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⁽¹⁾ Text with EEA relevance

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

COUNCIL

Council conclusions on European film heritage, including the challenges of the digital era

(2010/C 324/01)

THE COUNCIL OF THE EUROPEAN UNION,

1. WHEREAS:

- the Recommendation of the European Parliament and of the Council of 16 November 2005 on film heritage and the competitiveness of related industrial activities ⁽¹⁾ (Film Heritage Recommendation) underlines the fact that cinematographic works are an essential manifestation of the richness and diversity of European cultures and they constitute a cultural heritage that has to be safeguarded for future generations;

2. RECALLING

- the political background to this issue as set out in the Annex to these conclusions;

3. TAKES NOTE OF:

- the communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 'A Digital Agenda for Europe' ⁽²⁾ and ACKNOWLEDGES in particular the fact that wider deployment and more effective use of digital technologies can provide Europeans with a better quality of life through new media opportunities and easier access to cultural content;

4. RECOGNISES THAT:

- film heritage institutions face both the continuing challenges of the analogue era and the new challenges of the digital era;

- continually evolving technologies and changing ways of distributing and using cultural content may have an impact on the traditional concepts of film, cinema and heritage;

- the digital environment makes it possible to render film heritage more accessible to creators, cinema professionals, researchers, schools and citizens in general, without territorial boundaries. Thus it helps to develop creativity, to increase cultural exchanges and to broaden access to the diversity of cultures and languages in the European Union;

- the digital era also raises new questions about the collection, exhibition and long-term preservation of digitised copies of analogue material and of 'born-digital' material;

- digitising analogue material is a complex, costly and time-consuming operation, and it thus requires priorities to be set, particularly taking into account the value of the material and the risk of deterioration;

- the legal framework for intellectual property rights and its implementation at contractual level must provide sufficient legal certainty to allow film heritage institutions to carry out their public interest missions, notably the preservation and restoration of the works deposited and, where appropriate, providing access to those works for cultural and educational purposes;

- policymakers, stakeholders and citizens in general need to be made more aware of the crucial need to collect, restore and preserve film archive material, including digital material;

- media literacy and professional training needs to be improved in relation to the growing use of new technologies in film heritage institutions;

⁽¹⁾ OJ L 323, 9.12.2005, p. 57.

⁽²⁾ COM(2010) 245 final.

— notwithstanding the process of digitisation of film heritage, preservation of the original media remains fundamental. In this context, the Council also recognises the importance of laboratories able to carry out restoration and duplication of analogue material;

— film-related material is a valuable component of film heritage;

5. UNDERLINES:

— its commitment to actively support European film heritage institutions in all their tasks, in particular in the context of the move to a digital environment;

— that private-public partnerships can play a complementary role in achieving these institutions' tasks, particularly in promoting wide public access to works deposited, for cultural and educational purposes, with due regard for intellectual property rights;

6. WELCOMES WITH INTEREST:

— the first ⁽¹⁾ and second ⁽²⁾ Commission reports on the implementation of the Film Heritage Recommendation;

— the framework agreement concluded between the International Federation of Film Producers' Associations (FIAPF) and the Association of European Film Libraries/ Cinémathèques (ACE) on the voluntary deposit of films in preservation archives ⁽³⁾;

— the intention of the Commission to propose a directive on orphan works by 2010, as announced in its communication 'A Digital Agenda for Europe';

7. INVITES MEMBER STATES TO:

— adapt the existing instruments establishing mandatory legal or contractual deposit of cinematographic works forming part of their audiovisual heritage, taking into account the transition to digital production and distribution, and ensure appropriate enforcement of these instruments;

— promote the voluntary deposit of films and the use of the FIAPF/ACE agreement on the voluntary deposit of films in preservation archives;

— consider film heritage when designing their cultural policies;

— make sure that film heritage preservation is fully part of their national or regional film policy, in particular to:

(a) establish a long-term strategy for their national film heritage, for both analogue and digital media;

(b) consider cinemas in film heritage institutions and other cinemas dedicated to heritage films when implementing policies to promote the transition to digital cinema;

(c) ensure that films that have been supported by national or regional funds are deposited with a film heritage institution and encourage, where feasible, the deposit of all related material;

(d) ensure, in compliance with intellectual property rights, without prejudice to fair remuneration for the right holders and without interfering with the normal use of the film, that film heritage institutions can enjoy appropriate rights in relation to the preservation and cultural and non-commercial use of films supported by national and regional funds as well as of related material, allowing them for instance to:

— hold public screenings on their premises and/or,

— reproduce the film on any media for preservation purposes and/or,

— restore the material and/or,

— use the material in exhibitions and/or,

— organise consultation of the material by researchers through a secure internet connection and/or,

— use digitised extracts from the material for educational purposes and/or,

— grant access to extracts, or even to the entire material, through public platforms giving access to online cultural content such as Europeana ⁽⁴⁾ and its partner projects, or the websites of national cultural institutions;

— with due regard for intellectual property rights, facilitate the circulation and promotion of film heritage through, amongst other things:

(a) exchanges of material between film heritage institutions;

(b) subtitling of films in as many European languages as possible;

— intensify efforts to digitise film heritage and increase its accessibility, in particular through Europeana, in keeping with the principles of the Digital Agenda for Europe;

⁽¹⁾ SEC(2008) 2373.

⁽²⁾ SEC(2010) 853.

⁽³⁾ <http://acefilm.de/98.html>

⁽⁴⁾ <http://www.europeana.eu>

- endeavour to develop education and vocational training in the area of film archives, for example by including specific courses in education and training systems, and by stepping up the temporary exchange of professionals between European film heritage institutions for the purposes of continuing vocational training;
 - establish policies for long-term preservation of digitised copies of analogue material and 'born-digital' material in line with the Commission Recommendation of 24 August 2006 on the digitisation and online accessibility of cultural material and digital preservation ⁽¹⁾ and the related Council conclusions of 13 November 2006 ⁽²⁾;
 - continue cooperation and the exchange of good practice in this area;
8. INVITES THE COMMISSION TO:
- continue examining how to guarantee sufficient legal certainty in respect of intellectual property rights for film heritage institutions, in order to help them accomplish their public interest missions;
 - continue the exchange of experience and good practice in the cinema experts group established by the Commission ⁽³⁾, and report to the Council on the progress achieved;
- continue to support research into the long-term preservation of digital material and the accessibility of that digital material in a multilingual context, particularly in relation to the permanence of digital media and data formats;
 - study audiovisual issues in the context of its discussions on orphan works;
9. INVITES THE MEMBER STATES AND THE COMMISSION, WITHIN THEIR RESPECTIVE SPHERES OF COMPETENCE, TO:
- promote the application of European standards on the interoperability of film databases ⁽⁴⁾ and, if necessary, establish common standards for the deposit of digital files with film heritage institutions;
 - study in detail the challenges and the opportunities arising from the digital era for film heritage institutions;
 - support actions by film heritage institutions to respond to these challenges and opportunities, in particular by making their collections more accessible through new technologies.
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⁽¹⁾ OJ L 236, 31.8.2006, p. 28.

⁽²⁾ OJ C 297, 7.12.2006, p. 1.

⁽³⁾ http://ec.europa.eu/avpolicy/reg/cinema/experts/index_en.htm

⁽⁴⁾ European Standard EN 15744:2009 'Film Identification — Minimum metadata set for cinematographic works' and European Standard EN 15907 'Film Identification — Enhancing interoperability of metadata — Element sets and structures'.

ANNEX

Political background

- Council Resolution of 26 June 2000 on the conservation and enhancement of European cinema heritage ⁽¹⁾
 - Commission Communication of 26 September 2001 on certain legal aspects relating to cinematographic and other audiovisual works ⁽²⁾
 - Council of Europe Convention of 8 November 2001 for the protection of the Audiovisual Heritage ⁽³⁾
 - European Parliament Resolution of 2 July 2002 on the Commission communication on certain legal aspects relating to cinematographic and other audiovisual works ⁽⁴⁾
 - Council Resolution of 24 November 2003 on the deposit of cinematographic works in the European Union ⁽⁵⁾
 - Commission Recommendation of 24 August 2006 on the digitisation and online accessibility of cultural material and digital preservation ⁽⁶⁾
 - Council conclusions of 13 November 2006 on the Digitisation and Online Accessibility of Cultural Material, and Digital Preservation ⁽⁷⁾
 - Recommendation of the Committee of Ministers of the Council of Europe to Member States on national film policies and the diversity of cultural expressions, adopted on 23 September 2009 ⁽⁸⁾
 - Council conclusions of 10 May 2010 on Europeana: next steps ⁽⁹⁾
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⁽¹⁾ OJ C 193, 11.7.2000, p. 1.

