



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 9 December 2005

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NOTE

from: Presidency

to: Council

Subject: *European Council (15 and 16 December 2005)*
– *Draft conclusions*

Delegations will find attached the draft European Council conclusions as they stand after discussion in Coreper on 8 December. These conclusions refer to several separate documents which are to be adopted or endorsed by the European Council: the EU-Africa Strategy, which will be discussed under a separate agenda item in the External Relations section of the GAERC; the Counter-Terrorism Strategy, already agreed at the 1-2 December JHA Council; the ESDP report, to be approved at the GAERC as an A item; the SALW Strategy, already agreed at the GAERC in November; and the annexes on a Global Approach to Migration and on Better Regulation, both amended in the light of Coreper on 8 December. The draft declaration on the Mediterranean and the Middle East, which will also be annexed to the conclusions, will be finalised by Foreign Ministers during their dinner on Thursday 15 December.

A text of possible European Council conclusions on FYROM, drawn up on the Presidency's responsibility, is being circulated separately, ahead of discussion over lunch at the GAERC.

The Presidency will circulate for Coreper on 14 December draft European Council conclusions on VAT reduced rates, in the light of the outcome of the 6 December ECOFIN.

The Presidency has taken note of the views of delegations regarding Services and Consular Cooperation and has the intention to propose short texts on both issues at Coreper on 14 December.

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 recalls the importance of the common European values of solidarity, social justice and sustainability as the basis for the development of the Union's policies. This constitutes the framework in which the guidelines set out in these conclusions should be taken forward.
3. The European Council recalls the EU's support for an effective multilateral system based on the rule of law, and the need for a United Nations better equipped to meet the challenges of the 21st Century. It underlines its commitment to early and full implementation of the reforms and commitments agreed at the 2005 UN World Summit.

I. FUTURE OF EUROPE

4. Following the Hampton Court Informal Heads of Government meeting, the European Council notes the reports from the President of the Commission and the Secretary General/High Representative and agrees to return to these issues under the Austrian Presidency.
5. The European Council notes the joint UK-Austrian interim report on national debates on the future of Europe underway in all Member States, further to the Declaration by the Heads of State or Government at the June 2005 European Council on this issue. The European Council will return to the issue in the first half of 2006 under the Austrian Presidency on the basis of preparatory work in the General Affairs and External Relations Council. The European Council also takes note of the discussion held at the conference "Sharing power in Europe" co-organised by the Presidency and the Netherlands in The Hague on 17 November 2005, and notes the Austrian Presidency's intention to come back to this issue.

II. FINANCIAL PERSPECTIVES

[PM]

III. AFRICA

6. The European Council adopts the EU strategy "The EU and Africa: Towards a Strategic Partnership" as called for at its June 2005 meeting (doc. XXXX/05); it stresses the importance of enhanced EU-Africa political dialogue and agrees to review regularly, starting in 2006, progress on the implementation of the Strategy, taking into account the conclusions adopted by the Council on 21 November 2005.

IV. GLOBAL APPROACH TO MIGRATION

7. The European Council notes the increasing importance of migration issues for the EU and its Member States and the fact that recent developments have led to mounting public concern in some Member States. It underlines the need for a balanced, global and coherent approach, covering policies to combat illegal immigration and, in cooperation with third countries, harnessing the benefits of legal migration. It recalls that migration issues are a central element in the EU's relations with a broad range of third countries, including, in particular, the regions neighbouring the Union, namely the eastern, south eastern and Mediterranean regions[, and notes the importance of ensuring that the appropriate level of financial resources is allocated to these policies]. The EU will strengthen its dialogue and cooperation with all those countries on migration issues, including return management, in a spirit of partnership and having regard to the circumstances of each country concerned.

