



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 27 November 2006

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REV 1**

LIMITE

POLGEN 105

NOTE

from: Presidency

to: COREPER

Subject: *European Council (14 and 15 December 2006)*
– Draft conclusions

The Presidency hereby submits to Coreper draft conclusions to be agreed by the European Council at its meeting on 14-15 December 2006.

The text will continue to be updated in the light of the work underway. In particular, section II will need to be updated in the light of the outcome of the forthcoming JHA Council.

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1. The meeting of the European Council was preceded by an exposé by the President of the European Parliament, Mr Josep Borrell, followed by an exchange of views.
2. The European Council discussed the following items:
 - I. Enlargement
 - II. Area of freedom, security and justice
 - III. Innovation, energy and climate change
 - IV. External relations

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I. **ENLARGEMENT**

3. **Romania and Bulgaria**

The European Council warmly welcomes Bulgaria and Romania as full members of the European Union on 1 January 2007. This will mark the completion of the fifth enlargement.

Future enlargements

PM: As a follow-up to the European Council conclusions of June 2006, and on the basis of the Commission communication on the enlargement strategy and its special report on the EU's capacity to integrate new members, the Heads of State or Government will have a debate on all aspects of future enlargements. The European perspective of the Western Balkans will be recalled in this context.

Turkey

PM

Croatia

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II. AREA OF FREEDOM, SECURITY AND JUSTICE

4. When adopting the Hague Programme in November 2004 the European Council agreed to take stock of its implementation during the second half of 2006. In that context the European Council discussed migration and the improvement of decision-making in the area of freedom, security and justice.

PM: Improvements to the decision-making and action of the Union in this field.

A comprehensive European Migration Policy

5. The European migration policy builds on the conclusions of the Tampere European Council in 1999, the Hague Programme of 2004 and the Global Approach to Migration adopted in 2005. It is based on the solidarity, mutual trust and shared responsibility of the European Union and its Member States. It is also based on respect for human rights and fundamental freedoms of migrants, the Geneva Convention and due access to asylum procedures. It requires a genuine partnership with third countries and must be fully integrated into the Union's external policies.
6. The progress made in implementing the Global Approach has demonstrated that migration needs to be addressed in a comprehensive manner and that these efforts now need to be strengthened while broadening the scope of action to other policy areas and applying lessons learnt to other regions.

7. The European Council accordingly agrees on the following next steps:

- strengthen the cooperation and dialogue with third countries of origin and transit, in comprehensive and balanced manner. In particular:
 - the partnership between the European Union and African and Mediterranean countries of origin and transit will be deepened by broadening dialogue and strengthening practical cooperation ; this partnership will build on joint commitments made in the ministerial conferences in Rabat and Tripoli in 2006 as well as the work underway in the framework of the EU/ACP dialogue on migration (on the basis of article 13 of the Cotonou Agreement) and the Euromed process,
 - the migration and development agenda will be intensified by increasing coherence between the Union's various policies, including their financial instruments,
 - priority will be given to measures to improve cooperation on return and readmission both among EU Member States and with third countries and the EU will encourage participation of these countries in an effective management of migration flows,
 - there will be enhanced support to capacity-building in third countries for more effective migration management,
 - there will be more concrete work on cooperation concerning migratory routes in partnership with third countries to combat trafficking and smuggling of human beings,
 - legal migration will be better incorporated into the Union's external policies in order to develop a truly comprehensive and balanced partnership with third countries;
- strengthen the application of the global approach to the neighbouring eastern and south eastern regions of the European Union. The Commission is invited to make proposals on enhanced dialogue and concrete measures by June 2007;

- strengthen cooperation in the fight against illegal immigration, taking account of the Commission communication on policy priorities in this regard. In particular:
 - measures against illegal employment will be intensified at Member State and EU level; the European Council invites the Commission to present proposals in this regard,
 - existing and new technological possibilities will be fully utilised to enhance border control and to allow persons to be identified reliably,
 - the Commission is invited to report rapidly on how to improve access control, including the feasibility of establishing a generalised and automated entry-exit system for this purpose,
 - the Commission is invited to study the possibilities, on the basis of the initiative made to this end, of developing policies of extended European solidarity in immigration, border control and asylum policies;

- improve the management of the European Union's external border on the basis of the integrated border management strategy adopted by the Council in 2006. In particular:
 - the capacity of Frontex will be rapidly enhanced in order for it to be able to meet the migration challenges at the borders next year, by ensuring adequate resources and their effective use, establishing procedures for emergency situations, strengthening operational means, reinforcing links with the Immigration Liaison Officer Network and completing the planned review of the Agency and its tasks in 2007,
 - Frontex is invited to activate urgently article 7 of its Regulation in order to establish a centralized record of technical equipment belonging to Member States which could be put at the disposal of another Member State; Frontex is invited to report on progress to the Council in March 2007. The Council will examine the extent to which this can contribute to reinforcing national capacities for control of the external borders,

- priority will also be given to establishing as soon as possible a permanent MEDSEA Coastal Patrol Network and to examining the creation of a European Surveillance System for the southern maritime borders,
- the Council and the European Parliament are invited to reach rapid agreement on the Regulation on the establishment of Rapid Border Intervention Teams;

