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⁽¹⁾ Text with EEA relevance

I

(Resolutions, recommendations and opinions)

RESOLUTIONS

COUNCIL

Resolution of the Council and the Representatives of the Governments of the Member States, meeting within the Council of 20 November 2008 on the health and well-being of young people

(2008/C 319/01)

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

RECALL:

- that the European Commission White Paper of 21 November 2001 entitled 'A new impetus for European youth' ⁽¹⁾, approved by the Council in its conclusions of 14 February 2002, laid down that health should be regarded as a driver for the social inclusion and empowerment of young people and as indispensable to developing their active citizenship,
- in its resolution of 27 June 2002 ⁽²⁾ the Council laid down a framework for European cooperation in the youth field; one of its three areas is the inclusion of a 'youth' dimension in other relevant European policies,
- the European Pact for Youth, adopted by the European Council on 22 and 23 March 2005, is one of the instruments contributing to achievement of the Lisbon objectives for growth and employment,
- in its November 2005 resolution on 'addressing the concerns of young people in Europe — implementing the European Pact for Youth and promoting active citizenship' ⁽³⁾, the Council agreed that whenever a 'youth' dimension was included in other relevant European policies, priority should in particular be given to a healthy lifestyle for young people,
- in its resolution of May 2007 on equal opportunities and the participation of young people in society ⁽⁴⁾, the Council urged Member States to prioritise the concerns of young people in the policies which affect their quality of life, such as health,
- in its communication of September 2007 'Promoting young people's full participation in education, employment and society' ⁽⁵⁾, the Commission urged Member States to take initiatives in the area of young people's health,
- in its conclusions of 16 November 2007 on a transversal approach to youth policy ⁽⁶⁾, the Council noted that from 2009 the Commission would produce a European Union progress report on youth every three years,
- in its conclusions of 6 December 2007 on the Commission White Paper 'Together for Health: A Strategic Approach for the EU, 2008-2013' ⁽⁷⁾, the Council highlighted the need to address key health determinants such as nutrition, physical activity, alcohol, drugs, tobacco consumption and environmental risks, and take into account the role of gender and stressed the need to promote health within the settings of everyday life, i.e. family, schools, workplace, and leisure places,
- in its resolution of 22 May 2008 on the participation of young people with fewer opportunities ⁽⁸⁾, the Council emphasised that health problems were an obstacle to the active participation of young people and urged the Member States and the Commission to promote a healthy lifestyle for young people via their health strategies.

⁽¹⁾ Doc. 14441/01 — COM(2001) 681 final.

⁽²⁾ OJ C 168, 13.7.2002, p. 2.

⁽³⁾ OJ C 292, 24.11.2005, p. 5.

⁽⁴⁾ OJ C 314, 22.12.2007, p. 1.

⁽⁵⁾ COM(2007) 498 final.

⁽⁶⁾ OJ C 282, 24.11.2007, p. 16.

⁽⁷⁾ Doc. 15611/07.

⁽⁸⁾ OJ C 141, 7.6.2008, p. 1.

NOTE THAT:

1. although on the whole the health of young people in Europe is satisfactory, certain fields are of particular concern such as nutrition, physical activity, alcohol abuse, sexual and mental health;
2. particular attention should be paid to promoting a healthy lifestyle and preventive measures, especially in the context of sexual activity, alcohol abuse and drug use, smoking, eating disorders, obesity, violence, gambling and addiction to information and communication technologies;
3. a number of factors linked to living conditions, such as poverty, unemployment, job insecurity, housing problems, early school-leaving and discrimination can risk the health and well-being of young people, as well as constitute an obstacle to young people turning to or having full access to preventive facilities and high-quality free healthcare systems which in turn can affect their health and quality of life;
4. young men and women experience different challenges concerning health and well-being and gender issues should therefore be taken into consideration when dealing with the health of young people;
5. a healthy physical and social environment is essential for healthy development. Efforts should be made to improve the quality of the settings in which young people live, work and learn;
6. parents play a vital role in the well-being and healthy environment of young people and further measures should therefore be taken to support them.

EMPHASISE THAT:

1. there are strong links between the health and well-being of young people and their social inclusion and level of education;
2. it is necessary to assist young people in becoming more responsible for their own health and in raising their self-esteem and increasing their autonomy, in particular by raising young people's awareness of the positive effects of a healthy lifestyle and of the risks related to their health.

AGREE THAT:

1. precise knowledge of the state of health, the needs and expectations of young women and men in terms of health, as well as existing practice, experience and lessons learned in this field, all duly assessed, is required both to contribute to ensuring the efficacy and efficiency of youth health policy and to aim to better take into account, within tailored strategies, the specific nature of this group, with particular refer-

ence to potential differences within the group due, *inter alia*, to age, sex, place of residence or socio-economic factors and giving priority to young people with fewer opportunities;

2. the health and well-being of young people should be addressed by a comprehensive and cross-sectoral approach encompassing all appropriate areas, in particular the public health system, formal and informal learning, employment and social inclusion, childhood and family, sport, cultural activities, research, the environment, the media and consumer protection;
3. the promotion of physical activity and a well-balanced diet is necessary for adopting a healthy lifestyle;
4. special attention should be paid to young people's mental health, particularly promoting good mental health especially through schools and youth work, and to the prevention of self-harm and suicide;
5. health policy in its youth dimension should involve the local, regional, national and European levels of public policy and be based on a broad partnership between those involved in formal, non-formal and informal learning, healthcare professionals, economic and social partners, especially youth associations, and the media.

INVITE THE MEMBER STATES TO:

1. promote the 'youth' dimension in health-related initiatives and the implementation of measures for the health of young people which are appropriate, cross-sectoral, duly coordinated and systematically evaluated;
2. involve young people and all the relevant youth policy stakeholders in the development and implementation of health-related initiatives, in particular via peer learning;
3. promote access to leisure-time activities, cultural and physical activities of all young people;
4. take into account health and well-being of young people in programmes and policies concerning information and the media;
5. support the training of youth workers and NGOs in the area of prevention and health and well-being of young people, in basic counselling, early intervention, identification of difficulties of young people and signposting to other services.

INVITE THE COMMISSION TO:

1. ensure that the 'youth' dimension is taken into account in its health-related initiatives;
2. involve young people and relevant youth policy stakeholders at all levels of its action in this area.