⁽²⁾ COM(2001) 534 final.

⁽³⁾ <http://conventions.coe.int/Treaty/en/Treaties/html/183.htm>

⁽⁴⁾ OJ C 271E, 15.11.2003, p. 176.

⁽⁵⁾ OJ C 295, 5.12.2003, p. 5.

⁽⁶⁾ OJ L 236, 31.8.2006, p. 28.

⁽⁷⁾ OJ C 297, 7.12.2006, p. 1.

⁽⁸⁾ CM/Rec(2009) 73.

⁽⁹⁾ OJ C 137, 27.5.2010, p. 19.

**Conclusions of the Council and of the Representatives of the Governments of the Member States,
meeting within the Council, on the priorities for enhanced European cooperation in vocational
education and training for the period 2011-2020**

(2010/C 324/02)

THE COUNCIL OF THE EUROPEAN UNION AND THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES,
MEETING WITHIN THE COUNCIL,

AWARE THAT:

1. On 12 November 2002 the Council approved a Resolution on the promotion of enhanced European cooperation in vocational education and training ⁽¹⁾, which subsequently served as the basis for the declaration adopted by the Ministers responsible for vocational education and training (VET) of the EU Member States, the EFTA/EEA and candidate countries, and by the Commission and the European Social Partners at their meeting in Copenhagen on 29 and 30 November 2002, as the strategy for improving the performance, quality and attractiveness of VET, commonly referred to as the 'Copenhagen process'.
2. The Recommendation of the European Parliament and of the Council of 18 December 2006 on key competences for lifelong learning ⁽²⁾ advises Member States to develop the provision of key competences for all as part of their lifelong learning strategies, in order to offer all young people the means to develop such competences to a level which forms a sufficient basis for further learning and working life.
3. The Council Resolution of 15 November 2007 on new skills for new jobs ⁽³⁾ highlighted the urgency of anticipating future skills needs in order to equip people for new jobs within the knowledge society, by implementing measures which aim at matching knowledge, skills and competences with the needs of the economy and preventing potential skills gaps.
4. The Council conclusions of 22 May 2008 on adult learning recognised the key role which adult learning can play in meeting the goals of the Lisbon Strategy, by fostering social cohesion, providing citizens with the skills required to find new jobs and helping Europe to better respond to the challenges of globalisation, and invited the Member States to address a series of specific measures relating to adult learning ⁽⁴⁾.
5. The Council conclusions of 21 November 2008 on youth mobility ⁽⁵⁾ invited Member States to give every young

person in vocational education and training the opportunity to participate in a mobility scheme and to increase the opportunities for mobility in the context of VET.

6. The Resolution of the Council and of the Representatives of the Governments of the Member States, meeting within the Council of 21 November 2008, on better integrating lifelong guidance into lifelong learning strategies ⁽⁶⁾, emphasised the need to help individuals to identify their existing skills and to define the learning goals required to improve their career prospects.
7. The conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, of 12 May 2009 ⁽⁷⁾ on enhancing partnerships between education and training institutions and social partners, in particular employers, in the context of lifelong learning encouraged Member States actively to promote such partnerships.
8. The Council conclusions of 12 May 2009 on a strategic framework for European cooperation in education and training ('ET 2020') ⁽⁸⁾ established such cooperation for the period up to 2020 in the context of a framework which spans education and training systems as a whole in a lifelong learning perspective.
9. In its conclusions of 25 and 26 March 2010 and of 17 June 2010 ⁽⁹⁾, the European Council laid down two headline targets for education and training in the context of the *Europe 2020* Strategy. It also invited the Commission to present the actions required at EU level to implement that strategy, notably through a number of flagship initiatives.
10. The Council conclusions of 11 May 2010 on competences supporting lifelong learning and the 'new skills for new jobs' initiative ⁽¹⁰⁾ urged Member States to do more to support the acquisition, updating and further development of the full range of competences in the area of vocational education and training, as well as to support the initial and continuing professional development of teachers and trainers in VET, including for the purpose of equipping them to take on the new roles implicit in a competence-based approach.

⁽¹⁾ OJ C 13, 18.1.2003, p. 2.

⁽²⁾ OJ L 394, 30.12.2006, p. 10.

⁽³⁾ OJ C 290, 4.12.2007, p. 1.

⁽⁴⁾ OJ C 140, 6.6.2008, p. 10.

⁽⁵⁾ OJ C 320, 16.12.2008, p. 6.

⁽⁶⁾ OJ C 319, 13.12.2008, p. 4.

⁽⁷⁾ Doc. 9876/09.

⁽⁸⁾ OJ C 119, 28.5.2009, p. 2.

⁽⁹⁾ Documents EUCO 7/1/10 REV 1 and EUCO 13/1/10 REV 1 respectively.

⁽¹⁰⁾ OJ C 135, 26.5.2010, p. 2.

11. The Council conclusions of 10 and 11 May 2010 on the social dimension of education and training⁽¹¹⁾ invited the Member States to strengthen the acquisition of key competences through vocational pathways and programmes, and to better address the needs of disadvantaged learners,

EMPHASISE THAT:

1. Both initial VET (I-VET) and continuing VET (C-VET) share the dual objective of contributing to employability and economic growth, and of responding to broader societal challenges, in particular promoting social cohesion. They should offer young people, as well as adults, attractive and challenging career opportunities, and should appeal equally to both women and men, to people with high potential and to those who, for whatever reason, face the risk of exclusion from the labour market.
2. The future European labour market will be simultaneously confronted with an ageing population and shrinking cohorts of young people entering initial education and training systems and labour markets. At the same time, it will have to meet the challenges of continuous technological development and changing economic requirements. As a result, adults — and in particular older workers — will increasingly be called upon to update and broaden their skills and competences through continuing VET.
3. The current economic downturn may have a serious effect on investment in VET. Due to budgetary constraints, innovative solutions are required to secure sustainable funding for VET and to ensure that resources are efficiently allocated and equitably distributed.
4. Skills mismatches may impede productivity, growth and competitiveness. It is necessary to anticipate skills needs and shortfalls at all levels of qualification, and to transfer the results into policy and practice, with a view to improving the match between VET provision and the needs of the economy, citizens and society at large.
5. Shaping VET is the shared responsibility of national governments, social partners, employers and other relevant stakeholders, such as sectoral organisations, VET providers, teachers, trainers, and learners: all have a mutual interest in closer cooperation.
6. European and national policies should stress that in the knowledge society vocational skills and competences are just as important as academic skills and competences.

⁽¹¹⁾ See footnote 10.

7. Given its role in European societies and economies, it is crucial to sustain and further develop excellence in VET. World class VET is of the utmost importance in sustaining Europe's position as the strongest exporter of industrial products in the world. A high performing VET sector is also very important for maintaining Europe's social welfare model,

ACKNOWLEDGE THAT:

The Copenhagen process has played a crucial role in raising awareness of the importance of VET at both European and national level⁽¹²⁾. The cooperation developed under the process has led to agreement on common European objectives and targets, discussion of national models and initiatives, and the exchange of best practice at European level. The current economic crisis emphasises even more the importance of VET. However, increased awareness of VET's importance does not necessarily result in additional resources and funds.

European cooperation in VET has brought about significant developments in national policies and led to the creation of important European instruments for transparency, the recognition of qualifications and competences, and quality assurance: Europass⁽¹³⁾, the European Qualifications Framework (EQF)⁽¹⁴⁾, the European Credit System for VET (ECVET)⁽¹⁵⁾ and the European Quality Assurance Reference Framework for VET (EQAVET)⁽¹⁶⁾.

The European Qualifications Framework for lifelong learning supports and promotes the introduction of 'comprehensive' national qualifications frameworks which cover general education, VET and higher education and which are based on learning outcomes. By changing the perspective from an input-oriented learning process to learning outcomes, such frameworks create opportunities for lifelong learning and help to achieve a better match with labour market needs. In the majority of countries a tangible shift from input-oriented learning processes to learning outcomes is becoming evident in both policy and practice.