8. The European Council emphasises that the European Union's commitment to support the development efforts of countries of origin and transit is part of a long-term process to respond to the opportunities and challenges of migration, as outlined in the Hague Programme. In this regard, the European Council recognises the importance of tackling the root causes of migration, for example through the creation of livelihood opportunities and the eradication of poverty in countries and regions of origin, the opening of markets and promotion of economic growth, good governance and the protection of human rights.
9. As part of this overall process, the European Council welcomes the Commission's Communication of 30 November 2005: Priority Actions for Responding to the Challenges of Migration and adopts the "Global approach to migration: Priority actions focussing on Africa and the Mediterranean" annexed to these conclusions, covering the following areas:
- strengthening cooperation and action between Member States;
 - increasing dialogue and cooperation with African states;
 - increasing dialogue and cooperation with neighbouring countries covering the entire Mediterranean region;
- [as well as the questions of funding and implementation].

The European Council invites the Commission to report back on progress made by the end of 2006.

V. COUNTER-TERRORISM

10. The European Council underlines the importance of a comprehensive and proportionate response to the threat from terrorism. The European Council adopts the EU Counter-Terrorism Strategy (doc. XXXX/05) which sets out a framework for work to prevent radicalisation and the recruitment to terrorism, to protect citizens and infrastructure, to pursue and investigate terrorists, and to improve the response to the consequences of attacks. The European Council notes that the EU Counter-Terrorism Action Plan, the instrument for tracking implementation, is being revised to ensure full coherence with the new Strategy.

11. The European Council also welcomes the progress made on priority dossiers as set out in the Counter-Terrorism Co-ordinator's six monthly report and calls for this momentum to be maintained. The European Council will monitor progress on implementing the Counter-Terrorism Strategy at its meeting in June 2006.

VI. SUSTAINABLE DEVELOPMENT

12. [The European Council [welcomes] [looks forward] to the presentation of the Commission's Communication on a renewed EU Sustainable Development Strategy for the next 5 years. The European Council looks forward to adopting in June 2006 an ambitious and comprehensive strategy, which could include indicators and an efficient monitoring procedure, integrate the internal and external dimensions and be based on a positive long-term vision, bringing together the Community's sustainable development priorities and objectives in a clear, coherent strategy that can be communicated simply and effectively to citizens.]¹

VII. CLIMATE CHANGE AND SUSTAINABLE ENERGY

13. The European Council welcomes the progress made during 2005 in developing a medium and long-term EU strategy and re-invigorating the international negotiations on climate change, recalling its conclusions of March 2005. In this context, the European Council stresses the importance of the work under the UN Framework Convention on Climate Change, including the implementation of the Kyoto Protocol and its flexible mechanism, and the need to ensure the widest possible cooperation by all countries and their participation in an effective and appropriate international response. In support of this work, the European Council also underlines the importance of the implementation of the Gleneagles Plan of Action with its strong emphasis on technology transfer and managing the impacts of climate change, and taking forward the dialogue and technological co-operation agreed with India, China and Russia, including at future summits, while working to develop partnerships with all major energy-consuming countries.

¹ Text to be finalised in Coreper on 14 December in light of the Commission's Communication to be adopted that day.

14. The European Council also welcomes the Commission Communication "Reducing the climate impact of aviation", recognises that the inclusion of the aviation sector in the EU Emissions Trading Scheme seems to be the best way forward, and urges the Commission to bring forward a legislative proposal by the end of 2006 accompanied by an impact assessment which includes the specific analysis requested in the conclusions of the 2 December Council.
15. The European Council stresses the importance of an integrated approach to climate change, energy and competitiveness objectives, and underlines that strategies to invest in cleaner and more sustainable energy both in the EU and more widely can support a range of policy objectives, including energy security, competitiveness, employment, air quality and reduced greenhouse gas emissions. In this context, the European Council welcomes the launch of the second phase of the European Climate Change Programme and the commission's intention to develop an Action Plan on energy efficiency.