INVITE THE MEMBER STATES AND THE COMMISSION TO:

1. improve knowledge on and research into this topic with regular updates thereon, taking into account differences in the health and well-being of young people due, *inter alia*, to sex, age, geographical and socio-economic factors, sexual orientation or disability;
 2. gradually integrate data on health and well-being, using existing data sources into the report drawn up by the Commission every three years on the situation of young people in Europe;
 3. raise awareness of the factors affecting young people's health;
 4. foster the exchange of best practice on the issue of health and well-being for young people, at local, regional, national and European levels, particularly by relying on the existing structures;
 5. make the best use of the possibilities offered by the already existing policies, programmes and other instruments of the European Union, in particular the European Structural Funds and the Youth in Action programme, in order to develop projects relating to the health and well-being of young people;
 6. strengthen the partnership with young people and their organisations, stakeholders in the youth field and civil society in the area of young people's health.
-

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

(2008/C 319/02)

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

CONSIDERING THAT:

1. The growing globalisation of trade and lengthening of the period of active employment are increasingly requiring individuals to adapt their skills, in order to remain ahead of foreseeable or necessary changes and to safeguard their career paths.
2. The enlargement of the European Union has increased the potential for mobility in education and training, as well as in the labour market, thereby creating the need to prepare Union citizens to develop their learning and professional pathways in a broader geographical context.
3. Citizens' lives are increasingly characterised by multiple transitions: notably from school to vocational education and training (VET), higher education or employment, or from employment to unemployment, further training or departure from the labour market. Guidance plays a decisive role in the major decisions that individuals have to take throughout their lives. In this respect, it can contribute to empowering individuals to manage their own career paths in a more secure way in the context of today's labour market, and to achieve a better balance between their personal and professional lives.
4. The labour market is also characterised by the mismatch between persistent unemployment and difficulties in recruiting in certain sectors, and guidance provides a means of responding more effectively to labour market needs.
5. Social inclusion and equal opportunities are still major challenges for education, training and employment policies,

CONFIRM:

the definition of guidance as referring to a continuous process that enables citizens at any age and at any point in their lives to identify their capacities, competences and interests, to make educational, training and occupational decisions and to manage their individual life paths in learning, work and other settings in which those capacities and competences are learned and/or used. Guidance covers a range of individual and collective activities relating to information-giving, counselling, competence assessment, support, and the teaching of decision-making and career management skills.

RECALL THAT:

1. the Council Resolution of 28 May 2004 ⁽¹⁾ on strengthening policies, systems and practices in the field of guidance throughout life sets out the key objectives of a lifelong guidance policy for all European Union citizens;
2. the Recommendation of the European Parliament and of the Council of 18 December 2006 on key competences for lifelong learning ⁽²⁾ underlines, with reference to several key competences, that the ability to search for the education and training opportunities and guidance and/or support available is essential for an individual's personal fulfilment, professional development and social integration;
3. the Council Resolution of 15 November 2007 on new skills for new jobs ⁽³⁾ invites the Member States and the Commission to equip people for new jobs within the knowledge society by providing them with vocational guidance, which should enable jobseekers to identify the competence modules required to move to new jobs where there are skills gaps;
4. the 2008 joint progress report of the Council and the Commission on the implementation of the work programme 'Delivering lifelong learning for knowledge, creativity and innovation' ⁽⁴⁾ notes that 'particular attention must also be given to lifelong guidance';
5. the Council conclusions of 25 May 2007 on a coherent framework of indicators and benchmarks for monitoring progress towards the Lisbon objectives in education and training ⁽⁵⁾ are an important tool for assessing implementation of the goals set by the Lisbon Strategy and thus for monitoring the progress made by Member States in the area of guidance in their lifelong learning strategies;
6. the Recommendation of the European Parliament and of the Council of 23 April 2008 on the establishment of the European Qualifications Framework for lifelong learning ⁽⁶⁾ creates a common reference framework designed to serve as a translation device between different qualifications systems and their levels. That framework should facilitate workers' mobility and help make guidance part and parcel of Member States' education and employment policies and practices;

⁽¹⁾ Doc. 9286/04.

⁽²⁾ OJ L 394, 30.12.2006, p. 10.

⁽³⁾ OJ C 290, 4.12.2007, p. 1.

⁽⁴⁾ Doc. 5723/08.

⁽⁵⁾ OJ C 311, 21.12.2007, p. 13.

⁽⁶⁾ OJ C 111, 6.5.2008, p. 1.

7. the Council conclusions of 22 May 2008 on adult learning ⁽¹⁾ point to the economic, social and individual benefits generated by strengthening adult learning and stress that it is the responsibility of government to establish quality information and guidance systems which are more person-centred, so that, fairly and equitably, individuals can become more active and independent learners.

NOTE THAT:

1. recent evaluation reports, in particular that by the European Centre for the Development of Vocational Training (Cedefop) in 2008 on the implementation of the Resolution of 2004, stress that although progress has been made, more efforts are needed in order to improve the quality of guidance services, provide fairer access focused on individuals' needs and aspirations, and to coordinate and build partnerships between existing forms of guidance provision;
2. in 2007, the Member States set up a European Lifelong Guidance Policy Network (ELGPN), comprising representatives of each Member State which chooses to participate, thus increasing the opportunities for Member States to learn from one another and to cooperate on developing policies, systems and practices in the field of lifelong guidance;
3. the priorities for implementing an active guidance policy under the national lifelong learning strategies need to be confirmed. It is necessary to specify those priorities in the form of activities and to deploy European instruments and tools.

INVITE THE MEMBER STATES TO:

- strengthen the role of lifelong guidance within national lifelong learning strategies in line with the Lisbon Strategy and with the strategic framework for European cooperation in education and training,
- where appropriate, carry out reviews of guidance policies and practices at national level,
- make use of the following guiding principles (as detailed under 'Priority Areas' in the Annex hereto), in accordance with national contexts and legislation and with a view to supporting the lifelong career transitions of citizens:

1. encourage the lifelong acquisition of career management skills;
 2. facilitate access by all citizens to guidance services;
 3. develop the quality assurance of guidance provision;
 4. encourage coordination and cooperation among the various national, regional and local stakeholders,
- use the opportunities provided under the Lifelong Learning Programme and the European Structural Funds, in accordance with Member States' priorities.

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

1. strengthen European cooperation on lifelong guidance provision, in particular through the ELGPN, with the support of the Lifelong Learning Programme, and in liaison with Cedefop.

In particular:

- enable Member States to share information on their policies and practices, and on their evaluation of both, so that each may benefit from the successes of others,
 - monitor national and European implementation of activities in the four priority areas under this Resolution, using surveys, studies, reports, and peer learning activities including case studies and conferences at European-level,
 - endeavour to ensure that lifelong guidance is more consistent and more tightly dovetailed with the various European policy areas and in particular with those of employment and social inclusion,
 - consider whether more evidence-based policy on guidance should be developed at European level;
2. provide citizens and guidance stakeholders with reliable information resources which comprehensively cover Member States' education and training systems and guidance services, in particular via the Euroguidance network;
 3. foster the development of lifelong guidance in third countries in accordance with the four priority areas outlined in this Resolution, in particular through the activities of the European Training Foundation.

⁽¹⁾ OJ C 140, 6.6.2008, p. 10.