Member States increasingly believe that European tools can support transparent, permeable, flexible and inclusive national qualifications systems. Currently, however, not all available European tools are used to their full potential. Although a European area of education and training is emerging, the original aim of removing obstacles to mobility has not yet been achieved. Learning mobility in VET needs to be further enhanced.

⁽¹²⁾ See 2010 progress reports of Cedefop and ETF.

⁽¹³⁾ Decision No 2241/2004/EC — OJ L 390, 31.12.2004, p. 6.

⁽¹⁴⁾ See OJ C 111, 6.5.2008, p. 1.

⁽¹⁵⁾ See OJ C 155, 8.7.2009, p. 11.

⁽¹⁶⁾ See OJ C 155, 8.7.2009, p. 1.

Just as the Copenhagen process enhanced the role of VET under the Lisbon Strategy (2000-2010), the aim of these conclusions should be to help achieve the priorities of the new *Europe 2020* Strategy for jobs and growth and its associated flagship initiatives. VET should also play its part in achieving the two headline targets set in the education field, namely — by 2020 — to increase the percentage of 30-34 year olds that graduate from tertiary or equivalent education to at least 40 %, and to reduce the share of early school leavers to below 10 %.

Objectives in the VET field should also remain consistent with the overall objectives and priorities laid down in the 'ET 2020' strategic framework for European cooperation in education and training. European cooperation under the Copenhagen process should contribute to the development of a European area of education and training, where qualifications acquired in one country are recognised in other European countries, in order to promote the mobility of young people and adults. On the one hand, the diversity of European VET systems is an asset which serves as a basis for mutual learning. On the other hand, transparency and a common approach to quality assurance are required in order to build mutual trust between diverse systems,

AGREE THAT:

Cooperation under the Copenhagen process should be given fresh impetus. As the Copenhagen process is an integral part of the 'ET 2020' strategic framework, objectives in the VET field should remain consistent with the overall objectives laid down in that framework. Furthermore, when reviewing the Copenhagen process, account should be taken of both the experience to date and new challenges, as well as of the evolving political context over the coming decade 2011-2020, particularly in the light of the *Europe 2020* Strategy.

In full respect of the principle of subsidiarity, the Member States are accordingly invited to consider adoption of the following:

- I. A global vision for VET in 2020;
- II. Strategic objectives for the period 2011-2020, together with a number of supporting transversal objectives;
- III. Principles underlying the governance and ownership of the Copenhagen Process;
- IV. Short-term deliverables for the first four years (2011-2014),

as detailed in Sections I to IV below.

I. A GLOBAL VISION FOR VOCATIONAL EDUCATION AND TRAINING IN 2020

By 2020, European VET systems should be more attractive, relevant, career-oriented, innovative, accessible and flexible than in 2010, and should contribute to excellence and equity in lifelong learning by providing:

- attractive and inclusive VET (both I-VET and C-VET), with highly qualified teachers and trainers, innovative learning methods, high-quality infrastructure and facilities, a high labour market relevance, and pathways to further education and training,
- high quality initial VET (I-VET) which learners, parents and society at large may regard as an appealing option, of the same value as general education. I-VET should equip learners with both key competences and specific vocational skills,
- easily accessible and career-oriented continuing VET (C-VET) for employees, employers, independent entrepreneurs and unemployed people, which facilitates both competence development and career changes,
- flexible systems of VET, based on a learning outcomes approach, which support flexible learning pathways, which allow permeability between the different education and training subsystems (school education, VET, higher education, adult education) and which cater for the validation of non-formal and informal learning, including competences acquired in the work place,
- a European education and training area, with transparent qualifications systems which enable the transfer and accumulation of learning outcomes, as well as the recognition of qualifications and competences, and which increase transnational mobility,
- substantially increased opportunities for transnational mobility of VET students and VET professionals,
- easily accessible and high-quality lifelong information, guidance and counselling services, which form a coherent network and which enable European citizens to take sound decisions and to manage their learning and professional careers beyond traditional gender profiles.

II. STRATEGIC OBJECTIVES FOR THE PERIOD 2011-2020

1. Improving the quality and efficiency of VET — enhancing its attractiveness and relevance ⁽¹⁷⁾

VET should have high relevance for the labour market and people's careers. In order to increase the attractiveness of VET, Member States should pursue the following objectives and actions:

1.1. *Making I-VET an attractive learning option*

- (a) raise the quality of I-VET (see also 1.2 below), by improving the quality and competences of teachers, trainers and school leaders, introducing flexible pathways between all education levels and increasing public awareness of the possibilities which VET offers. This is of particular importance in Member States where VET tends to be undervalued;
- (b) encourage practical activities and the provision of high-quality information and guidance which enable young pupils in compulsory education, and their parents, to become acquainted with different vocational trades and career possibilities;
- (c) ensure that key competences are integrated into I-VET curricula and develop appropriate means of assessment;
- (d) organise teaching and learning activities which foster the development of career management skills in I-VET;
- (e) give learners in I-VET access to appropriate up-to-date technical equipment, teaching materials and infrastructures. VET providers should consider sharing costs and equipment amongst themselves and in cooperation with businesses. Work-based learning in enterprises which have the relevant infrastructure should also be promoted;
- (f) monitor the transition of VET graduates to the labour market or to further education and training, using national monitoring systems.

1.2. *Fostering the excellence, quality and relevance of both I-VET and C-VET*

1.2.1. *Quality assurance*

- (a) high quality of VET provision is a prerequisite for its attractiveness. In order to guarantee improved quality, increased transparency, mutual trust, the

mobility of workers and learners, and lifelong learning, Member States should establish quality assurance frameworks in accordance with the EQAVET Recommendation;

- (b) Member States should — by the end of 2015 — establish at national level a common quality assurance framework for VET providers, which also applies to associated workplace learning and which is compatible with the EQAVET framework.

1.2.2. *Quality of teachers, trainers and other VET professionals*

- (a) Member States should improve initial and continuing training for teachers, trainers, mentors and counsellors by offering flexible training provision and investment. The ageing European teacher and trainer population, changing labour markets and working environments, together with the need to attract those best suited to teaching, make this objective even more critical. Traineeships for teachers and trainers in enterprises should be encouraged;
- (b) Member States should work together in identifying best practices and guiding principles with respect to changing competences and the profiles of VET teachers and trainers. This could be done with the support of the European Commission and Cedefop, in collaboration with its network of VET teachers and trainers.

1.2.3. *Labour market relevance*

The labour market relevance of VET (both I-VET and C-VET), and the employability of VET graduates, should be enhanced through various measures:

- (a) authorities in the Member States — at national, regional, or local level — should create opportunities for enhanced cooperation between schools and enterprises in order to improve teachers' knowledge of work practices on the one hand and trainers' general pedagogical skills and competences on the other;
- (b) Member States should promote partnerships between social partners, enterprises, education and training providers, employment services, public authorities, research organisations and other relevant stakeholders, in order to ensure a better transfer of information on labour market needs and to provide a better match between those needs and the development of knowledge, skills and competences. Employers and social partners should endeavour to

⁽¹⁷⁾ Corresponding to strategic objective 2 of the 'ET 2020' framework.

clearly define which competences and qualifications they need in both the short and the long term, and within as well as across sectors. The development of a common language⁽¹⁸⁾ aimed at bridging the world of education and training on the one hand, and the world of work on the other hand, should be continued and should be consistent with other EU instruments, such as the EQF;

- (c) VET curricula should be outcome-oriented and more responsive to labour market needs. Cooperation models with companies or professional branch organisations should address this issue and provide VET institutions with feedback on both the employability and employment rates of VET graduates;
- (d) to improve the quality and relevance of VET, Member States, and particularly VET-providers, should make use of feedback from guidance services on the transition of VET graduates to work or to further learning;
- (e) work-based learning carried out in partnership with businesses and non-profit organisations should become a feature of all initial VET courses;
- (f) Member States should support the development of apprenticeship-type training and raise awareness of this.

