



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 26 November 2007**

**15681/07**

**LIMITE**

**POLGEN 124**

**NOTE**

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from :            Presidency  
to :                Coreper

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Subject :        *European Council (14 December 2007)*  
                      *– Draft conclusions*

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*The Presidency hereby submits to Coreper draft conclusions to be agreed by the European Council at its meeting on 14 December 2007.*

*The text will continue to be updated in the light of the work underway, in particular the outcome of the forthcoming TTE, JHA, ECOFIN and EPSCO Councils.*

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1. The meeting of the European Council was preceded by an exposé by the President of the European Parliament, Mr Hans-Gert Pöttering, followed by an exchange of views.
2. The European Council welcomes the agreement reached at the IGC on 18 October 2007 and the subsequent signing of the Treaty of Lisbon, as well as the proclamation of the Charter of Fundamental Rights on 12 December 2007. It calls for a swift completion of national ratification processes with a view to allowing entry into force of the Treaty on 1 January 2009.
3. The European Council will regularly take stock of progress on necessary preparatory work so as to ensure the full functioning of the Treaty as soon as it enters into force.
4. The Lisbon Treaty provides the Union with a stable institutional framework for the foreseeable future. The Union will be able to fully concentrate on addressing the concrete challenges ahead, including globalisation and climate change, as clearly underlined at the 19 October informal meeting of Heads of State or Government on the basis of the Commission's Communication "The European Interest: Succeeding in the age of globalisation". In this context the European Council adopts a Declaration on Globalisation (*p.m. annex*).

*p.m. Reflection Group*

## **FREEDOM, SECURITY AND JUSTICE**

5. The European Council welcomes the **abolition of controls at the borders** of the new Member States participating in the SISone4ALL project, as from 21 December 2007 for land and sea borders, and by March 2008 for air borders, thus extending the effective free movement of persons.

6. Developing a **comprehensive European migration policy** remains a fundamental priority in order to meet the challenges and harness the opportunities which migration represents for the Union in a new era of globalisation.
7. Cooperation with third countries remains vital for the purpose of well-managed migration flows. The European Council [*p.m. reference to Commission Interim report*] welcomes the progress being made in the implementation of the **Global Approach to Migration** with regard to Africa and the Mediterranean, in particular the EU missions to African and the Mediterranean countries as well as the progress on the application of this Global Approach to the Eastern and South-Eastern neighbouring regions. [It endorses the Council's conclusions of 6/7 December 2007 on taking forward the Global Approach to Migration by developing mobility partnerships and circular migration and welcomes in that connection the decision to open dialogue with a view to launching pilot mobility partnerships with certain third countries, such as Cape Verde and Moldova. The Commission is invited to report back on progress no later than June 2008.] The recent Euro-Med Ministerial meeting on Migration contributed to further development of practical cooperation with the Mediterranean partners [*p.m. reference to outcome of EU-Africa Summit in the field of migration*].
8. There is a close link between migration, employment and the Lisbon Strategy for Growth and Jobs. [The European Council endorses the Council conclusions of 4 December 2007, which acknowledge that migration can have a significant impact on growth potential and employment growth, labour markets, adjustment capacity, productivity, competitiveness and public finances.]
9. Well managed legal migration policies should be closely aligned with skills shortages and labour market requirements. Effective and efficient integration policies are needed, in particular in the areas of skills and education, and in ensuring the efficient functioning of the labour market. Immigration is no substitute for structural reforms.