ANNEX

PRIORITY AREAS**PRIORITY AREA 1: ENCOURAGE THE LIFELONG ACQUISITION OF CAREER MANAGEMENT SKILLS**

Career management skills play a decisive role in empowering people to become involved in shaping their learning, training and integration pathways and their careers. Such skills, which should be maintained throughout life, are based on key competences, in particular 'learning to learn', social and civic competences — including intercultural competences — and a sense of initiative and entrepreneurship. Career management skills include the following, particularly during periods of transition:

- learning about the economic environment, businesses and occupations,
- being able to evaluate oneself, knowing oneself and being able to describe the competences one has acquired in formal, informal and non-formal education settings,
- understanding education, training and qualifications systems.

To make progress in this priority area, Member States should, depending on their specific situations, consider:

- including teaching and learning activities which foster the development of career management skills in general, vocational and higher education programmes,
- preparing teachers and trainers to conduct such activities and support them in this task,
- encouraging parents to become involved in guidance issues,
- involving civil society organisations and the social partners more closely in this area,
- facilitating access to information about training opportunities and their links to the professions, and about the skills needs anticipated in a given locality,
- developing career management skills in adult training programmes,
- making guidance one of the objectives of schools, VET providers and higher education establishments. Integration into working life and the operation of the local, national and European labour markets are aspects, in particular, that should be taken into account.

PRIORITY AREA 2: FACILITATE ACCESS BY ALL CITIZENS TO GUIDANCE SERVICES

Guidance services, as services of general interest, should be accessible to everyone, irrespective of their knowledge base or their initial skills, and should be readily understandable and relevant. A particular effort should be made to improve access to guidance services for the most disadvantaged groups and persons with special needs.

To make progress in this priority area, Member States should, depending on their specific situations, consider:

- actively promoting guidance services with the public and raise their profile using the full range of information and communication media,
- offering a clear range of easily accessible services based on an evaluation of people's aspirations and needs, and taking account of their living and working environments,
- enabling people to benefit from support in obtaining validation and recognition on the labour market of their formal, non-formal and informal learning outcomes, in order to safeguard their employment and maintain their employability, in particular during the second part of their careers,
- promoting open access to documentary resources, the provision of support in information searches, individual counselling and institutional provision.

PRIORITY AREA 3: DEVELOP QUALITY ASSURANCE IN GUIDANCE PROVISION

The development of high quality guidance services is a goal shared by the Member States.

To make progress in this priority area, Member States should, depending on their specific situations, consider:

- improving the quality and ensure the objectivity of career information and advice, while taking account of users' expectations and labour market realities,
- ensuring that the information presented, advice given and support provided are tailored to suit the various different users,
- developing tools for the forward-planning of jobs and skills, building on both national resources and on the Union's common resources, in particular Cedefop,

- relating information on training provision and the operation of the labour market to the local area,
- enhancing, including through initial education and further training, the professional profile and standards of guidance practitioners, and promoting their competences and skills, in particular with regard to the provision of information, counselling and support, in order to better respond to the needs and expectations of both citizens and policymakers,
- measuring the effectiveness of guidance provision, where appropriate by collecting reliable data covering both users' perception of guidance services and the benefits obtained by them in the medium term,
- developing quality standards for guidance services which define the service provided and which pay as much attention to the goals and results for the beneficiary as to methods and processes.

PRIORITY AREA 4: ENCOURAGE COORDINATION AND COOPERATION AMONG THE VARIOUS NATIONAL, REGIONAL AND LOCAL STAKEHOLDERS

Guidance caters for different segments of the population: pupils, university entrants, job-seekers, those in vocational training and those in employment, which gives rise to differing systems. There should be greater complementarity and coordination between the different areas, with national and local government, businesses, relevant agencies, the social partners and local communities collaborating to improve the efficiency of reception networks accessible to everyone seeking guidance.

To make progress in this priority area, Member States should, depending on their specific situations, consider:

- developing effective, long-term national and regional mechanisms for coordination and cooperation among the key stakeholders in lifelong guidance provision,
 - facilitating such coordination and cooperation by developing a guidance dimension within national lifelong learning and labour market strategies, in keeping with the concept which each Member State has adopted,
 - supporting a partnership policy and the local networking of lifelong guidance services, including by pooling services wherever this proves effective, in the interests of streamlining user access,
 - developing a common culture, including by means of quality assurance, among the various services responsible at local, regional and national levels.
-

RECOMMENDATIONS

COUNCIL

COUNCIL RECOMMENDATION

of 20 November 2008

on the mobility of young volunteers across the European Union

(2008/C 319/03)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 149(4) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Mobility for young volunteers is an integral part of freedom of movement for people, protected by Article 18 of the Treaty.
- (2) The Community may adopt measures to promote the mobility of young volunteers by enhancing cooperation between organisers of voluntary activities, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, the present Recommendation does not go beyond what is necessary in order to achieve that objective.
- (3) Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community ⁽¹⁾ and related provisions cover only those volunteers who are insured under national security legislation, with the consequence that issues relating to social protection may sometimes act as a disincentive to engage in voluntary activities in another Member State.
- (4) Recommendation 2001/613/EC of the European Parliament and of the Council of 10 July 2001 on mobility within the Community for students, persons undergoing training, volunteers, teachers and trainers ⁽²⁾ invites Member States to take the measures they consider appropriate, in accordance with Community law and in the framework of their national law, to ensure that

volunteers and their families are not discriminated against as a result of relevant social protection policies, such as health care and social welfare, which may hinder their mobility.

- (5) Recommendation 2001/613/EC and Recommendation 2006/961/EC of the European Parliament and of the Council of 18 December 2006 on transnational mobility within the Community for education and training purposes: European Quality Charter for Mobility ⁽³⁾ refer explicitly to volunteers.
- (6) Council Directive 2004/114/EC of 13 December 2004 on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service ⁽⁴⁾ provides for the possibility of issuing special residence permits to third-country nationals who apply to be admitted to the territory of a Member State for the purpose of volunteering.
- (7) The Resolution of the Council and the Representatives of the Governments of the Member States, meeting within the Council of 15 November 2004, on common objectives for voluntary activities of young people and the Resolution of the Council and the Representatives of the Governments of the Member States, meeting within the Council of 16 November 2007, on implementing the common objectives for voluntary activities of young people ⁽⁵⁾ set out common objectives for voluntary activities of young people, proposed exchanges of good practice and peer-learning activities to strengthen their implementation, and invited Member States to consider the practical means of measuring progress. The latter Resolution also invited the Commission to make further proposals for the promotion and recognition of voluntary activities of young people.

⁽¹⁾ OJL 149, 5.7.1971, p. 2.

⁽²⁾ OJL 215, 9.8.2001, p. 30.

⁽³⁾ OJL 394, 30.12.2006, p. 5.

⁽⁴⁾ OJL 375, 23.12.2004, p. 12.

⁽⁵⁾ OJ C 241, 20.9.2008, p. 1.

