ex Marches.
- Linaria algarviana* Chav.
- Linaria ficvalhoana* Rouy

SELAGINACEAE

- Globularia stygia* Orph. ex Boiss.

SOLANACEAE

- Atropa baetica* Willk.

THYMELAEACEAE

- Daphne rodriguezii* Texidor

UMBELLIFERAE

- Angelica heterocarpa* Lloyd
- Angelica palustris* (Besser) Hoffman

Appendix I/Annexe I

Bupleurum kakiskalae Greuter
Ferula cypria Post
Laserpitium longiradium Boiss.
Oenanthe conioides Lange

VALERIANACEAE

Valeriana longiflora Willk.

VIOLACEAE

Viola hispida Lam.
Viola jaubertiana Mares & Vigineix

A P P E N D I X II / A N N E X F II

Strictly protected fauna species
Espèces de faune strictement protégées

Mammals / Mammifères

INSECTIVORA

Talpidae

Desmana pyrenaica
(*Galemys pyrenaicus*)

MICROCHIROPTERA

all species except
Pipistrellus pipistrellus
toutes les espèces à
l'exception de
Pipistrellus pipistrellus

RODENTIA

Sciuridae

Citellus citellus

Cricetidae

Cricetus cricetus

Hystriidae

Hystrix cristata

CARNIVORA

Canidae

Canis lupus

Alopex lagopus

Ursidae

all species/
toutes les espèces

Mustelidae

Luticola (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

Ovibos moschatus

ODONTOCETI

Delphinidae

Delphinus delphis

Tursiops truncatus

Phocaenidae

Phocaena phocaena

MYSTACOCETI

Balaenopteridae

Sibbaldus (Balaenoptera) musculus

Megaptera novaengliae
(*longimana*, *nodosa*)

Balaenidae

Eubalaena glacialis

Balaena mysticetus

Appendix II/Annexe II
Birds/Oiseaux

CAVIIFORMES

Caviidae

all species/
 toutes les espèces

PODICIPEDIFORMES

Podicipedidae

Podiceps griseigena
 Podiceps auritus
 Podiceps nigricollis
 Podiceps ruficollis

PROCELLARIIFORMES

Hydrobatidae

all species/
 toutes les espèces

Procellariidae

Puffinus puffinus
 Procellaria diomedea

PELECANIFORMES

Phalacrocoracidae

Phalacrocorax pygmaeus

Pelecanidae

all species/
 toutes les espèces

CICONIIFORMES

Ardeidae

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

Ciconiidae

all species/
 toutes les espèces

Threskiornithidae

all species/
 toutes les espèces

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/
 toutes les espèces

GRUIFORMES

Turnicidae

Turnix sylvatica

Gruidae

all species/
 toutes les espèces

Appendix II/Annexe II

Birds/OiseauxRallidae

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

Otididae

all species/
 toutes les espèces

CHARADRIIFORMESCharadriidae

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/
 toutes les espèces

Phalaropodidae

all species/
 toutes les espèces

Burhinidae

Burhinus oedicnemus

Glareolidae

all species/
 toutes les espèces

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 sandvicensis

COLUMBIFORMESPteroclididae

all species/
 toutes les espèces

CUCULIFORMESCuculidae

Clamator glandarius

STRIGIFORMES

all species/
 toutes les espèces

Appendix II/Annexe II
Birds/Oiseaux

CAPRIMULGIFORMES

Caprimulgidae

all species/
 toutes les espèces

APODIFORMES

Apodidae

Apus pallidus
 Apus melba
 Apus caffer

CORACIIFORMES

Alcedinidae

Alcedo atthis

Meropidae

Merops apiaster

Coraciidae

Coracias garrulus

Upopidae

Upopa epops

PICIFORMES

all species/
 toutes les espèces

PASSERIFORMES

Alaudidae

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

Hirundinidae

all species/
 toutes les espèces

Motacillidae

all species/
 toutes les espèces

Laniidae

all species/
 toutes les espèces

Bombycillidae

Bombycilla garrulus

Cinclidae

Cinclus cinclus

Troglodytidae

Troglodytes troglodytes

Prunellidae

all species/
 toutes les espèces

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
 Erithacus rubecula
 Luscinia megarhynchos

Appendix II/Annexe II
Birds/Oiseaux

MuscicapidaeTurdinae (contd/suite)

Luscinia luscinia

Luscinia (Cyanosylvia) svecica

Tarsiger cyanurus

Sylviinae

all species/
toutes les espèces

Regulinae

all species/
toutes les espèces

Muscicapinae

all species/
toutes les espèces

Timaliinae

Panurus biarmicus

Paridae

all species/
toutes les espèces

Sittidae

all species/
toutes les espèces

Certhiidae

all species/
toutes les espèces

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

Plocidae

Petronia petronia

Montifringilla nivalis

Sturnidae

Sturnus unicolor

Sturnus roseus

Oriolidae

Oriolus oriolus

Corvidae

Perisoreus infaustus

Cyanopica cyanus

Nucifraga caryocatactis

Pyrrhocorax pyrrhocorax

Pyrrhocorax graculus

Appendix II/Annexe II

Amphibians/AmphibiensCAUDATASalamandridae

Salamandrina terdigitata
 Salamandra (Mertensiella) luschani
 Chioglossa lusitanica
 Triturus cristatus