10. The European Council invites the Council to take work forward on the recent Commission proposals on the admission of third country nationals for the purpose of highly qualified employment and on a single application procedure and a common set of rights for legally residing third country workers.
11. Combating illegal immigration requires concerted and effective measures directed to undeclared work and illegal employment, in particular through the effective enforcement of dissuasive sanctions. The Council and the European Parliament are invited to reach agreement by the end of 2008 on the proposals on sanctions against employers of illegally staying third country nationals. Work should also be taken forward following the Commission's communication on undeclared work.
12. The European Council also welcomes the progress made on the proposal for a Directive on common standards and procedures in Member States for returning illegally staying third-country nationals and encourages the Council and European Parliament to continue their efforts to find a basis for agreement on the proposal.
13. It is necessary to further develop the Union's comprehensive migration policy. [*p.m. reference to the Commission's Communication expected on 5 December*]. In this context, the European Council underlines the need for a renewed political commitment and requests work to be taken forward, in particular as concerns the further strengthening of the integrated management of the external borders [*p.m. other measures in light of Commission Communication*] and the future Common European Asylum System and invites the Commission to present the necessary initiatives to that end.
14. Integration is a vital part of the comprehensive European migration policy. In this context, the European Council invites the Commission to launch during 2008, in cooperation with Member States, an awareness campaign across the Union on European values and principles related to the opportunities, benefits and challenges of migration, in a pluralistic Europe capable of promoting social cohesion and intercultural dialogue, as well as successfully integrating cultural, religious, ethnic and linguistic diversity.

15. The strengthening of **police and judicial cooperation** remains a priority. The functioning of Europol must be improved; this requires the Council to reach agreement on the decision establishing Europol by the end of June 2008 at the latest and to review regularly the state of play regarding the Implementation Plan. The European Council also welcomes the general approach for a Council Framework Decision on the protection of personal data processed in the framework of police and judicial cooperation.
16. Recent foiled terrorist attempts in Europe and numerous terrorist attacks elsewhere in the world reinforce the need for the Union and its Member States to remain fully committed to the implementation of the Counter-Terrorism Strategy in all its aspects.
17. The European Council welcomes important work recently undertaken in many areas of the Strategy such as on the security of explosives and weapons, on cooperation between special forces, [on security of air transport] and the development of capacity for coordination of response to terrorist-related crises. The European Council welcomes the appointment by the SG/HR of Gilles de Kerchove as Counter-Terrorism Coordinator. It endorses the suggestions contained in the report by the Counter-Terrorism Coordinator with a view to further strengthening the implementation of Counter Terrorism Strategy.
18. The European Council welcomes work recently undertaken under the European Union Strategy for Combating Radicalisation and Recruitment to Terrorism notably as regards radicalization of youth and the role of the internet. It calls for its further strengthening in particular through EU sectoral programmes and instruments both within the Union and in cooperation with third countries. To the effect, it notes the Commission's intention to submit a communication on best practices on violent radicalisation in the course of 2008.
19. The European Council reaffirms the need to enhance access to justice in the European Union via simplified and more efficient and accessible procedures, welcomes the work already achieved in the area of E-justice and calls for the continuation of work, in particular, and as a priority, on implementing the e-justice portal.

20. The European Council welcomes the political agreement on the Directive on some aspects of mediation on civil and commercial matters [and on the Regulation on the law applicable to contractual obligations (Rome I)], which are important elements of the European Justice Area. The Council is invited to find solutions on the Regulation on jurisdiction and applicable law in matrimonial matters (Rome III). It is also invited to continue swiftly negotiations on the EC Regulation on maintenance obligations.
21. The European Council welcomes the signature of the new Lugano Convention on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters ensuring coherence in terms of free movement of judgments in the European Union and Switzerland, Norway and Iceland.
22. The European Council welcomes the ongoing work within the Council and the Commission regarding protection of children, in particular the EU child abduction alert.

### **ECONOMIC, SOCIAL AND ENVIRONMENTAL ISSUES**

23. The European Council welcomes the Commission's Strategic Report assessing the implementation of the renewed **Lisbon Strategy for Jobs and Growth** and making proposals for the next three-year cycle. Work must be taken forward with a view to the timely adoption next year of the Integrated Guidelines and country-specific recommendations.
24. The Lisbon Strategy is starting to deliver. Its implementation will help the Union and its Member States shape the globalisation agenda based on an outward-facing approach that promotes openness, competitiveness and fairness, and gears to best effect the Union's internal and external policies as set out in the Declaration on Globalisation.