- (8) The European Parliament adopted in April 2008 a report on the 'Role of Volunteering in Contributing to Economic and Social Cohesion' which encouraged Member States and regional and local authorities to recognise the value of volunteering in promoting social and economic cohesion, and recommended the promotion of cross-border voluntary projects,

RECOGNISES THAT:

1. in the framework of this Recommendation, cross-border voluntary activities are characterised as follows: open to all young people, undertaken by their own free will in the general interest, for a sustained period, within a clear framework and in a country other than the country of residence, unpaid or with token payment and/or coverage of expenses. Voluntary activities should not have an adverse effect on potential or existing paid employment, nor should they be seen as a substitute for it;
2. voluntary activities constitute a rich experience in a non-formal educational and informal learning context which enhances young people's professional skills and competences, contributes to their employability and sense of solidarity, develops their social skills, smoothes their integration into society and fosters active citizenship;
3. there is a large variety of voluntary activities throughout Europe, organised by civil society and public authorities. These activities should be preserved and further developed and cooperation between the organisers of such activities should be facilitated;
4. cross-border mobility in Europe can be an important tool to promote education, employment and regional and social cohesion, and to help improve mutual understanding and active participation in society. This is particularly the case for young people in a labour market which increasingly values adaptability and flexibility;
5. local communities hosting young volunteers benefit greatly from their activities, that can take place in a wide array of fields, such as promoting social inclusion, preserving cultural heritage, fostering intergenerational solidarity and protecting the environment. Such activities, at the same time, enrich the cultural diversity of the hosting communities;
6. voluntary activities have been a priority of the open method of coordination in the field of youth, which has already identified a great number of good practices. In this context, the European Voluntary Service (EVS), an action of the EU Youth Programme since 1996, has allowed young people to engage in voluntary service in a variety of areas. The current Youth in Action Programme reinforces this action;
7. despite these efforts, there may still be obstacles to the cross-border mobility of young volunteers across Europe and this Recommendation therefore aims primarily at providing a framework for Member States to intensify their coopera-

tion, without prejudice to the diversity of their national situations;

8. better cooperation between the organisers of voluntary activities in different countries and greater information sharing may stimulate all young Europeans, whatever their nationality, to engage further in voluntary activities in third countries;
9. special attention should be paid to young people with fewer opportunities, as voluntary activities constitute a particularly valuable possibility of mobility for those young people who otherwise would benefit less, or not at all, from mobility programmes.

HEREBY RECOMMENDS THAT THE MEMBER STATES:

- A. promote the mobility of young volunteers across Europe by enhancing the conditions for cooperation between the organisers of voluntary activities in different countries, whether civil society or public authorities, so that every young person shall have the opportunity to volunteer in Europe if she or he wishes to do so;
- B. facilitate the development, for that purpose, of the following lines of action, while having due regard for their national frameworks and legislation in the field of voluntary activities, and their overall national priorities, existing local opportunities and public expenditure regimes:
 1. improve the level of knowledge of voluntary activities within their national territories and transfer this information to the European Commission for further dissemination;
 2. make information on opportunities for voluntary activities abroad easily accessible to young people and to those active in youth work and in youth organisations;
 3. make information available to all the relevant actors on the rights and opportunities that arise from existing provisions at European and national level on cross-border voluntary activities;
 4. promote the exchange of information on the opportunities for voluntary activities in other Member States and the simplification of the procedures to be followed with the aim of making it easier for young volunteers of a Member State to take part in voluntary activities in other Member States;
 5. adopt, where appropriate, a flexible approach to developing opportunities for cross-border voluntary activities in Europe, for example by:
 - supporting the development of the hosting capacity for cross-border volunteers,
 - supporting the creation of contact points for young European volunteers, in connection, if feasible, with National Agencies of the Youth in Action Programme,

- promoting the use of existing European mechanisms that can help youth mobility, such as, for instance, mobility cards,
 - promoting the cross-border mobility of those active in youth work and in youth organisations,
 - supporting the development of information and training, for those active in youth work, youth organisations, local authorities and civic services, on the cross-border voluntary activities of young people;
6. increase awareness of the importance of intercultural competences and language learning among young people in order to reduce barriers to their cross-border mobility;
 7. encourage organisers of voluntary activities to develop self-assessment tools, taking into account the EVS experience, in order to ensure the quality of the cross-border voluntary activities they are taking part in;
 8. encourage organisers in both sending and receiving Member States to cooperate in providing assurances about the protection of young volunteers and service recipients. This should include sufficient information about the voluntary activity, its organisers and the volunteer, so as to enable both parties to make an informed decision about the activity's suitability and meet any legal requirements;
 9. examine further relevant social protection provisions through the appropriate existing EU fora with a view to making full use of the possibilities under EU and national legislation;
 10. promote the appropriate recognition of learning outcomes of voluntary activities, in line with Community provisions and within the respective national

systems or frameworks for qualifications, where existing;

11. promote the use of instruments at EU level that can facilitate cross-border voluntary activities by ensuring the transparency of qualifications, such as Europass, Youthpass and the European Qualifications Framework;
12. give particular attention to young people with fewer opportunities in order to enhance their access to voluntary activities and especially to cross-border voluntary activities.

HEREBY ENDORSES THE COMMISSION'S INTENTION TO:

1. support the Member States in the above tasks by using the EU cooperation framework in the field of youth and, in particular, the open method of coordination and the Youth in Action programme;
2. encourage and organise, in liaison with Member States, the exchange of information and experiences about cooperation between the organisers of voluntary activities in different countries, whether representatives of civil society or public authorities;
3. develop a European Youth Volunteer Portal on voluntary activities based on national youth volunteering portals, databases or specific websites, where they exist;
4. report to the Council four years after the adoption of this Recommendation in order to determine whether the measures proposed are working effectively and to assess the need for further actions.

Done at Brussels, 20 November 2008.

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS AND BODIES

COUNCIL

Council conclusions on the creation of a European heritage label by the European Union

(2008/C 319/04)

THE COUNCIL OF THE EUROPEAN UNION,

EMPHASISING IN PARTICULAR:

REFERRING:

- to the Treaty establishing the European Community,
- to the Council Resolution of 16 November 2007 ⁽¹⁾ on a European Agenda for Culture and the Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, of 21 May 2008 on the Work Plan for Culture 2008-2010 ⁽²⁾, which includes the promotion of cultural heritage as one of its objectives.

WELCOMING WITH INTEREST:

- the Commission's communication of 10 May 2007 on a European agenda for culture in a globalising world ⁽³⁾,
- and the European Parliament Resolution of 10 April 2008 on a European agenda for culture in a globalising world ⁽⁴⁾, in which the European Parliament supports the establishment of a European heritage label 'with a view to emphasising the European dimension of cultural goods, monuments, memorial sites, and places of remembrance, which all bear witness to Europe's history and heritage'.

TAKING INTO CONSIDERATION:

- the inter-governmental 'European heritage label' scheme launched in Granada in April 2006 by several Member States.