2. Making lifelong learning and mobility a reality⁽¹⁹⁾

2.1. Enabling flexible access to training and qualifications

2.1.1. With regard to Continuing VET (C-VET)

To enhance the contribution of VET towards reaching the benchmark of 15 % of adults participating in education and training by 2020, Member States should:

- (a) actively encourage individuals to participate, and VET-providers to increase their involvement in C-VET, with a particular focus on people facing transitions within the labour market (such as workers at risk and the unemployed) and on disadvantaged groups;
- (b) establish an appropriate framework aimed at encouraging companies to continue to invest in human resources development and in C-VET;
- (c) encourage flexible training arrangements (e-learning, evening courses, training during working hours, etc.) in

order to promote access to training in different life situations and to adapt to different needs. Continuing training should embrace all types of learning, also including in-company training and work-based learning, and should be equally accessible to both women and men;

- (d) encourage training institutions and employers to collaborate, particularly in the training of the high numbers of low-skilled workers who have at most lower-secondary education and who will benefit from approaches where basic skills are embedded in VET;
- (e) start to develop, no later than 2015, national procedures for the recognition and validation of non-formal and informal learning, supported as appropriate by national qualifications frameworks. These procedures should focus on knowledge, skills and competences, irrespective of the context in which they have been acquired, for example broad adult learning, VET, work-experience and voluntary activities. Greater account should also be taken of knowledge, skills and competences that do not necessarily lead to full formal qualifications. Close cooperation with other policy areas, such as youth, sport, culture, social affairs, employment, is important in this respect;
- (f) take specific measures to enhance the participation rate in C-VET of people facing transitions within the labour market and of groups with low participation in training, such as women, the low-skilled and older workers. In particular, Member States should seek through investment to bring the number of low-skilled people aged 25-64 years who participate in lifelong learning more into line with average participation rates for that age group.

2.1.2. With regard to both I-VET and C-VET

- (a) facilitate transitions from education and training to work, and between jobs, by providing integrated guidance services (employment services and counselling services), as well as career management skills, for both young people and adults. It is crucial that the service providers involved are able easily and objectively to exchange information and to develop the quality of guidance services;
- (b) develop or maintain post-secondary/higher VET at EQF level 5 or higher, as appropriate, and contribute to achieving the EU headline target of 40 % with tertiary or equivalent education;

⁽¹⁸⁾ Taxonomy of European Skills, Competencies and Occupations (ESCO).

⁽¹⁹⁾ Corresponding to strategic objective 1 of the 'ET 2020' framework.

- (c) promote flexible pathways between VET, general education and higher education, and enhance permeability by strengthening the links between them. To achieve this aim, as well as greater participation in lifelong learning, Member States should accelerate the establishment and implementation of comprehensive national qualifications frameworks based on learning outcomes;
- (d) the Commission and the Member States should work towards increasing coherence between the two European credit systems — ECVET and ECTS.

2.2. *Developing a strategic approach to the internationalisation of I-VET and C-VET and promoting international mobility*

- (a) economic globalisation encourages employers, employees and independent entrepreneurs to extend their scope beyond the borders of their own countries.

VET providers should support them in this process by giving an international dimension to the learning content and establishing international networks with partner institutions;

- (b) Member States should encourage local and regional authorities and VET providers — through incentives, funding schemes (including use of the European Structural Funds) and the dissemination of best practices — to develop strategies for cross border cooperation in VET, with the aim of fostering greater mobility of learners, teachers and trainers and other VET professionals. Member States should promote VET that allows, encourages and — preferably — integrates mobility periods, including work placements, abroad;
- (c) Member States should systematically use and promote European transparency tools such as EQF, ECVET and Europass to promote transnational mobility;
- (d) Member States should promote opportunities for language learning for both learners and teachers in VET, and the provision of language training adapted to the specific needs of VET, with a special emphasis on the importance of foreign languages for cross-border cooperation in VET and international mobility.

3. *Enhancing creativity, innovation and entrepreneurship* ⁽²⁰⁾

Fostering innovation, creativity and entrepreneurship, as well as the use of ICT (in both I-VET and C-VET)

Creativity and innovation in VET, as well as the use of innovative learning methods, can encourage learners to stay in VET

until they are qualified. In doing so, VET can contribute to implementing the Council conclusions of 22 May 2008 on promoting creativity and innovation ⁽²¹⁾.

- (a) Member States should actively encourage VET providers to collaborate with innovative enterprises, design centres, the cultural sector and higher education institutions in forming 'knowledge partnerships'. This should help them gain valuable insight into new developments and competence needs and to develop professional excellence and innovation. Such partnerships could also be helpful in introducing experience-based learning methods, encouraging experimentation and adapting curricula;

- (b) ICT should be used to maximise access to training and to promote active learning, as well as to develop new methods in both work- and school-based VET;

- (c) Member States should support initiatives aimed at promoting entrepreneurship in both I-VET and C-VET in close cooperation with employers, VET providers and national business support services. To achieve this, they should encourage the provision of appropriate funding — e.g. for teaching materials, support tools and the establishment of mini-companies by learners — and should seek to enhance cooperation at regional level;

- (d) Member States should support newly established and future entrepreneurs by encouraging start-ups for VET graduates and by promoting learning mobility for young entrepreneurs.

4. *Promoting equity, social cohesion and active citizenship* ⁽²²⁾

Inclusive I-VET and C-VET

Member States should offer VET which increases people's employability (in both the short and long term), which allows them to develop quality careers, satisfactory work experience, self-confidence, professional pride and integrity and which opens up opportunities for growth in their professional and personal lives. To achieve this objective, Member States should:

- (a) guarantee that initial VET provides learners with both specific vocational competences and broader key competences, including transversal competences, that enable them to follow further education and training (within VET or in higher education) and to support career choices, participation in and transitions within the labour market. The knowledge, skills and competences which people acquire in VET should enable them to manage their careers and to play an active role in society;

⁽²¹⁾ OJ C 141, 7.6.2008, pp. 17-20.

⁽²²⁾ Corresponding to strategic objective 3 of the 'ET 2020' framework.

⁽²⁰⁾ Corresponding to strategic objective 4 of the 'ET 2020' framework.

- (b) make sure that adult learning systems foster the acquisition and further development of key competences. This can be carried out in cooperation with VET providers, local communities, civil society organisations, etc.;
- (c) maximise the contribution of VET to reducing the percentage of early school leavers to below 10 % through a combination of both preventive and remedial measures. This can be achieved, for example, through labour market relevant VET, increased work-based learning and apprenticeships, flexible learning pathways, effective guidance and counselling, and by learning content and methods that acknowledge young people's lifestyles and interests, while maintaining high-level quality standards for VET;
- (d) take appropriate measures to ensure access on an equal basis, especially for individuals and groups at risk of being excluded, in particular the low-skilled and unskilled, people with special needs or from disadvantaged backgrounds, and older workers. The participation of such groups in VET should be facilitated and encouraged through financial or other means and through the validation of non-formal and informal learning, as well as the provision of flexible pathways;
- (e) promote active citizenship in VET, for example by encouraging partnerships between VET providers and civil society organisations or, in accordance with national legislation and practice, by promoting learner representation in VET institutions. Promotion of this kind can contribute to the validation of skills and competences acquired through voluntary activities.

5. Transversal objectives to support the four strategic objectives

- (a) greater involvement of VET stakeholders and greater visibility for the achievements of European cooperation in VET — greater involvement of VET stakeholders implies greater visibility for the achievements of European cooperation in VET. The European Commission and the Member States should therefore consider investing in clear and targeted communication to different groups of stakeholders at national and European level. In order to facilitate the use of the available EU instruments, learners and all parties involved should receive extensive and tailored information;
- (b) coordinated governance of European and national instruments in the areas of transparency, recognition, quality assurance and mobility — in line with the four

strategic objectives, coherent and complementary use of the various European and national instruments in the areas of transparency, recognition, quality assurance and mobility should be a high priority for the Member States in the coming years. Coordinated governance of these instruments under the Copenhagen process and stronger synergy with the instruments and principles of the Bologna process are required;

- (c) intensifying cooperation between VET policy and other relevant policy areas — Member States and the European Commission should intensify cooperation between VET policy and other relevant policy areas, such as employment, economic affairs, research and innovation, social affairs, youth, sport and culture) in order to adhere to the Integrated Guidelines of Europe 2020 and to enhance the recognition of competences and qualifications;
- (d) improving the quality and comparability of data for EU policy-making in VET — EU level policy-making in VET should be based on existing comparable data. To this end, and using the Lifelong Learning programme, Member States should collect relevant and reliable data on VET — including VET mobility — and make these available for Eurostat. Member States and the Commission should jointly agree on which data should be made available first;
- (e) making good use of EU support — the European Structural Funds and the Lifelong Learning programme should be used to support the agreed priorities for VET, including international mobility and reforms implemented by the Member States.

