



**COUNCIL OF  
THE EUROPEAN UNION**

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**LIMITE**

**POLGEN 71**

**NOTE**

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from: Presidency

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to: Delegations

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Subject: *European Council (21 and 22 June 2007)*  
– *Draft conclusions*

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Delegations will find hereafter the draft European Council conclusions after the meeting of the GAERC on 18 June 2007.

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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.

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1. Europe is united in its resolve that only by working together can we represent our interests and goals in the world of tomorrow. The European Union is determined to contribute its ideas of a sustainable, efficient and just economic and social order to the global process.
2. The European Union faces a twofold responsibility. In order to secure our future as an active player in a rapidly changing world and in the face of ever-growing challenges, we have to maintain and develop the European Union's capacity to act and its accountability to the citizen. That is why we have to focus our efforts on the necessary internal reform process. At the same time, the European Union is called upon to shape European policy here and now for the benefit of Europe's citizens.
3. The most recent positive results include the Roaming Regulation which reduces the cost of modern communication in Europe, the creation of the European payment area which makes travelling and living together easier in the EU and the constant improvement of consumer rights which guarantee citizens the same high standards across the entire European Union.
4. With its decisions on an integrated climate and energy policy the European Council in Spring 2007 underlined the synergies between these two key areas and paved the way for improved climate protection and dealing responsibly with energy.
5. Closer crossborder police and judicial cooperation means more security for everyone. At the same time the EU is working to protect and strengthen civil liberties at European level.
6. Contributing to the day-to-day life of its citizens and securing the European Union's ability to act in the future: with this twofold goal in mind, the European Council today adopted the following conclusions.

## **I. TREATY REFORM PROCESS**

*p.m.*

## **II. JUSTICE AND HOME AFFAIRS**

7. On the basis of the Tampere and Hague Programmes significant progress has been made in developing the Union as an area of freedom, security and justice. The European Council stresses the need to continue the implementation of those programmes and to work on the succession to them in order to further strengthen Europe's internal security as well as the fundamental freedoms and rights of citizens.
  
8. Recent events have demonstrated once again the need to make rapid progress in developing a comprehensive European migration policy based on common political principles, capable of taking account of all aspects of migration (the migration and development agenda, as well as internal aspects such as legal migration, integration, protection of refugees, border control, readmission and the fight against illegal migration and human trafficking), based on a genuine partnership with third countries and fully integrated into the Union's external policies. The European Council welcomes the progress already made in implementing the priority actions focussing on Africa and the Mediterranean, including the recent EU missions to Africa and concrete cooperation with African and Euromed partners, as part of the Global Approach to Migration and calls for work on these priority actions to be taken forward and intensified. The European Council also welcomes the Commission's Communication of 16 May 2007 on applying the Global Approach to Migration to the eastern and south-eastern regions neighbouring the EU. Acknowledging the need for intensified and more coordinated cooperation with these regions, the European Council endorses the Council Conclusions of 18 June 2007, including the list of priority measures. The European Council calls on the Member States and the Commission to ensure that adequate human and financial resources are allocated, within the existing financial framework, in order to enable the timely implementation of the comprehensive migration policy.

9. The European Council underlines the importance of closer cooperation with third countries in managing migration flows. Specific partnerships on migration with third countries could contribute to a coherent migration policy which combines measures aimed at facilitating well-managed legal migration opportunities and their benefits – while respecting Member States' competences and the specific needs of their labour markets – with those fighting illegal migration, protecting refugees and tackling the root causes of migration while at the same time impacting positively on development in countries of origin. The possibility of mobility partnerships should be further explored as well as possibilities for circular migration in the light of the Commission's communication of 16 May 2007; in this context the European Council endorses the Council conclusions of 18 June 2007. The European Council is convinced that illegal employment is one main pull factor driving illegal immigrants. It accordingly underlines the importance of the proposal for a Directive providing rules to avoid the illegal employment of third country nationals.
10. The European Council reaffirms the need for the Union's capacity to contribute to the management of the external borders of Member States to be reinforced and underlines the importance of continuing to strengthen the capacity of FRONTEX for this purpose. Joint operations at Member States' external borders are contributing to the fight against illegal migration and to saving lives and must therefore be maintained. The European Council therefore welcomes the agreement reached on the establishment of Rapid Border Intervention Teams, the launching of the Coastal Patrol Network, and the creation of a centralised "toolbox" of technical equipment available to be put at the disposal of Member States. The European Council calls for every effort to be made by all concerned for the Rapid Border Intervention Teams to become operational as soon as possible and for the new possibilities created by the Coastal Patrol Network and the "toolbox" to be used to the full, including the stepping-up and strengthening of joint patrols. Recalling the Hague Programme, the European Council reaffirms that European solidarity and fair sharing of responsibilities are among the founding principles guiding Europe's activities in managing the EU's external borders, in accordance with the integrated management system.