- the importance of raising the awareness of young people of the shared cultural heritage and hence the necessity to promote their access to European cultural heritage.

1. CONSIDERS THAT THE CREATION OF A EUROPEAN HERITAGE LABEL BY THE EUROPEAN UNION,

- (a) which would aim to emphasize Europe's common history in a concrete way by enhancing the European dimension of its cultural heritage;

(b) could contribute:

- to enhancing the value and raising the profile of Member States' heritage and that of the shared cultural heritage,
- to increasing knowledge and appreciation among citizens of their history and their shared yet diverse cultural heritage,
- to the economic attractiveness and sustainable development of the regions, in particular through cultural tourism,
- to artistic, cultural and historical education and, in so doing, to stepping up intercultural dialogue, especially among young people,
- to the sharing of experiences and exchange of best practices across Europe as regards the enhancement of its cultural heritage,

- more generally, to the promotion of democratic values and human rights that form the foundation of European integration and European citizenship.

⁽¹⁾ OJ C 287, 29.11.2007, p. 1.⁽²⁾ OJ C 143, 10.6.2008, p. 9.⁽³⁾ COM(2007) 242 final — doc. 9496/07.⁽⁴⁾ 2007/2211 (INI).

2. CONSIDERS THAT THE EUROPEAN UNION'S EUROPEAN HERITAGE LABEL SHOULD BE AWARDED ON THE BASIS OF COMMON, CLEAR AND TRANSPARENT CRITERIA:

- (a) the following could be eligible for the label:
- monuments, natural or urban sites, cultural landscapes and places of remembrance, as well as cultural goods and intangible heritage attached to a place, including contemporary heritage — hereafter referred to as 'sites' ⁽¹⁾,
 - if they bear witness, in particular by their cross-border or pan-European nature, to Europe's history, common values or cultural heritage, particularly to the building of Europe;
- (b) candidates for the label should submit a long-term project which would commit them to:
- promoting the European dimension of the site, i.e. its place and its role in European history, the cultural, artistic, scientific and technological movements, personalities and events linked to the site which have played a key role in the history and the building of Europe, etc.,
 - enhancing the value of the site, for example by organising a range of educational, artistic, cultural and scientific activities (events, festivals, artist-in residence schemes, etc.),
 - ensuring good management of the sites,
 - ensuring the quality of the reception facilities: a policy of accessibility for the widest possible public and the promotion of multilingualism, etc.,
 - according special attention to a young public, in particular by allowing it privileged access to the site,
 - raising the profile and the attractiveness of the site on a European scale: appropriate signposting, the use of new technologies, etc.,
 - taking part in the activities of networks of sites awarded the label, possibly in the framework of groups covering a particular European heritage theme or a common aspect of the history of Europe.

3. BELIEVES THAT:

- (a) Member States should participate in this initiative on a voluntary basis;
- (b) the project should be based on the following principles:
- a regular selection procedure, based on common, clear and transparent criteria, carried out initially at national and then at European level, based on an expert assessment of the applications and covering a reasonable and representative number of sites each time,
 - flexible and streamline administrative arrangements, in compliance with the principle of subsidiarity,
 - an implementation with due respect for the criteria laid out in Section 2 of these conclusions, that seeks synergies and complementarities with other initiatives such as the Unesco World Heritage List and the Council of Europe's 'European Cultural Routes', and adopts a concerted approach as regards notification of the sites awarded the label;
- (c) the project could draw on existing Community funding, without prejudice to the support policies conducted by each of the Member States;
- (d) this initiative could also be open to third countries participating in the Culture Programme of the European Union;
- (e) award of a European heritage label would require recipient sites to comply with undertakings they have given and could be subject to periodic review;
- (f) sites already awarded the label in the framework of the intergovernmental European heritage label project should be taken into account and their status should be defined.

4. INVITES THE COMMISSION TO:

- submit to it, within a reasonable time frame, and bearing in mind these conclusions, an appropriate proposal for the creation of a European heritage label by the European Union and specifying the practical procedures for the implementation of the project.

⁽¹⁾ The Council refers to the definitions commonly accepted by international or European law (Unesco Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property of 14 November 1970; Unesco Convention concerning the Protection of the World Cultural and Natural Heritage of 16 November 1972; Unesco Convention for the Safeguarding of the Intangible Cultural Heritage of 17 October 2003; European Landscape Convention of 20 October 2000).

Council conclusions on architecture: culture's contribution to sustainable development

(2008/C 319/05)

THE COUNCIL OF THE EUROPEAN UNION,

1. HAVING REGARD TO:

- the Treaty establishing the European Community,
- the Council Resolution of 12 February 2001 on architectural quality in urban and rural environments ⁽¹⁾, which affirms that architecture is a fundamental feature of the culture and the fabric of life of each of our countries,
- the Council conclusions of 24 May 2007 on the contribution of the cultural and creative sectors to the achievement of the Lisbon objectives ⁽²⁾, which point out that cultural activities and creative industries, including architecture, play a critical role in boosting innovation and technology and are key engines of sustainable growth in the future,
- and the Council Resolution of 16 November 2007 on a European agenda for culture ⁽³⁾ which, further to the Commission communication of 10 May 2007 ⁽⁴⁾, brings out the cross-cutting role of culture.

2. TAKING NOTE OF:

- the renewed European Union Sustainable Development Strategy ⁽⁵⁾, adopted by the European Council of 15 and 16 June 2006, the overall aim of which is to identify and develop actions to enable the EU to achieve continuous improvement of quality of life both for current and for future generations, through the creation of sustainable communities able to manage and use resources efficiently and to tap the ecological and social innovation potential of the economy, ensuring prosperity, environmental protection and social cohesion,
- the Leipzig Charter on sustainable European cities, adopted on 24 May 2007 by the Ministers with responsibility for urban development ⁽⁶⁾, which underlines the importance of building culture and calls for the adoption of an integrated urban development approach covering the economic, social, ecological and cultural aspects of towns and cities, on the basis of cooperation between the different tiers of administrative and political responsibility and between public and private sector actors.

3. WELCOMING:

- the work of the European Architectural Policy Forum on issues of architectural quality and sustainable development.

4. POINTING OUT THAT:

- architecture, as a discipline involving cultural creation and innovation, including a technological component, provides a remarkable illustration of what culture can contribute to sustainable development, in view of its impact on the cultural dimension of towns and cities, as well as on the economy, social cohesion and the environment,
- architecture is also an example of the cross-cutting nature of culture, being affected by a number of public policies and not just cultural policies.