25. The four priority areas of reform identified by the European Council in Spring 2006 continue to be valid: knowledge and innovation, business potential, employment and energy and climate change. Thus, whilst the challenges have been evolving, the Integrated Guidelines do not need a fundamental overhaul; the main focus of the new cycle of the Lisbon Strategy should be on implementation and delivery of reform.
26. The implementation of the Member States' National Programmes for the period 2005-2008 is fairly positive. It is of key importance to maintain the momentum and step up reform efforts in areas where progress has been limited. In particular progress must be achieved in opening up the European Research Area, overcoming the obstacles towards a more innovative economy, supporting SME's over their life-cycle, achieving a more efficient single market, modernizing public administration for better services to citizens and companies as well as investing in skills, developing flexicurity, ensuring social inclusion and implementing the energy package. The coordination of macro-economic policies for sustained growth provides the appropriate framework.
27. The European Council welcomes the presentation of the new Community Lisbon Programme. This Programme must add value and strengthen the rationale and focus of action at Community level to improve the coherence of reforms and maximise positive spillover effects. Stronger horizontal coordination at European and national level is required to ensure the full use of the Lisbon toolbox. More tailor-made communication should involve all relevant stakeholders.
28. Promoting **knowledge** is central for the Europe of the future. The European Council welcomes the establishment of the European Institute of Technology and the setting-up of the first Joint Technology Initiatives. Given the need to increase human resources for science and technology in Europe and to boost the attractiveness of Europe for highly qualified scientists, the European Council endorses the objectives agreed by the Council in November 2007 on the future of science and technology in Europe. Recalling the broad-based innovation strategy adopted in 2006, the European Council stresses the relevance of the Commission's initiatives relating to public procurement and innovation in services and invites it to complement them with the remaining expected initiatives.

*p.m. Galileo*

29. European **competitiveness** should be fostered by a sustainable industrial policy, combined with innovation and skills and focussing on the new opportunities created by external markets as well as the European Single Market. The Single Market has been an undisputed success and has provided a solid foundation for growth and prosperity within the Union. Yet more can be done to untap the full potential of an enlarged Union, *inter alia*, by laying greater emphasis on consumers and SMEs. The Single Market also needs to become more outward-looking. The European Council accordingly welcomes the Single Market Review presented by the Commission and invites the Council to examine its initiatives so as to enable the European Council to reach conclusions for priorities for further action at its Spring 2008 meeting.

*p.m. Postal Services*

*p.m. Tourism*

30. The **modernisation of public administration** aiming to provide better services to citizens and companies can play an important role regarding the objectives of both the Lisbon Strategy and the Stability and Growth Pact. Reforms in this area should therefore undergo regular analysis and exchange of best practices in particular in the context of the Lisbon National Reform Programmes. The Council should come back to the issue of public spending efficiency and effectiveness, in particular related to specific spending categories such as social spending, education and R&D, in Spring 2008. The European Council, in face of the recent developments in the **financial markets**, emphasises that macroeconomic fundamentals in the EU are strong and that sustained economic growth is expected. It fully endorses the work programme adopted by the Council on 9 October 2007 aimed at, alongside the EU's international partners, improving transparency, valuation processes and risk management in financial markets.



31. In the **employment and social policy area**, broad and balanced flexicurity policies, adapted to specific national circumstances, provide the link between flexible and reliable contractual arrangements, active labour market policies, comprehensive lifelong learning and modern and adequate social protection. [The European Council endorses the agreement on the common principles on flexicurity reached in the Council on 5/6 December 2007 and invites Member States to take these principles into good account when implementing national flexicurity-orientated policies. The European Council welcomes the common understanding reached by social partners and underlines their important role in the design and monitoring of flexicurity policies.]
32. Delivering **lifelong learning** to all citizens is of particular importance for more and better jobs. Accordingly, Member States and the Commission should give priority to the implementation of the "New Skills for New Jobs" initiative and the European Qualifications Framework. The life-cycle approach should be developed by fostering active ageing and the modernization of pension systems, to ensure financial, economic and social sustainability, as well as by making the Youth Pact and the Gender Pact more operational in the context of the Lisbon framework. **Inclusion** Policies should combine integration in the labour markets, adequate income support and quality social services. The European Council also reaffirms its commitment with the decent work agenda as a global instrument to promote better labour standards and foster development.
33. The European Council endorses the European Agenda for Culture as an important step towards further developing cooperation in this field.
34. The European Council reiterates the importance of implementing effectively and speedily all aspects of the comprehensive 2007-2009 Action Plan endorsed last Spring with a view to taking forward the **Energy Policy for Europe**.