- develop a well-managed migration policy to enable existing and future labour needs to be met and contribute to sustainable development of all countries; in particular, rapid progress will be made on the forthcoming Commission proposals for the future development of a common European policy on labour migration;

- continue promoting integration and intercultural dialogue at Member State and EU level; the Ministerial conference on integration to be held in May 2007 will be of particular importance in that respect;

- realise the Common European Asylum System by 2010, on the basis of comprehensive evaluation of its first phase in 2007. The development of its second phase will be accompanied by a strengthening of practical cooperation in the area of asylum, in particular through the creation of asylum expert teams and the setting up of an asylum cooperation network; the possible creation of a European Support Office will also be examined;

- make full use of the substantial funds which are available if all the existing budget lines are brought fully into play and all possibilities available used consistently and coherently in order to provide adequate resources for implementing the comprehensive migration policy. In that respect the External borders, Integration, Return and Refugee Funds will bring important resources to underpin the comprehensive migration policy, as will the EDF.

8. The Commission is invited to report back on the implementation of the comprehensive migration policy by the end of 2007.

PM Schengen / JHA Council

III. INNOVATION, ENERGY AND CLIMATE CHANGE

Innovation

9. As discussed at the informal meeting of Heads of State or Government in Lahti, innovation is crucial to Europe's ability to respond effectively to the challenges and opportunities of globalisation. Europe needs a strategic approach aimed at creating an innovation-friendly environment where knowledge is converted into innovative products and services. *[Strategic priorities for stimulating innovation at EU level have been defined by the Competitiveness Council; progress made in delivering results will be monitored at future Spring European Council meetings within the framework of the Lisbon Strategy.]*
10. The European Council emphasises in particular the following:
- PM: Intellectual Property Rights;
 - the Council and the European Parliament should act rapidly on the Commission's proposal to set up a European Institute of Technology;
 - the Commission is invited to rapidly make proposals for the setting up of Joint Technology Initiatives with a view to launching the most advanced ones in 2007;
 - the Commission is invited, in consultation with all relevant stakeholders, to propose action for the improvement of the working methods and overall resources of European standardisation bodies. Standards must be developed quickly enough to meet the needs of fast-moving markets, whilst ensuring interoperability.

11. Information and communication technologies are crucial for innovation and competitiveness; immediate priorities include the development of efficient spectrum allocation models, the fast promotion of advanced mobile services and to the extent possible a coordinated approach for the use of spectrum capacity becoming available as a result of digital switch-over. The 2008 Spring European Council will review the challenges of the next generation of internet and networks within the framework of the Lisbon Strategy.

Energy

12. With regard to the development of the Energy Policy for Europe, important progress has been achieved especially on strengthening the coherence between its external and internal aspects and between energy policy and other policies. The Informal meeting of Heads of State or Government in Lahti was an important step towards strengthening the consistency of the Union's energy messages to third countries. The Union will work to ensure long-term security of energy supply through improved cooperation with major producer, transit and consumer countries, as well as through the realisation of genuine internal energy market. The Union will continue the extension of its internal energy market principles to the strategically important neighbours.
13. Energy efficiency and energy savings contribute concurrently to the main objectives of the European energy policy. The European Council therefore welcomes the Commission's Action Plan on energy efficiency and calls for priority measures to be taken rapidly.
14. The European Council endorses the setting up of a network of energy security correspondents without delay. This will be an important tool for collecting and processing existing geopolitical and energy related information. It will also provide an early warning tool to support the Union's overall strategy with the aim of ensuring the security of energy supply.

15. The Spring 2007 European Council is due to adopt a prioritised Action Plan as part of an overall Energy Policy for Europe. The external aspects of energy security will be included within the Action Plan. The European Council looks forward to the imminent presentation by the Commission of its Strategic Energy Review as part of the preparations for the adoption of that Plan. European energy policy will be discussed by the European Council on a regular basis in the future.

Climate change

16. The challenge of climate change is assuming ever greater importance as its long-term consequences become clearer and new information on the relative costs of action and inaction emerges. The European Council recognises that there is a strong link between the EU's climate policy and EU's internal and external energy policy as well as its jobs and growth strategy and that these EU policies can be mutually reinforcing.
17. In this context, the European Council welcomes the outcome of the UN climate sessions held in Nairobi which includes important steps towards developing a broadly-based post-2012 arrangement and addressing a number of immediate concerns on mitigation and adaptation requirements. It also notes with satisfaction the progress made in innovative financing initiatives to support a widespread shift to new and improved technology.
18. Bearing in mind the crucial role of a global carbon market and the need to provide long-term certainty, the European Council looks forward to the forthcoming reform of the Emissions Trading Directive, which should take effect at the start of the third trading period beginning in 2013.
19. Encouraged by the EU's recent meetings with third countries, the European Council will consider options for a post-2012 arrangement consistent with meeting the 2°C objective at its Spring 2007 meeting.

IV. EXTERNAL RELATIONS

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