5. CONSIDERING THAT:

- Europe's towns and cities today face major challenges: demographic change and its implications for urban sprawl, environmental issues and climate change mitigation, maintaining social cohesion, particularly against a background of economic and cultural change, and the protection and development of architectural and cultural heritage,
- the way to respond to those challenges is by means of sustainable urban development, a creative, integrated approach under which culture, economics, social affairs and the environment each play an equally important part,
- sustainable urban development means:
 - paying particular attention to architectural quality and diversity as aspects of cultural diversity, to heritage conservation and enhancement and to the individual identity of natural or urban landscapes,
 - contributing to the management of projects to use and convert land and buildings, in particular industrial wasteland, control energy resources in the context of climate change and reduce pollution,
 - reflecting, through innovative approaches to architecture and urban planning, developments in population lifestyles, particularly issues of mobility and demographic change, as well as objectives of social cohesion, social mix, intercultural dialogue and civic involvement,
 - encouraging high-quality architectural creation as an economic stimulus and tourist attraction for towns and cities,
- architecture can play an integrating and innovative role in implementing sustainable urban development, in particular by:
 - reconciling the sometimes differing requirements of building and landscape conservation and contemporary creation or of inhabitants' legitimate aspirations and controlling urban sprawl,

⁽¹⁾ OJ C 73, 6.3.2001, p. 6.

⁽²⁾ OJ C 311, 21.12.2007, p. 7.

⁽³⁾ OJ C 143, 10.6.2008, p. 9.

⁽⁴⁾ 9496/07 + ADD 1.

⁽⁵⁾ 10117/06.

⁽⁶⁾ http://www.eu2007.de/en/News/download_docs/Mai/0524-AN/075DokumentLeipzigCharta.pdf

- contributing, by its diversity, quality and creativity, to the urban population's cultural enrichment and quality of life and to the economic, commercial and tourism-related vibrancy of towns and cities, in particular by serving as a breeding ground for small and medium-sized businesses,
 - sustainable urban development, lastly, provides an opportunity for creation, innovation, renewal architectural styles and the reappropriation and reinterpretation of traditional practice.
6. NOTING WITH INTEREST:
- initiatives by many European towns and cities, in particular as European cultural capitals, to use culture and especially architecture as a major means of regeneration,
 - the emergence of creative towns and cities, whose sustainable urban development is based on new competitive factors, including urban infrastructure quality and interaction between culture and industry.
7. CALLS ON MEMBER STATES AND THE COMMISSION, WITHIN THEIR RESPECTIVE SPHERES OF COMPETENCE AND WITH DUE REGARD FOR THE PRINCIPLE OF SUBSIDIARITY, TO:
- make allowance for architecture and its specific features, in particular its cultural aspects, in all relevant policies, especially in research, economic and social cohesion, sustainable development and education policies,
 - devise for architecture, apart from technical standards, an approach involving overall economic, social, cultural and environmental objectives,
 - encourage innovation and experimentation in sustainable development in architecture, urban planning and landscaping, particularly within the framework of European policies or programmes and when commissioning public works,
 - improve knowledge of the architectural sector and its contribution to sustainable development, particularly in terms of statistics,
 - raise public awareness of the role of architecture and urban planning in the creation of a high-quality living environment and encourage public involvement in sustainable urban development,
 - consider the feasibility, in cooperation with professionals and in the light of experience in a number of Member States, of an annual European architecture 'event',
 - work together to ensure that these conclusions are acted upon and take stock of their implementation in 2012.
8. CALLS ON MEMBER STATES TO:
- endeavour to have architecture play an integrating and innovative role in the sustainable development process, beginning with the design stage of architectural, urban planning, landscaping and rehabilitation projects,
 - help develop the economic growth and employment potential of architecture, as a creative, cultural industry,
 - promote education in architecture and heritage, and in the living environment, in particular through artistic and cultural education,
 - promote the initial and further training of architects, urban planners and landscapers as regards sustainable development,
 - highlight architecture in implementing the European Year of Creativity and Innovation (2009),
 - where appropriate, apply the open method of coordination for culture.
9. CALLS ON THE COMMISSION TO:
- take architecture into account in preparing its Green Paper on cultural and creative industries,
 - involve networks of public and private-sector architectural experts and practitioners, such as the European Architectural Policy Forum, in work and consultations on issues and/or matters relating to architecture,
 - in cooperation with those networks and the European network of schools of architecture, encourage:
 - the provision of information and sharing of good practice and research among architects, developers and users,
 - the training of young architects, urban planners and landscapers in sustainable development, promotion of their work and access for them to public or private Commissions.
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Council conclusions of 20 November 2008 on the development of legal offers of online cultural and creative content and the prevention and combating of piracy in the digital environment

(2008/C 319/06)

THE COUNCIL OF THE EUROPEAN UNION,

1. REFERRING in particular to:

- the Charter of Fundamental Rights of the European Union of 7 December 2000 which guarantees the protection of personal data, freedom of expression and information and the protection of intellectual property,
- the Unesco Convention of 20 October 2005 on the protection and promotion of the diversity of cultural expressions ⁽¹⁾,
- Directive 2007/65/EC of the European Parliament and of the Council of 11 December 2007 on audiovisual media services ⁽²⁾, which sets out a number of requirements as regards cultural diversity and the promotion of European works by linear and non-linear audiovisual media services,
- Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society and Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights ⁽³⁾,
- Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ⁽⁴⁾, Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data ⁽⁵⁾ and Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector ⁽⁶⁾.

2. CONSIDERING with interest:

- the Commission communication of 3 January 2008 on creative content online in the single market, the resulting consultation of stakeholders and setting up of a European platform of creative content online and the Commission's intention of contributing, in cooperation with the Member States, to finding ways of meeting the challenges identified in this connection,
- the European Charter for the Development and the Take-up of Film Online of 23 May 2006,
- the Memorandum of Understanding on Diligent Search Guidelines for Orphan Works, signed on 4 June 2008, under the auspices of the Commission, by representatives of libraries, archives, audiovisual archives and right holders,
- the initiatives launched by the public authorities or by professionals in a certain number of Member States and in some extra-European partners in order to find practical concerted ways of encouraging the development of legal online offer and preventing and combating piracy, such as: awareness-raising campaigns, the organisation of interprofessional cooperation, self-regulation or coregulation agreements, the introduction of non-judicial, educational, step-by-step mechanisms, etc.

3. NOTES that:

- the online distribution of cultural and creative assets, particularly via the internet, provides a tremendous opportunity for everyone to have access to culture, economic development, employment and cultural diversity,
- there is still considerable potential for developing the range of cultural and creative content available legally online in Europe,
- online piracy, which in some cultural and creative sectors is reaching a critical threshold, is likely to do lasting harm to the appropriate remuneration of copyright holders and holders of related rights; besides its consequences for the marketing of traditional media (CD, DVD, etc.), it is a major factor holding back the development of the legal provision of cultural and creative content online on which, to a large extent, the dynamism of the European industry for cultural and creative content depends, and threatens cultural creativity and diversity,

⁽¹⁾ Council Decision 2006/515/EC of 18 May 2006 on the conclusion of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (OJ L 201, 25.7.2006, p. 15).