11. The European Council welcomes the recent agreement on the Regulation on the Visa Information System and the exchange of data between Member States on short-stay visas as well as the Council Decision on access for consultation of the VIS by designated authorities of Member States and by Europol for the purposes of prevention, detection and investigation of terrorist offences. Along with the development of modern means of control and identification, these are further important steps in improving exchanges of information between the Member States, thus contributing to improving the management of the common visa policy and the security of citizens. The European Council calls for swift implementation of the VIS Regulation and the Council Decision.
12. The European Council likewise welcomes the efforts that have been made in order to improve the continued and deepened cooperation at EU level and between Member States in the area of integration and intercultural dialogue. The European Council welcomes, in particular, the Council Conclusions of 12 June on the strengthening of integration policies in the EU by promoting unity in diversity. It emphasises the importance of further initiatives to facilitate the exchange of experiences on integration policies of the Member States.
13. The European Council reaffirms its commitment to realising, as part of the comprehensive European migration policy, the Common European Asylum System by the end of 2010.
14. The European Council will review the state of implementation of the comprehensive migration policy at its next meeting in December 2007 on the basis of an interim progress report from the Commission. This report should include progress on the application of the Global Approach to Migration to Africa and the Mediterranean as well as first progress on the application of the Global Approach to Migration to the eastern and south-eastern regions neighbouring the European Union.

15. The extension of the Schengen area will improve the everyday lives of citizens and accordingly continues to be a high priority for the EU. The European Council welcomes the preparatory work undertaken through the SIS One4All project and encourages the Member States participating in the project to continue their endeavours to meet all the requirements as set out in the Council (JHA) conclusions of 5/6 December 2006 for the lifting of controls at internal borders at the land and sea borders at the end of December 2007 and at air borders by March 2008 at the latest, provided that all these requirements have been met. At the same time the European Council urges the Commission to complete the remaining work within the scheduled time frame in order to finalise the SIS II project by December 2008 at the latest.
16. Particular efforts must continue to be made to strengthen police and judicial cooperation and the fight against terrorism. Europe's citizens expect the EU and its Member States to take decisive action to preserve their freedom and security, particularly in the fight against terrorism and organised crime.
17. The recent decision to integrate the essential provisions of the Prüm Treaty into the Union's legal framework will help to intensify cross-border police cooperation. In the same context the European Council underlines the importance of strengthening further Europol's operational capabilities and welcomes the decision of the Council to transform the Europol Convention into a Council Decision, in accordance with the Council's (JHA) conclusions of 12/13 June 2007.
18. Safeguarding citizens' rights is as vital to creating an area of freedom, security and justice as ensuring protection for Europe's citizens. In this respect the European Council in particular requests the Council to reach agreement before the end of the year on the Framework Decision on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters.

19. The European Council calls for work on procedural rights in criminal proceedings to be continued as soon as possible in order to contribute to increasing confidence in the legal systems of other Member States and thus to facilitate the mutual recognition of judicial decisions. The recent overall agreement on the Framework Decision on combating certain forms of racism and xenophobia is a clear signal for a Europe committed to the fight against intolerance.
20. In the interest of European citizens rapid agreement is needed on the Regulations on the applicable law relating to contractual obligations (Rome I), on jurisdiction and applicable law in matrimonial matters (Rome III) and on maintenance obligations.
21. The Council is requested to continue its work on evaluating the consistency and coherence of the provisions of contract law in Community law, including consumer contract law.
22. The European Council acknowledges the progress made in developing legislation for the exchange of information on national criminal convictions on a European basis and requests the Council to ensure that national criminal records systems become inter-connected through a European network as soon as possible. The Council should also further promote electronic communication on legal matters ("E-Justice") in the criminal as well as the civil areas.
23. The European Council welcomes the communication from the Commission on the fight against cybercrime and calls for the development of a policy framework in this field.