35. The examination of the proposals for the more efficient operation and completion of the internal market for gas and electricity is well underway. All parties must pursue work on the proposals in a constructive manner, with a view to reaching an agreement on the package in the course of next year.
36. The European Council reaffirms the closely integrated nature of climate and energy policies, and the importance of energy policy developments supporting the achievement of the Union's Climate objectives. The European Council welcomes the Commission's communication "A Strategic Energy Technology Plan" (SET-Plan). In this respect, the Council should work towards providing a framework for strategic planning, more effective implementation, increase in resources and a reinforced approach to international cooperation regarding innovation in low carbon technologies.
37. Regarding Renewable Energy and Climate Change related instruments, the European Council looks forward to the Commission's second set of legislative proposals, due by the end of January 2008, with a view to meeting the agreed targets and to deliver on the objectives set out at the last Spring European Council.
38. The European Council welcomes the Council Conclusions on water scarcity and drought and invites the Commission to present a report in 2008 and pursue the work on an EU strategy until 2012. It also acknowledges the need to reinforce the link between Business and Biodiversity at European level, welcoming the EU Business and Biodiversity Initiative and the commitment from the Commission to provide technical support.
39. The **Bali Climate Conference** should respond to the urgent need for action as identified in the Fourth Assessment Report of the Intergovernmental Panel on Climate Change and agree to launch negotiations leading to a global and comprehensive post-2012 agreement by 2009. In this connection the European Council recalls the Council conclusions of 30 October 2007 which set out in detail the objectives and elements which the Union is convinced should form part of the future agreement.

40. **Sustainable development** is a fundamental objective of the European Union. European Union and national strategies for sustainable development need to be linked up more closely. The governance structure and tools of the SDS in particular in relation to monitoring of progress and best practice sharing, must be fully used and strengthened. Member States should provide the Commission with their input on progress at national level by March 2009, in order to allow the Commission to present its next Progress Report in good time for the 2009 review cycle. The Commission is invited to present a roadmap with its report, setting out the remaining actions to be implemented with highest priority until the next comprehensive review of the SDS is launched in 2011.
41. The European Council welcomes the Commission Communication on an **integrated maritime policy** for the European Union and the proposed Action Plan which sets out the first concrete steps in developing an integrated approach to maritime affairs. The broad participation in the preceding public consultation reflected the interest which stakeholders show for the development of such a policy. The Ministerial Conference on the Integrated Maritime Policy had a comprehensive and fruitful debate on this issue.
42. The future integrated maritime policy should ensure a high degree of synergies and coherence between sectoral policies through horizontal and vertical co-ordination, while fully respecting the principle of subsidiarity and taking account of the geo-physical, political and economical specificities of each region surrounding Europe, including, in particular, the islands and the outermost regions. The contribution of an integrated maritime policy to addressing the challenges facing Europe's sustainable development and competitiveness will have to consist of an appropriate mix of a common vision, cross-sectoral actions, and better coordination and articulation of the different policies which relate to or impact on the oceans and seas. The European Council invites the Commission to come forward with the initiatives and proposals contained in the Action Plan and calls on the future Presidencies to work on the implementation of an integrated maritime policy for the Union. The Commission is invited to report on the implementation of this policy to the European Council at the end of 2009.

43. The European Council welcomes the Commission report on the 2004 Strategy for the **Outermost Regions** stating its positive results and presenting the future prospects for Community actions in those regions. The European Council looks forward to the conclusions of the public consultation launched and invites the Commission to present the relevant proposals at the latest in October 2008.

## **EXTERNAL RELATIONS**

44. The European Council stresses the importance of deepening the relations between the European Union and its strategic partners in an increasingly globalised World.

*p.m. EU-Africa Summit / outcome and follow-up*

*p.m. EU-Brazil Summit / outcome and follow-up*

*p.m. Kosovo*