VIII. GROWTH AND JOBS

16. The European Council notes that the world economy is experiencing a period of rapid and significant economic change and agrees that Europe needs economic reforms, social modernisation and sustainable environmental policies to safeguard its values and respond effectively to the challenges and opportunities of globalisation and demographic change. The European Council underlines the importance of innovation, Information and Communication Technology, research and human capital, in particular with respect to SMEs, for achieving higher employment, productivity and sustainable growth across the European Union, in the context of sound macroeconomic policies. It also stresses the importance of a well functioning internal market.
17. The European Council welcomes the Member States' National Reform Programmes and the Commission's Community Lisbon Programme and looks forward to the Commission's January progress report. It stresses the importance of National Reform Programmes to strengthen the overall governance of the Lisbon Strategy and invites Member States, the Commission and the Council to monitor and evaluate their implementation in line with the March European Council conclusions.

18. Taking due account of the principle of subsidiarity and proportionality and the importance of respecting the *acquis communautaire*, the European Council stresses that an improved regulatory framework in the European Union, at Community and Member States level, is key to delivering growth and jobs. Emphasis should be placed on implementing commitments already made by all institutions, including the provisions of the Interinstitutional Agreement on Better Law-Making of 16 December 2003. On that basis, the European Council welcomes the significant progress made since its last meeting and agrees on the importance of further work as set out in the attached annex covering i) reducing burdens on business and citizens through simplification and screening; ii) the revised impact assessment system and iii) EU common methodology for assessing the administrative costs of legislation.

[PM FYROM]

IX. EXTERNAL RELATIONS

19. The European Council adopts a declaration on the Mediterranean and the Middle East annexed to these conclusions.
20. The European Council endorses the Presidency report on ESDP (doc. 15298/05), including the mandate for the incoming Presidency.
21. The European Council adopts the EU Strategy to combat illicit accumulation and trafficking of small arms and light weapons and their ammunition (doc. 13066/05).
22. The European Council welcomes the adoption by the Council, the Member States, the Commission and the European Parliament of "the European consensus on development", which provides the Union with a common vision of values, objectives, principles and means for development (doc. 14820/05).

BETTER REGULATION

Reducing burdens on business and citizens through simplification and screening

The European Council reaffirms the importance of reducing unnecessary burdens for business and citizens. In this respect it welcomes the Commission's new programme for simplifying EU legislation ¹, and calls on the Council and the European Parliament to give high priority to progressing simplification proposals through the legislative system. It welcomes the Commission's screening initiative, notes the outcome and invites the Commission to continue to monitor pending proposals in terms of their impacts, including economic, social and environmental, with a view to modification, replacement or withdrawal, where these would be appropriate.

Revised impact assessment system

The European Council welcomes the Commission's revised impact assessment system ², including the commitment to prepare integrated impact assessments for all major legislative proposals and policy defining documents in its work programme. These assessments should include exploring a range of options, drawing on sectoral analyses where available, which could potentially meet the set objectives of a proposal, including non-legislative options and further harmonisation, as appropriate. It calls on the Council and the European Parliament to make full use of Commission impact assessments as a tool to inform political decision making and to implement the inter institutional common approach to impact assessment. It reaffirms the importance of transparency in policy making and timely and effective stakeholder consultation and looks forward to the comprehensive independent evaluation of the Commission's impact assessment system to be launched early in 2006.

¹ Doc. 13976/05

² http://www.europa.eu.int/comm/secretariat_general/impact/index_en.htm

EU common methodology for assessing administrative costs imposed by legislation

The European Council welcomes the Commission Communication on an EU common methodology for assessing administrative costs imposed by legislation ¹, and invites the Commission to start measuring administrative burdens, on a consistent basis and in line with transparent criteria, as part of integrated impact assessments launched as of January 2006. In this context it stresses the important contribution this methodology could play in identifying legislation in need of simplification and invites the Commission to explore options for establishing measurable targets in specific sectors for reducing administrative burdens. The European Council recognises the importance for Member States to provide, on request and in a proportionate manner, the information needed to assess administrative costs imposed by EU legislation.



¹ Doc. 13629/05