⁽²⁾ Directive 2007/65/EC of the European Parliament and of the Council of 11 December 2007 amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities (OJ L 332, 18.12.2007, p. 27).

⁽³⁾ OJ L 167, 22.6.2001, p. 10.

OJ L 157, 30.4.2004, p. 45.

⁽⁴⁾ OJ L 178, 17.7.2000, p. 1.

⁽⁵⁾ OJ L 281, 23.11.1995, p. 31.

⁽⁶⁾ OJ L 201, 31.7.2002, p. 37.

- although the use of technical systems for protection (Technical Protection Measures (TPM)) or rights-management information (Digital Rights Management (DRM)) may in some cases, while taking due account of the principle of personal-data protection, contribute to protecting and managing rights in the digital world, the lack of interoperability or transparency of these systems creates insecurity for consumers and limits their use of the content offered by the various platforms.

4. BELIEVES in this context that:

- the development of a legal online offer which is diverse, of high quality, accessible, easy to use and consumer friendly, on the one hand, and preventing and combating piracy, on the other, are necessary for the development of the information and communication society and the promotion of cultural diversity in the digital world,
- it is indispensable for right holders to be guaranteed appropriate remuneration if creation and cultural diversity are to be fostered.

5. CONSIDERS that in pursuing these objectives account should be taken of:

- the need to ensure a fair balance between the various fundamental rights, particularly the right to personal data protection, freedom of expression and information and the protection of intellectual property, and to seek, when implementing Community law, solutions in compliance with the general principles of Community law, in particular the principle of proportionality ⁽¹⁾,
- consumers' expectations in terms of access and the ease of use of services and the diversity and quality of the content offered online,
- the diversity and transformation of the business models of enterprises in this sector, particularly small and medium-sized enterprises, and the constant rapid evolution of technologies,
- the variety of developments in digital economies, the situation of the legal offer online and the extent of the problem of piracy in the Member States, as well as the legal traditions of each of them,
- the need to promote cultural diversity in Europe, in particular by encouraging online services to help develop European cultural and creative content.

6. INVITES MEMBER STATES to:

- launch or encourage concerted approaches by the parties concerned, as soon as possible, designed to find concrete,

effective, fair and proportionate solutions promoting the development of legal online offer and the prevention and combating of piracy,

- encourage, where appropriate and in accordance with their legal traditions, the parties concerned to review the periods within which films may be made available (media timescale covered by Article 3d of Directive 2007/65/EC) in order to encourage the diversity and attractiveness of legal offer of films online,

- contribute actively to the promotion of European audiovisual and film offer by linear and non-linear audiovisual media services in the context of the transposition of the Directive relating to audiovisual media services, notably through exchange of best practice.

7. INVITES THE COMMISSION:

- to contribute to improving knowledge, in close cooperation with the Member States and with the professionals concerned, particularly through the development and pooling of statistical data, of the digital cultural economy in all its diversity, in particular of legal online offer, and of piracy: its scale, its causes and its consequences for the economy of creation and cultural diversity,
- to distribute information, particularly that provided by the platform, on best practice and innovative responses to the challenges identified in the context of the consultation of 3 January 2008,
- within 18 months, to present a report based on contributions by the Member States on the various initiatives being undertaken to develop legal online offer and to prevent and combat piracy,
- to examine how to increase the digitalisation and online distribution of cinematographic and audiovisual works in the framework of the implementation of Community programmes, notably the MEDIA programme,
- more generally, to contribute by means of all relevant policies to the development of legal online offer and the fight against piracy.

8. INVITES THE MEMBER STATES AND THE COMMISSION, within their respective competences, to:

- improve consumer information, in particular through objective information campaigns, on copyright and related rights and the consequences of failure to observe them and, more generally, to make all players, including professionals, aware of the consequences of piracy for creation and cultural diversity,

⁽¹⁾ CJEC judgment of 29 January 2008, *Productores de Música de España (Promusicae) v Telefónica de España SAU*, Case C-275/06.

- contribute to consumer information on the conditions for the use of content on different equipment and platforms and on the restrictions applying to the use of technical measures to protect and manage rights,
 - initiate or encourage efforts by industry, right holders and consumers to work together to promote the interoperability and ensure the transparency of technical measures to protect and manage rights, for example by means of a system of identification/labelling,
 - pursue the objective of cultural diversity, in particular in their policies on copyright and related rights in relation to online cultural and creative content,
- contribute actively to reinforcing compliance with and protection of copyright and related rights at international level, in the framework of the relevant bilateral and multilateral agreements and political dialogue and cooperation with third countries.
9. INVITES THE PARTIES CONCERNED to launch consultations or to join them, in a constructive spirit, with a view to:
- finding concrete, effective and fair solutions promoting the development of legal online offer and the prevention and combating of piracy,
 - promoting the interoperability and ensuring the transparency of technical measures to manage and protect rights.
-

Council conclusions of 20 November 2008 on the European digital library EUROPEANA

(2008/C 319/07)

THE COUNCIL OF THE EUROPEAN UNION,

noting the significant disparities as to the progress of this process in the Member States.

WHEREAS:

- the creation of the European digital library EUROPEANA, which is an online common multilingual access point to digital cultural material from the whole of Europe (books, newspapers, photographs, films and audiovisual works, documents from archives, museum works, architectural and archaeological heritage, etc.) provides an excellent opportunity to showcase the cultural heritage of the Member States and to provide access for everyone to that heritage,
- more generally, digitisation and online accessibility of cultural material of the Member States and digital preservation are essential to highlight that cultural heritage, to inspire the creation of content and to encourage new online services to emerge; they help to democratise access to culture and knowledge and to develop the information society and the knowledge-based economy,

1. UNDERLINES:

- its commitment to the objectives, actions and timetables defined, on the basis of the Commission Recommendation of 24 August 2006 ⁽¹⁾, in its conclusions of 13 November 2006 on the digitisation and online accessibility of cultural material and digital preservation ⁽²⁾,
- the importance of undertaking work in the field of digitisation, preservation and availability of content with full respect for Community and international legislation in the field of intellectual property.

2. WELCOMES with interest:

- the European Parliament resolution of 27 September 2007 on 'i2010: towards a European digital library' ⁽³⁾,
- the Commission communication of 3 January 2008 on creative content online in the single market, and
- the Commission communication of 11 August 2008 entitled 'Europe's cultural heritage at the click of a mouse — Progress on the digitisation and online accessibility of cultural material and digital preservation across the EU' ⁽⁴⁾, which stresses the progress made in implementing the Commission Recommendation and the Council conclusions of 2006, while highlighting signifi-

3. NOTES with satisfaction:

- the gradual establishment of the EUROPEANA European digital library, reflected in the creation of the European Digital Library Foundation in the Netherlands on 8 November 2007 and the launch of the prototype on 20 November 2008,
- the commitment of the Member States, cultural institutions and more broadly those working on digitisation, the online accessibility of cultural material, and digital preservation,
- the Commission's support for this project and more generally for the digitisation process, in particular through the eContent+ programme and the 7th Framework Programme for Research and Technological Development, the setting up in 2007 of the Member States' Expert Group on Digitisation and Digital Preservation ⁽⁵⁾ and in 2006 of the High Level Expert Group ⁽⁶⁾, and indeed the launching of studies ⁽⁷⁾,
- the conclusion on 4 June 2008 by representatives of libraries, archives, audiovisual archives and right holders, under the auspices of the Commission, of a Memorandum of Understanding on guidelines on diligent search, as regards orphan works.