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

24. Further strengthening the four freedoms of the internal market (free movement of goods, persons, services and capital) and improving its functioning remain of paramount importance for growth, competitiveness and employment. The European Council looks forward to the presentation of the Commission's Single Market Review, together with accompanying proposals, in the autumn. It calls on the Council and the European Parliament to make rapid progress on the new approach and mutual recognition Regulations, without prejudice to the harmonisation of national technical rules where appropriate.
25. The European Council notes the progress achieved in the Council on the draft Directive on the achievement of the internal market of postal services which will have to ensure the financing of an efficient and high-quality universal service and invites the European Parliament, the Council and the Commission to rapidly deepen and conclude discussions on this issue with a view to finding an agreement on the Directive in due time.
26. The European Council invites the Council to swiftly agree on the first four proposals for Joint Technology Initiatives (ARTEMIS, on embedded computer systems, IMI, the Innovative Medicines Initiative, Clean Sky, on aeronautics and air transport, and ENIAC, on nano-electronics technologies) and invites the Commission to present as rapidly as possible the remaining Joint Technology Initiatives identified in the Specific Program "Cooperation" implementing the 7th Framework Program for Research. It recalls the importance of open and transparent management of these initiatives.
27. The European Council welcomes the fact that work on the Regulation for the European Institute of Technology is advancing well and therefore invites the Council to reach, at its meeting on 25 June, a general approach on this Regulation, including adequate financing in accordance with Community budgetary procedures. The European Council is confident that the final decision of Council and European Parliament will be taken before the end of this year.



28. The European Council reaffirms the value of Galileo as a key project of the European Union and asks the Council to take an integrated decision on the implementation of Galileo in Autumn 2007.
29. The European Council welcomes the initiative for a European Charter for the use of intellectual property from public research institutions and universities (IP-Charter) to improve the knowledge transfer between research and industry and its contribution to the development of the European Research Area. The European Council invites the Commission to present early in 2008 initiatives to follow up on the Green Paper on the European Research Area.
30. In the social policy area, work on coordination of the social security systems must be pursued vigorously with a view to resolving the remaining outstanding chapters as soon as possible. The European Council is looking forward to the forthcoming Commission Communication on flexicurity, on the basis of which common principles could be agreed before the end of this year and welcomes the progress made on the active inclusion strategy. The European Council looks forward to the presentation of an amended proposal for the Directive on minimum requirements for enhancing worker mobility by improving the vesting and preservation of supplementary pension rights as a basis for the continuation of work on this subject. Member States are invited to rapidly implement the recently adopted Community Strategy 2007-2012 on health and safety at work, which will strengthen the overall approach to well-being at work and relaunch prevention policies and improvements for workers. The European Council invites Member States, the Commission and social partners to make good use of the Alliance for Families to promote good practices and innovative approaches on family friendly policies consistent with Member States' national public policy and to promote gender equality. The European Council looks forward to the Commission's forthcoming social reality stocktaking report.

31. HIV/AIDS remains a matter of serious concern. Action to tackle the global HIV/AIDS pandemic should include broad based prevention programmes, training of health care personnel, awareness raising in all groups of society and tackling the cost of treatment. The European Council invites the Commission to implement its action plan on combating HIV/AIDS within the European Union and in the neighbouring countries 2006-2009 and the European Programme for Action to Confront HIV/AIDS, malaria and tuberculosis through external action 2007-2011. It is for the Member States to provide the political leadership to fight this pandemic. The pharmaceutical industry should facilitate access to affordable medicines and cooperate in securing distribution channels for drugs against HIV/AIDS together with government institutions and NGOs.
32. The European Council recalls its conclusions of March 2007 on an integrated climate and energy policy. It welcomes the important signal sent by the G8 Summit at Heiligendamm. The clear reference to at least halving emissions by 2050, the commitment to the UNFCCC process (UN Framework Convention on Climate Change) and to achieving a comprehensive post 2012-agreement by 2009 provide an encouraging basis for the upcoming UNFCCC negotiations which should be launched in Bali in December 2007. The European Council encourages all parties to actively and constructively participate in an urgent and global response to the challenge of climate change on the basis of the principle of common but differentiated responsibilities and respective capabilities. It stresses the importance of implementing effectively and speedily all aspects of the comprehensive energy Action Plan with a view to taking forward the Energy Policy for Europe. On climate protection, the European Council looks forward to the timely presentation by the Commission of a proposal to amend the directive on the EU Emissions Trading Scheme based on the review process and the Council recommendations. It invites the Commission to consider, as part of the EU ETS review, a possible extension of the scope of the scheme to land use, land-use change and forestry. It underlines the Union's intention to include aviation activities in the scheme in a way that does not adversely affect competitiveness.