III. PRINCIPLES UNDERLYING THE GOVERNANCE AND OWNERSHIP OF THE COPENHAGEN PROCESS

- Member States should make a strong commitment to implementing the priorities of the Copenhagen process within the *Europe 2020* national reform programmes.
- Reporting under the Copenhagen process should be incorporated into that of the 'ET 2020' strategic framework. This would provide the most efficient way of contributing to reporting on the *Europe 2020* Strategy, and would increase the visibility of VET in lifelong learning.
- Cooperation in the area of VET should be intensified. The open method of coordination should continue to serve as the main mechanism for such cooperation. Peer learning and innovative projects should provide means of supporting national policy developments.

- The Directors-General for Vocational Training (DGVET), the European Social Partners and the Advisory Committee for Vocational Training (ACVT) should continue to play an active role in the governance of the Copenhagen process.
- Cedefop and the ETF should continue to support policy development and implementation, to report on progress towards the strategic objectives and the short-term deliverables, and to provide evidence for policy-making in VET.
- VET provider organisations should be encouraged to cooperate at European level with a view to promoting the above objectives.
- Policy dialogues and exchanges of experience with our global partners can contribute to meeting present and future challenges. Exchanges and cooperation with potential candidate countries, with neighbourhood countries assisted by the ETF and with international organisations, particularly the OECD, the Council of Europe, the International Labour Organisation and UNESCO, should be strengthened. The right of participation in these activities should be ensured for all Member States.
- To facilitate the periodical progress reporting by national governments and the social partners, a list of short-term deliverables should be drawn up.

IV. SHORT-TERM DELIVERABLES 2011-2014

Using the abovementioned objectives as a basis, and while fully respecting the responsibility of Member States for the organisation and content of their education and training systems, a number of short-term deliverables have been determined for the next four years (2011-2014) ⁽²³⁾. These are set out below:

1. Improving the quality and efficiency of VET — enhancing its attractiveness and relevance

1.1. Enhancing attractiveness and excellence

Actions at national level:

- (a) organise activities aimed at promoting VET attractiveness and excellence, which may include campaigns and skills competitions;
- (b) support activities, which enable young pupils in compulsory education to become acquainted with vocational trades and career possibilities.

Support at EU level:

- policy document on the role of vocational excellence for smart and sustainable growth,

- consider European support for VET promotion campaigns, including Eurobarometer on VET attractiveness,
- encourage skills competitions at European and/or global levels.

1.2. Improving quality and relevance

Actions at national level:

- (a) take adequate measures to implement the EQAVET Recommendation and make progress towards national quality assurance frameworks for VET;
- (b) as appropriate, ensure that key competences and career management skills are adequately integrated in I-VET curricula and that they can be acquired through training opportunities in C-VET;
- (c) governments, social partners and VET providers should make the necessary arrangements to:
 - maximise work-based learning, including apprenticeships, in order to contribute to increasing the number of apprentices in Europe by 2012,
 - create opportunities for enhanced cooperation between VET institutions and enterprises (profit and non-profit), for example through traineeships for teachers in enterprises,
 - provide VET institutions with feedback on the employability of VET graduates;

- (d) pursue work on setting-up monitoring systems on transitions from learning to work.

Support at EU level:

- guidance and technical support for EQAVET implementation,
- review the implementation of EQAVET at national level in 2013,
- thematic networking of Quality Assurance projects within the Leonardo da Vinci programme,
- vademecum/study on successful work-based learning models (with input from Cedefop),
- strengthen the anticipation of skills and competences development, notably through skills forecasts (Cedefop) and by setting up European Skills Councils,

⁽²³⁾ Following discussions among the Directors-General for Vocational Training (DGVET) and within the Advisory Committee for Vocational Training (ACVT).

- develop a common language aimed at bridging the world of education and training and the world of work (ESCO), consistent with other EU instruments, such as the EQF,
- consider the adoption of an EU benchmark for employability on the basis of a Commission proposal,
- work on best practices and guiding principles with respect to the changing profiles of VET teachers and trainers (together with Cedefop).

2. Making lifelong learning and mobility a reality

2.1. Supporting lifelong learning

Actions at national level:

- (a) in order to maximise the contribution of VET to the 'ET 2020' 15 % benchmark on the participation of adults in lifelong learning, review the use of incentives, rights and obligations for all stakeholders involved, and take appropriate action to encourage participation in C-VET;
- (b) implement the EQF Recommendation:
 - development of comprehensive NQFs based on the learning outcomes approach. Use the NQF as a catalyst for creating more permeability between VET and higher education, for developing or maintaining VET at post-secondary/higher EQF levels, and for realising flexible learning pathways,
 - referencing NQF levels to EQF levels by 2012;
- (c) develop and promote the use of procedures for the validation of non-formal and informal learning supported by EQF/NQFs and guidance;
- (d) provide integrated (education, training, employment) guidance services closely related with labour market needs;
- (e) ECVET implementation: see Section 2.2 below.

Support at EU level:

- policy handbook on access to and participation in C-VET,
- guidance and technical support for EQF implementation, notably with view to applying a learning outcomes approach,

- mapping of developments of NQF by CEDEFOP and ETF,
- Council Recommendation on the validation of non-formal and informal learning (2011),
- progress report on the development of lifelong guidance policies, systems and practices — 2011 (CEDEFOP, ETF and ELGPN).

2.2. Enhancing mobility

Actions at national level:

- (a) progress towards ECVET implementation in line with the Recommendation, and participate in testing ECVET for mobility;
- (b) take appropriate measures to boost mobility in VET, including:
 - encourage a greater number of I-VET students and VET professionals to participate in transnational mobility,
 - encourage local and regional authorities, as well as VET providers, to develop an internationalisation culture and internationalisation strategies, including cross-border mobility,
 - address legal and administrative obstacles related to the transnational mobility of apprentices and trainees,
 - encourage professional chambers, business organisations and other relevant organisations to support the host and sending enterprises in providing appropriate conditions for apprentices and trainees in transnational mobility,
 - ensure the provision of language learning and intercultural competences in VET curricula,
 - make optimal use of other EU tools (e.g. EQF, EQAVET, Europass) for enhancing the mutual recognition of qualifications and competences.

Support at EU level:

- guidance and technical support for ECVET implementation,
- periodic review of ECVET implementation (together with Cedefop),

- thematic networking of ECVET projects within the Leonardo da Vinci programme,
- Recommendation on learning mobility (2011),
- consider the adoption of an EU benchmark for VET mobility on the basis of a Commission proposal (2011),
- proposal for a quality framework for traineeships,
- promote mobility for apprentices, including by means of a support portal, within the framework of the Lifelong Learning programme/Leonardo da Vinci programme,
- develop a European skills passport as part of Europass by 2012.

3. Enhancing creativity, innovation and entrepreneurship

Actions at national level:

- (a) encourage partnerships for creativity and innovation (VET providers, higher education institutions, and design, art, research and innovation centres);
- (b) encourage effective and innovative, quality-assured use of technology by all VET providers (including public-private networking and partnerships) supported by the necessary equipment, infrastructure and networks, with continuing improvements that reflect developments in technology and pedagogical understanding;
- (c) take measures to promote entrepreneurship, e.g. by promoting the acquisition of relevant key competences, enabling practical experiences in enterprises, and involving experts from businesses.

Support at EU level:

- set up an EU-level VET/Business Forum with a focus on the following themes:
 - role of VET in the knowledge triangle;
 - transitions from VET to business: how to support VET graduates in starting up enterprises.

4. Promoting equity, social cohesion and active citizenship

Actions at national level:

- (a) take preventive and remedial measures to maximise the contribution of VET in combating early school leaving;

- (b) consider specific measures aimed at raising the participation of low-skilled and other 'at risk' groups in education and training, including by developing flexible pathways in C-VET and using appropriate guidance and support services;
- (c) use ICT to maximise access to training and to promote active learning, as well as to develop new methods in both work- and school-based VET, in order to facilitate the participation of 'at risk' groups;
- (d) use existing monitoring systems to support the participation of 'at risk' groups in VET: see Section 1.2(d) above.

