



Council of the
European Union

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NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: European Council (17 and 18 December 2015)
- Draft conclusions

In accordance with Article 2(3)(a) of the Council's Rules of Procedure, delegations will find attached the draft conclusions prepared by the President of the European Council, in close cooperation with the member of the European Council representing the Member State holding the six-monthly Presidency of the Council and with the President of the Commission.

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I. MIGRATION

1. The European Council discussed the migration and refugee crisis. Despite the hard work in recent months the level of implementation of some of the decisions taken is insufficient. The unprecedented influx of migrants puts the Schengen and asylum acquis under severe pressure. The EU institutions and the Member States must:
 - a) rapidly address deficiencies in the functioning of hotspots, including by establishing the necessary reception capacity to achieve their objectives; rapidly agree a precise calendar for further hotspots to become operational; ensure that Frontex and EASO have the necessary expertise and equipment;
 - b) ensure registration and take measures to discourage refusal of registration;
 - c) implement relocation decisions more rapidly as well as consider extending them to other Member States under high pressure;
 - d) ensure the actual return of people not authorised to stay and provide support to the frontline Member States as regards return operations;
 - e) significantly enhance the control at the EU's external borders, notably by ensuring systematic security checks with relevant databases;
 - f) ensure proper follow up to the Western Balkans route conference, the Valletta Summit and the EU-Turkey meeting;
 - g) continue implementing the agreed resettlement scheme.
2. The Council should continue work on the crisis relocation mechanism and the list of safe countries. It should rapidly examine the Commission proposals of 15 December on a European Border and Coast Guard, the Schengen Borders Code, resettlement, and travel documents for returns.
3. The Presidency, the Commission and the High Representative will report back on progress before the February meeting of the European Council.

II. FIGHT AGAINST TERRORISM

4. The Paris terrorist attacks of 13 November 2015 have only strengthened our resolve to continue our uncompromising fight against terrorism and to make full use of all the tools at our disposal, including close cooperation with key partners such as the United States. The measures set out in the Statement of the Heads of State or Government of 12 February 2015, including those operationalised by the Council conclusions of 20 November 2015, need to be urgently implemented.
5. The recent terrorist attacks demonstrate in particular the urgency of enhancing information sharing, notably as regards:
 - a) ensuring the systematic entry of data on foreign terrorist fighters into the Schengen Information System II;
 - b) ensuring the interoperability of the relevant databases with regard to security checks;
 - c) improving information exchange between counter-terrorism authorities, and
 - d) increasing Member States' contributions to Europol databases, as well as providing for the access of Europol and Frontex to relevant databases.
6. The agreement between the co-legislators on the proposal for a Directive on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime paves the way for its rapid adoption which will constitute a crucial step in the fight against terrorism.
7. The commitment made last February for deeper cooperation between security services should be further pursued, notably by structuring further their information exchange so that interested Member States can engage in enhanced joint threat analysis.
8. It is also crucial to implement systematic and coordinated checks at external borders, including on individuals enjoying the right of free movement.

9. The Council will rapidly examine the Commission proposals on a Directive for combatting terrorism and on firearms.
10. The EU needs urgently to strengthen counter-terrorism engagement with partners in North Africa, the Middle East, Turkey and the Western Balkans.
11. The EU Counter-terrorism Coordinator will monitor the situation closely and report to the Council.

III. ECONOMIC AND MONETARY UNION

12. Further to the report on completing the Economic and Monetary Union requested by the December 2014 European Council, the European Council confirms its commitment to work towards completing the Economic and Monetary Union. It asks the Council to swiftly examine the proposals put forward by the Commission as a follow-up to the report. In particular, work should rapidly advance as regards:
 - a) making economic and fiscal governance more effective to boost competitiveness, convergence and sustainability. This would include the establishment of national competitiveness boards and an advisory European fiscal board as well as a more efficient European Semester with a strong social dimension and an enhanced democratic dialogue;
 - b) reinforcing the euro area's external representation to better reflect its weight in the world economy. Strengthened coordination among euro area member states on IMF matters and an improved representation of the euro area within the IMF are key in this respect;
 - c) completing the Banking Union to enhance financial stability in the euro area. Further work on reducing risks in the banking sector and weakening the link between banks and sovereigns should advance in parallel with the gradual introduction of a European Deposit Insurance Scheme.

The Council will report on the progress achieved by June 2016.

13. The legal, economic and political aspects of the more long-term measures contained in the report need to be further explored. The European Council will come back to those measures at the latest by the end of 2017.

IV. INTERNAL MARKET

14. The internal market is Europe's main engine for growth and job creation and a key to increasing European competitiveness. To reap its benefits in full it is crucial for its legislation to be effectively and uniformly applied and enforced in practice, while adapting it to emerging challenges and minimising administrative burdens. Further to the Commission's initiatives to strengthen and deepen the Single Market, the European Council:
- a) calls for the implementation of the roadmap to achieve a deeper Single Market for goods and services in all key areas;
 - b) in the interest of consumers and industry alike, invites the Commission to accelerate implementation of the Digital Single Market Strategy;
 - c) further to the Action Plan on Capital Markets Union, calls on the Parliament and Council to reach rapid agreement on the early actions, including securitisation.

V. ENERGY UNION WITH A FORWARD-LOOKING CLIMATE POLICY

15. *[p.m. outcome of COP 21]*

16. The European Council assessed progress in building the Energy Union and calls for:

- a) swift submission by the Commission of the relevant legislative proposals in line with its guidance from March;
- b) full implementation of the legislation on energy-efficiency and other measures, such as improved investment opportunities, in order to meet the 2020 target;
- c) preparation of an integrated strategy for research, innovation and competitiveness;
- d) swift implementation of projects of common interest and optimal use of existing infrastructure for the benefit of market integration and energy security. Any new infrastructure should be fully in line with the objectives of the Energy Union, such as reduction of energy dependency and diversification of suppliers, sources and routes.

VI. UNITED KINGDOM

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