Proteidae

Proteus anguinus

ANURADiscoglossidae

Bombina variegata
 Bombina bombina
 Alytes obstetricans
 Alytes cisternasii

Pelobatidae

Pelobates cultripes
 Pelobates fuscus

Bufonidae

Bufo calamita
 Bufo viridis

Hylidae

Hyla arborea

Ranidae

Rana arvalis
 Rana dalmatina
 Rana latastei

Appendix II/Annexe II
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

A P P E N D I X III / A N N E X E III

Protected fauna species
Espèces de faune protégées

Mammals/Mammifères

INSECTIVORA

Erinaceidae

Erinaceus europaeus

Soricidae

all species/
toutes les espèces

MICROCHIROPTERA

Vespertilionidae

Pipistrellus pipistrellus

DUPLICIDENTATA

Leporidae

Lepus timidus
Lepus capensis (europaeus)

RODENTIA

Sciuridae

Sciurus vulgaris
Marmota marmota

Castoridae

Castor fiber

Gliridae

all species
toutes les espèces

Microtidae

Microtus ratticeps (oeconomus)
Microtus nivalis (lebrunii)

CETACEA

all species not mentioned in
Appendix II
toutes les espèces non mentionnés
à l'Annexe II

CARNIVORA

Mustelidae

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

Viverridae

all species
toutes les espèces

Felidae

Felis catus (silvestris)
Lynx lynx

Phocidae

Phoca vitulina
Pusa (Phoca) hispida
Pagophilus groenlandicus
(Phoca groenlandica)
Erignathus barbatus
Halichoerus grypus
Cystophora cristata

ARTIODACTYLASuidae

Sus scrofa meridionalis

Cervidae

all species
toutes les espèces

Bovidae

Ovis aries (musimon. ammon)

Capra ibex

Capra pyrenaica

Rupicapra rupicapra

Appendix III/Annexe III

Birds/Oiseaux

All species not included in Appendix II with the exception of :
Toutes les espèces non incluses dans l'Annexe II à l'exception de :

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

Amphibians/Amphibiens

All species not included in Appendix II
Toutes les espèces non incluses dans l'Annexe II

Reptiles

All species not included in Appendix II
Toutes les espèces non incluses dans l'Annexe II

A P P E N D I X IV / A N N E X E IV

Prohibited means and methods of killing, capture
and other forms of exploitation

Moyens et méthodes de chasse et d'autres
formes d'exploitation interdits

MAMMALS/MAMMIFERES

<u>Snarcs</u>	Collets
Live animals used as decoys which are blind or mutilated	Animaux vivants utilisés comme appelants aveuglés ou mutilés
Tape recorders	Enregistreurs
Electrical devices capable of killing and stunning	Appareils électriques capables de tuer ou d'assomer
Artificial light sources	Sources lumineuses artificielles
Mirrors and other dazzling devices	Miroirs et autres objets aveuglants
Devices for illuminating targets	Dispositifs pour éclairer les cibles
Sighting devices for night shooting comprising an electronic image magnifier or image converter	Dispositifs de visée comportant un convertisseur d'image ou un amplificateur d'image électronique pour tir de nuit
Explosives (1)	Explosifs (1)
Nets (2)	Filets (2)
Traps (2)	Pièges-trappes (2)
Poison and poisoned or anaesthetic bait	Poison et appâts empoisonnés ou tranquillisants
Gasing and smoking out	Gazage et enfumage
Semi-automatic or automatic weapons with a magazine capable of holding more than two rounds of ammunition	Armes semi-automatiques ou automatiques dont le chargeur peut contenir plus de deux cartouches
Aircraft	Avions
Motor vehicles in motion	Véhicules automobiles en déplacement

(1) except for whale hunting/excepté pour la chasse aux baleines

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

si appliqué pour la capture ou la mise à mort massive ou non-sélective

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- a30/32 -

Appendix IV/Annexe IV

BIRDS/OISEAUX

Snares (1)	Collets (1)
Lines	Gluaux
Hooks	Hameçons
Live birds used as decoys which are blind or mutilated	Oiseaux vivants utilisés comme appelants aveuglés ou mutilés
Tape recorders	Enregistreurs
Electrical devices capable of killing and stunning	Appareils électriques capables de tuer ou d'assommer
Artificial light sources	Sources lumineuses artificielles
Mirrors and other dazzling devices	Miroirs et autres objets aveuglants
Devices for illuminating targets	Dispositifs pour éclairer les cible
Sighting devices for night shooting comprising an electronic image magnifier or image converter	Dispositifs de visée comportant un convertisseur d'image ou un amplificateur d'image électronique pour tir de nuit
Explosives	Explosifs
Nets	Filets
Traps	Pièges-trappes
Poison and poisoned or anaesthetic bait	Poison et appâts empoisonnés ou tranquillisants
Semi-automatic or automatic weapons with a magazine capable of holding more than two rounds of ammunition	Armes semi-automatiques ou automatiques dont le chargeur peut contenir plus de deux cartouches
Aircraft	Avions
Motor vehicles in motion	Véhicules automobiles in déplacement

(1) except Lagopus north of latitude 58° N
 excepté Lagopus nord de latitude 58° N