33. It is becoming increasingly evident that climate change will have a considerable impact on international security issues. The European Council invites the High Representative and the European Commission to work closely together on this important issue and to present a joint report to the European Council in Spring 2008.
34. The European Council recalls the importance of an efficient and sustainable European transport system and takes note of the Commission's intention to come forward no later than June 2008 with a model for the assessment of all external costs to serve as a basis for future calculations of infrastructure charges. This model shall be accompanied by an impact analysis of the internalisation of external costs for all modes of transport and further steps in line with the "Eurovignette" Directive.
35. The European Council welcomes the wide debate, in particular at the Bremen Conference in May 2007, that has taken place in Europe on the future Maritime Policy and invites the Commission to come forward with a European Action Plan to be presented in October. Taking into account the principle of subsidiarity, this Action Plan should aim at exploring the full potential of sea-based economic activity in an environmentally sustainable manner.
36. The European Council congratulates Cyprus and Malta on the convergence achieved since accession to the EU, based on sound economic and financial policies, and welcomes both countries' fulfilment of all the convergence criteria as set out in the Treaty. In this context, the European Council welcomes the Commission's proposal that Cyprus and Malta should adopt the euro on 1 January 2008.

#### **IV. EXTERNAL RELATIONS**

##### **European Neighbourhood Policy**

37. The European Council reaffirms the paramount importance of the ENP, which aims at consolidating a ring of prosperity, stability and security based on human rights, democracy and the rule of law, as well as supporting the process of reform and modernisation of partners in the Union's neighbourhood.
38. The European Council endorses the Council Conclusions on strengthening the European Neighbourhood Policy and the Presidency Progress Report, which includes a set of measures to further strengthen Neighbourhood Policy. While the ENP's character as a single and coherent policy framework should be maintained, implementation of the Policy should take due account of the specificity of partner countries. The European Council invites future Presidencies to continue work on the basis of the Presidency Report and relevant Commission proposals and communications.

##### **Central Asia**

39. The European Council adopted an EU strategy for a new partnership with Central Asia. This strategy will serve as an overall framework for EU relations with Central Asia, including in the fields of human rights, rule of law, good governance and democracy, education, economic development, trade and investment, energy and transport, environmental policies, migration and inter-cultural dialogue. The strategy defines the EU's priorities for its cooperation with the region as a whole, but implementation will be tailored to the specific requirements and performance of each Central Asian state. The European Council asks the Council and the Commission to regularly review progress in implementing this strategy and to submit a first progress report to the European Council by the middle of 2008.

## **Heiligendamm Process**

40. The European Council, recalling the development of EU instruments and dialogue fora with emerging economies, welcomes the initiation of the Heiligendamm Process by the G8 Summit in June 2007 launching a new form of dialogue in particular with Brazil, China, India, Mexico and South Africa. The European Council recognises the ever-growing importance of these and other emerging economies. The Heiligendamm Process should intensify the political dialogue and foster cooperation with these countries, especially in the fields of innovation and intellectual property, investment conditions including responsible business conduct, energy efficiency and development cooperation.

## **EU-Africa**

41. The second EU-Africa Summit in Lisbon in December 2007 will provide an important opportunity to enhance the relationship between the EU and Africa and to build an ambitious and strategic new partnership.
42. Recalling its conclusions of June 2005, the European Council underlines the importance it attaches to the further close cooperation with the African Union to ensure that a Joint EU-Africa strategy can be adopted by December 2007. The European Council reaffirms the commitment to continue support for the African Union, with a view, inter alia, to strengthening the African Union's capacity in conflict management, resolution and prevention. The European Council welcomes the intention to establish an Africa-EU energy partnership at the EU-Africa Summit.
43. The European Council stresses the need for new arrangements allowing early release of EU funds to support AU rapid deployment which should be addressed as a priority. The Council reaffirms the commitments undertaken in the EU Strategy "The EU and Africa: Towards a Strategic Partnership" and encourages Member States to make all efforts to reach the targets set therein.

## **European Security and Defence Policy**

44. The European Council endorses the Presidency Report on ESDP, which includes the mandate for the incoming Presidency.

V. **NORTHERN IRELAND**

45. The British Prime Minister and the Taoiseach briefed the European Council on the restoration of fully inclusive, power-sharing, devolved government in Northern Ireland. The European Council welcomed the recent engagement between the President of the Commission and the new Northern Ireland Executive and underlined the European Union's longstanding and continuing support for the peace process.

