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ANNEX 1

ANNEX

to the

Proposal for a Council Decision

**on the Accession of the European Union to the Convention on International Trade in
Endangered Species of Wild Fauna and Flora (CITES)**

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to the

Proposal for a Council Decision

on the Accession of the European Union to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

DECLARATION BY THE EUROPEAN UNION IN ACCORDANCE WITH ARTICLE XXI (PARAGRAPH 3) OF THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA

"The European Union declares that, in accordance with the Treaty on the Functioning of the European Union, and in particular Article 191 thereof, it is competent for entering into international agreements, and for implementing the obligations resulting therefrom, which contribute to the pursuit of the following objectives:

- preserving, protecting and improving the quality of the environment;*
- protecting human health;*
- prudent and rational utilisation of natural resources;*
- promoting measures at international level to deal with regional or worldwide environmental problems, including climate change.*

Moreover, the European Union adopts measures at European Union level for the proper functioning of its internal market.

The European Union has exclusive competence with regard to measures concerning the Customs Union between its Member States and with regard to its common commercial policy.

The European Union declares that it has already adopted legal instruments, binding on its Member States, covering matters governed by this Convention, in particular but not limited to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein and the implementing Commission Regulation (EC) No 865/2006 of 4 May 2006.¹

Moreover the European Union declares that it is responsible for the performance of those obligations resulting from the Convention on International Trade in Endangered Species of Wild Fauna and Flora which are covered by Union law.

The exercise of Union competence is, by its nature, subject to continuous development."

¹ OJ L 61, 3.3.1997, p. 1 and OJ L 166, 19.6.2006, p. 1.