Support at EU level:

- vademecum of best practices on inclusion of 'at risk' groups through a combination of work-based learning and key competences,

- Council Recommendation on reducing early school leaving (2011).

5. Transversal objectives, governance and ownership of the Copenhagen process

Actions at national level:

- (a) establish communication strategies for different stakeholder groups, focused on implementation and the added value of tools (ECVET, ECTS, referencing of NQFs to EQF, quality assurance systems in line with EQAVET);
- (b) set up structured cooperation mechanisms between VET sector and employment services at all levels (policy and implementation), including the social partners;
- (c) contribute to improving EU level data on I-VET students, including mobility and employability.

Support at EU level:

- support the achievement of the above objectives through the Lifelong Learning programme and, where appropriate, the European Structural Funds,
- support peer-learning between Member States and innovative projects,

- setting up an enhanced coordination procedure for the implementation of common European tools in the field of education and training,
- European communication strategy on European transparency tools,
- develop structured cooperation with VET provider associations at EU level,
- strengthen structured cooperation between the education and training and the employment policy fields,
- improve EU level data on I-VET students, including mobility and employability,
- social partners at all levels should continue to play an active role in the Copenhagen process (governance and ownership) and contribute to the realisation of the abovementioned short-term deliverables,
- report on VET developments in Member States and partner countries,
- reinforce exchanges with enlargement and neighbourhood countries,

ACCORDINGLY INVITE THE MEMBER STATES AND THE COMMISSION, WITHIN THE LIMITS OF THEIR RESPECTIVE COMPETENCES, TO:

1. Implement measures aimed at:

- (i) fulfilling the global vision for VET in 2020, as outlined in Section I above;
- (ii) achieving the strategic objectives for the period 2011-2020, as described in Section II, as well as a number of short-term deliverables for the next four years (2011-2014), as proposed in Section IV;
- (iii) strengthening the governance and ownership of the Copenhagen process in accordance with the principles laid down in Section III.

2. Promote the vision, the objectives and the principles outlined in these conclusions in the broader context of the Copenhagen process, through mutual cooperation between the Member States, regional and local authorities, the Commission, candidate countries, EFTA-EEA countries and the social partners.

Council conclusions on the role of culture in combating poverty and social exclusion

(2010/C 324/03)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Decision No 1098/2008/EC of the European Parliament and of the Council of 22 October 2008 on the European Year for Combating Poverty and Social Exclusion (2010) ⁽¹⁾,

Having regard to the adoption by the European Council on 17 June 2010 of 'Europe 2020', a strategy for jobs and smart, sustainable and inclusive growth ⁽²⁾, especially its commitment to promote 'social inclusion, in particular through the reduction of poverty, by aiming to lift at least 20 million people out of the risk of poverty and exclusion',

Welcoming with interest the European Parliament resolution of 15 November 2007 on social reality stocktaking, which states that strengthening social cohesion and the eradication of poverty and social exclusion must become a political priority for the European Union,

Whereas:

- everyone has the right to have access to cultural life and to participate in it, to aspire to education and lifelong learning, to develop his/her creative potential, to choose and have his/her cultural identity and affiliations respected in the variety of their different means of expression,
- the cross-cutting dimension of culture justifies the mobilisation of cultural policies to combat poverty and social exclusion,
- access to culture and participation in and education in culture can play an important role in combating poverty and in promoting greater social inclusion in that they can encourage, amongst other things:
 - individual personal fulfilment, expression, critical consciousness, freedom and emancipation, enabling people to take an active part in social life,
 - the social integration of isolated groups, such as the elderly, and groups experiencing poverty or social exclusion, and raising awareness of and combating stereotypes and prejudice against particular social and cultural groups,
 - the promotion of cultural diversity and inter-cultural dialogue, respect for differences and the ability to prevent and resolve intercultural challenges,

- access to information and services with regard to cultural spaces which offer access to new information and communication technologies, in particular the Internet,

- the development of creative potential and skills acquired during non-formal and informal learning which can be put to use in the labour market and in social and civic life,

CONSIDERING therefore that it is important for a cultural dimension to be incorporated into national and European policies against poverty and social exclusion,

With this in view, INVITES THE MEMBER STATES AND THE COMMISSION, acting within their respective remits, with due regard for the principle of subsidiarity and taking into account their institutional structure, to:

- A. Take a comprehensive, coherent and participative approach in order to promote the cross-cutting contribution of culture by:
1. incorporating the cultural dimension into strategies on combating poverty and social exclusion and promoting social inclusion through cultural policies;
 2. pursuing policies which aim to promote effective access to and the participation of all in cultural activities;
 3. involving stakeholders, including people experiencing poverty and social exclusion and their associations, in the definition and implementation of strategies and policies;
 4. encouraging the preparation of specific local projects linking programmes for social inclusion with cultural programmes;
 5. encouraging collaboration, joint projects and the sharing of experience and good practice among the different levels of public authorities, including at European level, among those involved in social, economic, cultural, educational and youth work, and between them and public authorities;
 6. promoting research and analysis of the role of culture in combating poverty and social exclusion.

⁽¹⁾ OJ L 298, 7.11.2008, p. 20.

⁽²⁾ EUCO 13/1/10 REV 1.

B. Strengthen links between education, training, economy, employment and culture by:

1. encouraging, especially with the participation of cultural institutions and artists, cultural activities within social, educational and youth services in order to increase cultural and intercultural skills and stimulate the potential for creativity and innovation, especially among children and young people;
2. recognising the importance of cultural mediation⁽¹⁾ in increasing participation in cultural life and the need to develop suitable training and to improve the skills of cultural mediators;
3. promoting the use of skills acquired in the cultural sector as a route into employment and into social and civic life;
4. pursuing policies in favour of media literacy as well as policies to develop digital competence and to teach vulnerable groups or groups experiencing poverty or social exclusion how to use new information and communication technologies which can make it easier to access culture and develop cultural expression and artistic creativity;
5. promoting greater awareness of those involved in cultural, social, economic, educational and youth work of the specificity of relationships with people experiencing poverty or social exclusion, intercultural dialogue, the role of culture as a means of social inclusion and the civic dimension of culture.

C. Mobilise the potential of culture to combat stereotypes and prejudice against particular social and cultural groups experiencing poverty or social exclusion by:

1. promoting programmes and measures which highlight cultural diversity and intercultural dialogue with special regard to fostering cultural exchanges between these groups, such as groups with a migrant background, and society at large;
2. highlighting the positive role the media can play in this context;
3. encouraging measures for children and young people, at school and outside school, especially by youth associations and movements,

INVITES MEMBER STATES, taking into account their institutional structure, to:

A. Remove obstacles to access to culture by:

1. promoting greater awareness within the cultural sector of the need to welcome all types of public and recognise their different needs;

2. circulating suitable and easily accessible cultural information and putting in place specific methods of informing and raising awareness in order to reach out to vulnerable people, paying particular attention to the situation of people with disabilities;

3. improving access to new information and communication technologies, in particular the Internet, and in this context strengthening and renewing the role of public libraries, local cultural centres and Public Internet Access Points (PIAPs) as essential components of the digital knowledge landscape and as an area for cultural meetings and activities open to all;

4. pursuing policies designed to cut the cost of access to culture for specific target groups;

5. improving and diversifying a local cultural offer accessible to everyone.

B. Enhance participation in cultural life and cultural expression by:

1. highlighting the cultural participation, cultural expression and artistic creativity of those experiencing poverty or social exclusion, in particular by stepping up activities on cultural education, cultural mediation and artistic practice;

2. pursuing policies in the field of literacy, including digital literacy, basic skills and learning national languages;

3. encouraging projects, including artists' residencies that promote collaboration between artists and people experiencing poverty or social exclusion;

4. optimising the potential of the education sector and youth work and encouraging the efforts of cultural institutions to promote children's and young people's participation in cultural activities and cultural expression,

Accordingly, invites THE MEMBER STATES AND THE COMMISSION to:

1. make better use of EU cohesion policy instruments to support cultural initiatives combating poverty and social exclusion;

2. emphasise the contribution of culture to development and to the achievement of the Millennium Development Goals;

3. take account of these conclusions in the achievement of the objectives of the 'Europe 2020' Strategy.

⁽¹⁾ Cultural mediation is a discipline aiming at creating links between the public and culture.

**Conclusions of the Council and the Representatives of the Governments of the Member States,
meeting within the Council, on the role of the EU in the international fight against doping**

(2010/C 324/04)

THE COUNCIL OF THE EUROPEAN UNION AND THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES,

sportswomen. Cooperation with third countries and competent international organisations, in particular the Council of Europe, shall be fostered;

1. RECALLING that:

- the Council adopted Conclusions on 4 December 2000 (which these conclusions supplement) on combating doping⁽¹⁾ setting out the need for the European Community and Member States coordination, within a reasonable time before each meeting of the World Anti-Doping Agency (WADA), to be organised under the responsibility of the Presidency,
- following the entry into force of the Lisbon Treaty⁽²⁾ on 1 December 2009, the European Union acquired a competence in the area of sport allowing the Union to carry out actions to support, coordinate or supplement the actions of the Member States to contribute to the promotion of European sporting issues, while taking account of the specific nature of sport, its structures based on voluntary activity and its social and educational function. Consequently, the European dimension in sport is to be developed by promoting fairness and openness in sporting competitions and cooperation between bodies responsible for sports, and by protecting the physical and moral integrity of sportsmen and sportswomen, especially the youngest sportsmen and

2. AWARE that:

- some of the issues dealt with by WADA fall within the EU sphere of competence whilst others are the responsibility of the Member States,
- given that WADA is structured on a continental basis, close cooperation with the Council of Europe is necessary with a view to having a common understanding on all items of European interest,

3. CONSIDERS that:

- ensuring that the views of the EU and its Member States are given due weight in WADA deliberations is of a crucial importance,
- where appropriate, e.g. in the light of the EU acquis and the duty of sincere cooperation, EU and Member State positions shall be coordinated, under the responsibility of the Presidency, in good time and in efficient manner prior to meetings within WADA.

⁽¹⁾ OJ C 356, 12.12.2000, p. 1.

⁽²⁾ Articles 6 and 165 of TFEU.

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾

30 November 2010

(2010/C 324/05)

1 euro =

Currency			Exchange rate		
Currency			Exchange rate		
USD	US dollar	1,2998	AUD	Australian dollar	1,3595
JPY	Japanese yen	109,00	CAD	Canadian dollar	1,3306
DKK	Danish krone	7,4529	HKD	Hong Kong dollar	10,0979
GBP	Pound sterling	0,83765	NZD	New Zealand dollar	1,7557
SEK	Swedish krona	9,1715	SGD	Singapore dollar	1,7219
CHF	Swiss franc	1,2990	KRW	South Korean won	1 510,51
ISK	Iceland króna		ZAR	South African rand	9,2714
NOK	Norwegian krone	8,0910	CNY	Chinese yuan renminbi	8,6658
BGN	Bulgarian lev	1,9558	HRK	Croatian kuna	7,4260
CZK	Czech koruna	24,915	IDR	Indonesian rupiah	11 765,09
EEK	Estonian kroon	15,6466	MYR	Malaysian ringgit	4,1171
HUF	Hungarian forint	284,18	PHP	Philippine peso	57,361
LTL	Lithuanian litas	3,4528	RUB	Russian rouble	40,9545
LVL	Latvian lats	0,7093	THB	Thai baht	39,254
PLN	Polish zloty	4,0692	BRL	Brazilian real	2,2373
RON	Romanian leu	4,2925	MXN	Mexican peso	16,3190
TRY	Turkish lira	1,9645	INR	Indian rupee	59,7400

⁽¹⁾ Source: reference exchange rate published by the ECB.

NOTICES FROM MEMBER STATES

Notice concerning the implementation of Article 9a(7) of Regulation (EC) No 550/2004 of the European Parliament and of the Council on the provision of air navigation services in the single European sky*(Publication of Member States' decisions establishing functional airspace blocks)*

(2010/C 324/06)

Member State(s)	Reference	Name of functional airspace block	Entry into force
Denmark, Sweden	State agreement, signed 17 December 2009	Danish-Swedish Functional Airspace Block	1 July 2010

V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON
COMMERCIAL POLICY

EUROPEAN COMMISSION

**Notice of initiation of a partial interim review of the anti-dumping measures applicable to imports
of certain castings originating in the People's Republic of China**

(2010/C 324/07)

The European Commission ('Commission') has received a request for a partial interim review pursuant to Article 11(3) of Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community ⁽¹⁾ ('the basic Regulation').

1. Request for review

The request was lodged by Shandong Lulong Group Co. Ltd. ('the applicant'), an exporting producer from the People's Republic of China.

The review is limited in scope to the examination of dumping as far as the applicant is concerned.

2. Product

The product under review is castings of non-malleable cast iron and spheroidal graphite cast iron (ductile iron) of a kind used to cover and/or give access to ground or sub-surface systems, and parts thereof, whether or not machined, coated or painted or fitted with other materials, excluding fire hydrants, originating in the People's Republic of China ('the product concerned'), currently falling within CN codes 7325 10 50, 7325 10 92, ex 7325 10 99 (TARIC code 7325 10 99 10), and ex 7325 99 10 (TARIC code 7325 99 10 10).

3. Existing measures

The measures currently in force are a definitive anti-dumping duty imposed by Council Regulation (EC) No 1212/2005 ⁽²⁾ on

imports of certain castings originating in the People's Republic of China, as last amended by Council Regulation (EC) No 500/2009 ⁽³⁾.

4. Grounds for the review

The request pursuant to Article 11(3) is based on *prima facie* evidence, provided by the applicant, that, as far as the applicant is concerned, the circumstances on the basis of which the existing measures were imposed have changed and that these changes are of lasting nature.

The applicant provided *prima facie* evidence showing that it qualifies for market economy treatment ('MET') and that, as far as the applicant is concerned, the imposition of the measure at its current level is not necessary to offset dumping. A comparison of the applicant's domestic prices and its export prices to the Union indicates that the dumping margin appears to be substantially lower than the current level of the measure.

Therefore, the continued imposition of measures at the existing level, which was based on the level of dumping previously established, appears to be no longer necessary to offset dumping.

5. Procedure for the determination of dumping

Having determined, after consulting the Advisory Committee, that sufficient evidence exists to justify the initiation of a partial interim review, the Commission hereby initiates a review in accordance with Article 11(3) of the basic Regulation.

⁽¹⁾ OJ L 343, 22.12.2009, p. 51.

⁽²⁾ OJ L 199, 29.7.2005, p. 1.

⁽³⁾ OJ L 151, 16.6.2009, p. 6.

The investigation will assess the need for the continuation, removal or amendment of the existing measures in respect of the applicant.

If it is determined that measures should be removed or amended for the applicant, it may be necessary to amend the rate of duty currently applicable to imports of the product concerned from other companies in the People's Republic of China not specifically mentioned in Article 1(2) of Regulation (EC) No 1212/2005.

(a) *Questionnaires*

In order to obtain the information it deems necessary for its investigation, the Commission will send questionnaires to the applicant and to the authorities of the exporting country concerned. This information and supporting evidence should reach the Commission within the time limit set in point 6(a)(i).

(b) *Collection of information and holding of hearings*

All interested parties are hereby invited to make their views known, submit information other than questionnaire replies and to provide supporting evidence. This information and supporting evidence must reach the Commission within the time limit set in point 6(a)(i).

Furthermore, the Commission may hear interested parties, provided that they make a request showing that there are particular reasons why they should be heard. This request must be made within the time limit set in point 6(a)(ii).

(c) *Market economy treatment/individual treatment*

In the event that the applicant provides sufficient evidence showing that it operates under market economy conditions, i.e. that it meets the criteria laid down in Article 2(7)(c) of the basic Regulation, normal value will be determined in accordance with Article 2(7)(b) of the basic Regulation. For this purpose, a duly substantiated claim must be submitted within the specific time limit set in point 6(b) of this notice. The Commission will send a claim form to the applicant as well as to the authorities of the People's Republic of China. This claim form may also be used by the applicant to claim individual treatment, i.e. that it meets the criteria laid down in Article 9(5) of the basic Regulation.

(d) *Selection of the market economy country*

In the event that the applicant is not granted market economy treatment, but fulfils the requirements to have an individual duty established in accordance with Article 9(5) of the basic Regulation, an appropriate market economy country will be used for the purpose of establishing normal value in respect of the People's Republic of China in accordance with Article 2(7)(a) of the basic Regulation. The Commission envisages using India again for this purpose as was done in the investigation which led to the

imposition of measures on imports of the product concerned from the People's Republic of China. Interested parties are hereby invited to comment on the appropriateness of this choice within the specific time limit set in point 6(c) of this notice.

Furthermore, in the event that the applicant is granted market economy treatment, the Commission may, if necessary, use findings concerning the normal value established in an appropriate market economy country, e.g. for the purpose of replacing any unreliable cost or price element in the People's Republic of China which is needed in establishing the normal value, if reliable necessary data is not available in the People's Republic of China. The Commission considers using India also for this purpose.

6. Time limits

(a) *General time limits*

- (i) For parties to make themselves known, to submit questionnaire replies and any other information

All interested parties, if their representations are to be taken into account during the investigation, must make themselves known by contacting the Commission, present their views and submit questionnaire replies or any other information within 37 days of the date of publication of this notice in the *Official Journal of the European Union*, unless otherwise specified. Attention is drawn to the fact that the exercise of most procedural rights set out in the basic Regulation depends on the party's making itself known within the aforementioned period.

(ii) *Hearings*

All interested parties may also apply to be heard by the Commission within the same 37-day time limit.

(b) *Specific time for submission of claims for market economy treatment and/or individual treatment*

The applicant's duly substantiated claim for market economy treatment, as mentioned in point 5(c) of this notice, must reach the Commission within 15 days of the date of publication of this notice in the *Official Journal of the European Union*.

(c) *Specific time limit for the selection of the market economy country*

Parties to the investigation may wish to comment on the appropriateness of India which, as mentioned in point 5(d), is envisaged as a market-economy country for the purpose of establishing normal value in respect of the People's Republic of China. These comments must reach the Commission within 10 days of the date of publication of this notice in the *Official Journal of the European Union*.

7. Written submissions, questionnaire replies and correspondence

All submissions and requests made by interested parties must be made in writing (not in electronic format, unless otherwise specified) and must indicate the name, address, e-mail address, telephone and fax numbers of the interested party. All written submissions, including the information requested in this notice, questionnaire replies and correspondence provided by interested parties on a confidential basis shall be labelled as 'Limited' ⁽¹⁾ and, in accordance with Article 19(2) of the basic Regulation, shall be accompanied by a non-confidential version, which will be labelled 'For inspection by interested parties'.

Commission address for correspondence:

European Commission
Directorate-General for Trade
Directorate H
Office: N-105 4/92
1049 Bruxelles/Brussel
BELGIQUE/BELGIË
Fax +32 22956505

8. Non-cooperation

In cases in which any interested party refuses access to or does not provide the necessary information within the time limits, or significantly impedes the investigation, findings, affirmative or negative, may be made in accordance with Article 18 of the basic Regulation, on the basis of the facts available.

Where it is found that any interested party has supplied false or misleading information, the information shall be disregarded and use may be made, in accordance with Article 18 of the basic Regulation, of the facts available. If an interested party

does not cooperate or cooperates only partially, and use of facts available is made, the result may be less favourable to that party than if it had cooperated.

9. Schedule of the investigation

The investigation shall be concluded, according to Article 11(5) of the basic Regulation, within 15 months of the date of the publication of this notice in the *Official Journal of the European Union*.

10. Processing of personal data

It is noted that any personal data collected in this investigation will be treated in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data ⁽²⁾.

11. Hearing Officer

It is also noted that if interested parties consider that they are encountering difficulties in the exercise of their rights of defence, they may request the intervention of the Hearing Officer of Directorate-General for Trade. He acts as an interface between the interested parties and the Commission services, offering, where necessary, mediation on procedural matters affecting the protection of their interests in this proceeding, in particular with regard to issues concerning access to the file, confidentiality, extension of time limits and the treatment of written and/or oral submission of views. For further information and contact details, interested parties may consult the Hearing Officer's web pages on the website of Directorate-General for Trade (<http://ec.europa.eu/trade>).

⁽¹⁾ This means that the document is for internal use only. It is protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43). It is a confidential document pursuant to Article 19 of the basic Regulation and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-dumping Agreement).

⁽²⁾ OJ L 8, 12.1.2001, p. 1.

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case COMP/M.5980 — Tranquilidade/Banco Pastor/Pastor Vida/Espírito Santo Gestion/Gespastor)

Candidate case for simplified procedure

(Text with EEA relevance)

(2010/C 324/08)

1. On 22 November 2010, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which the undertakings Companhia de Seguros Tranquilidade, SA ('Tranquilidade', Portugal) controlled by Espírito Santo Financial Group, SA ('ESFG', Luxembourg) and Banco Pastor, SA ('Banco Pastor', Spain) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of Pastor Vida, SA de Seguros y Reaseguros ('Pastor Vida', Spain), hitherto under sole control of Banco Pastor and the undertaking Espírito Santo Gestion, S.A.U., S.G.I.I.C. ('ESG', Spain) controlled by ESFG acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of Gespastor S.G.I.I.C, SA ('Gespastor', Spain) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for Tranquilidade: insurance and pension plan products, operating mainly in Portugal as well as in Spain,
- for ESG: active in the Spanish financial sector market, managing investment funds,
- for ESFG: banking, insurance, and asset and fund management services provided in Portugal and internationally,
- for Banco Pastor: group of companies that engages in banking operations and insurance distribution in Spain,
- for Pastor Vida: life insurance and pension plans in Spain,
- for Gespastor: active in the Spanish financial sector market, managing investment funds.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the EC Merger Regulation. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the EC Merger Regulation ⁽²⁾ it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

⁽¹⁾ OJ L 24, 29.1.2004, p. 1 (the 'EC Merger Regulation').

⁽²⁾ OJ C 56, 5.3.2005, p. 32 ('Notice on a simplified procedure').

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (+32 22964301), by email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number COMP/M.5980 — Tranquilidade/Banco Pastor/Pastor Vida/Espírito Santo Gestion/Gespastor, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

Prior notification of a concentration
(Case COMP/M.5907 — Votorantim/Fischer/JV)
(Text with EEA relevance)
(2010/C 324/09)

1. On 24 November 2010, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which the undertakings the Votorantim Group (Brazil) and the Fischer Group (Brazil) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of a newly-created company constituting a joint venture ('JV') through the merger of their respective subsidiaries Citrovita and Citrosuco.

2. The business activities of the undertakings concerned are:

- for Votorantim: cement and concrete, mining and metallurgy, pulp and paper, fruit juice, chemical specialty markets, self-generation of electricity and finance,
- for Fischer: maritime services for petroleum platforms, production of fruit juice,
- for the JV: production and export of orange juice.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope the EC Merger Regulation. However, the final decision on this point is reserved.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (+32 22964301), by e-mail to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number COMP/M.5907 — Votorantim/Fischer/JV, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

⁽¹⁾ OJ L 24, 29.1.2004, p. 1 (the 'EC Merger Regulation').

OTHER ACTS

EUROPEAN COMMISSION

Notice concerning a request in accordance with Article 30 of Directive 2004/17/EC**Request made by a Member State**

(2010/C 324/10)

On 22 November 2010, the Commission received a request in accordance with Article 30(4) of Directive 2004/17/EC of the European Parliament and of the Council of 31 March 2004 coordinating the procurement procedures of entities working in the water, energy, transport and postal services sectors. The first working day following receipt of the request is 23 November 2010.

This request from the Czech Republic concerns exploration for and extraction of coal in that country. Article 30 mentioned above provides that Directive 2004/17/EC is not applicable when the activity in question is directly exposed to competition on markets to which access is not restricted. These conditions are evaluated solely for the purposes of Directive 2004/17/EC, without prejudice to the application of competition rules.

The Commission is allowed a period of three months to make a decision on this request, commencing on the working day referred to above. The period therefore expires on 23 February 2011.

The provisions of the third subparagraph of the above-mentioned paragraph 4 are not applicable. Consequently, the period allowed to the Commission may be extended by three months. Any such extension must be published.

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