4. BELIEVES that the success and sustainability of EUROPEANA and, more generally, the digitisation and online accessibility of cultural material, and digital preservation processes under way in the Member States will require:

- active sustained support for digitisation and the online accessibility of cultural material and digital preservation, so as to ensure that a diverse and high-quality range of material is available which represents the cultural and linguistic diversity and the richness of intellectual heritage of the Union,
- pursuing the elaboration of concerted practical solutions respecting copyright and related rights, with a view to contributing to the online accessibility of the widest range of cultural material,

⁽¹⁾ OJ L 236, 31.8.2006, p. 28.

⁽²⁾ OJ C 297, 7.12.2006, p. 1.

⁽³⁾ 2006/2040 (INI).

⁽⁴⁾ Doc. 12580/08.

⁽⁵⁾ Commission Decision of 22 March 2007 (OJ L 119, 9.5.2007, p. 45).

⁽⁶⁾ Commission Decision of 27 February 2006 (OJ L 46, 16.2.2006, p. 32).

⁽⁷⁾ Studies on progress in the digitisation of culture within the European Union, on the socio-economic impact of long-term preservation of digital resources, and on the socio-economic impact of public domain resources.

- the development of technologies to ensure long-term digital preservation, interoperability of the access systems to content, multilingual navigation and availability of content, and diverse and high-quality services to the public,
 - the definition of a sustainable economic model for EUROPEANA, and sustained support by all the parties involved — cultural institutions, professionals, Member States and the Commission.
5. INVITES THE MEMBER STATES to:
- actively pursue in a sustained manner the implementation of their national strategies and targets developed in line with the Council conclusions of 13 November 2006 on digitisation and online accessibility of cultural material, and digital preservation, in particular by the definition, in this framework, of quantitative and qualitative targets, and the mobilisation of the corresponding resources,
 - promote synergies between them and between the various institutions involved in the digitisation and online accessibility of cultural material and digital preservation processes, in order to enrich the supply of digital cultural material,
 - continue their support, in the context of their national strategies, for the incorporation of digital cultural material in EUROPEANA, particularly by the promotion of interoperability standards, the setting-up or improvement of portals incorporating national content and, where appropriate, by the definition of European themes for the choice of such material, while respecting the priorities of the cultural institutions involved in the project,
 - take into consideration the objective of including protected works in EUROPEANA and, to that end, while respecting the applicable national and Community systems of copyright and related rights, encourage the conclusion of agreements — effective in a cross-border context — between the parties concerned, with the aim of contributing to the digitisation and online accessibility of those works,
 - establish mechanisms to facilitate digitisation and online access to orphan works and to out-of-print and out-of-distribution works, while fully respecting right holders' rights and interests.
6. INVITES THE COMMISSION to:
- encourage and coordinate work to improve long-term digital preservation and the interoperability of the access systems to content, *inter alia* through the exchange of good practice and the dissemination of standards, and support research and development regarding innovative technologies, with a view in particular to assuring long-term preservation of digital cultural material, multilingual navigation and access to that content, and the development of new uses,
 - examine the feasibility of increasing financial support through the existing Community programmes and within the framework of the current financial perspective, for the digitisation of cultural material from the Member States with European added value and contributing to EUROPEANA, while taking account as appropriate of national strategies and targets,
 - on the basis of reports from the Member States, evaluate the progress of and prospects for EUROPEANA's development, including economic and financial aspects, as well as progress achieved within the Member States as regards the digitisation and online accessibility of cultural material and digital preservation, and report accordingly to the European Parliament and the Council in 2010.
7. INVITES THE MEMBER STATES AND THE COMMISSION, within their respective competences, to:
- encourage the development of EUROPEANA and work alongside stakeholders, in particular through the Member States' Expert Group on Digitisation and Digital Preservation, to define an economic and governance model ensuring its success and sustainability,
 - actively promote EUROPEANA in Europe and throughout the world and encourage the establishment of public-private partnerships which might help its development, particularly as regards digitisation and the online accessibility of cultural material and digital preservation.
8. INVITES THE 'EUROPEAN DIGITAL LIBRARY' FOUNDATION to:
- work closely with the Member States, the Commission and the cultural institutions, while respecting their various responsibilities, with a view to defining an economic and governance model ensuring the success and sustainability of EUROPEANA.
-

Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council of 21 November 2008 on preparing young people for the 21st century: an agenda for European cooperation on schools

(2008/C 319/08)

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

WHEREAS:

1. The conclusions of the Lisbon European Council of 23 and 24 March 2000 ⁽¹⁾ emphasised that investment in education and training was of crucial importance in the European knowledge-based economy.
2. The Recommendation of the European Parliament and of the Council of 12 February 2001 on European cooperation in quality evaluation in school education ⁽²⁾ invited Member States to support the improvement of quality evaluation in school education.
3. The conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, of 14 November 2006 on efficiency and equity in education and training ⁽³⁾ invited Member States to ensure the efficient targeting of education and training reforms and investment to improve quality and equity, particularly by focusing on pre-primary education, early intervention programmes and equitable education and training systems.
4. Decision No 1720/2006/EC of the European Parliament and of the Council of 15 November 2006 ⁽⁴⁾ established an action programme in the field of lifelong learning.
5. The Recommendation of the European Parliament and of the Council of 18 December 2006 on key competences for lifelong learning ⁽⁵⁾ set out the minimum knowledge, skills and attitudes which all pupils should have acquired by the end of initial education and training in order to take part in the knowledge society and which, given their cross-cutting nature, imply an approach to teaching that goes beyond traditional subject boundaries.
6. The Council Resolution of 15 November 2007 ⁽⁶⁾ stressed the need to equip people with new skills for new jobs and to raise overall skills levels, by providing initial and continuing education and training for skills of the highest quality, in order to maintain and strengthen their capacity for innovation, which is required for greater competitiveness, growth and employment.
7. The conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, of 15 November 2007 on improving the quality of teacher education ⁽⁷⁾ emphasised the need to ensure that provision for teachers' initial training, early career support and further professional development is coordinated, coherent, adequately resourced and quality assured.
8. The conclusions of the March 2008 European Council ⁽⁸⁾ stressed that a key factor for future growth is the full development of the potential for innovation and creativity of European citizens built on European culture and excellence in science, and urged Member States to reduce substantially the number of young people who cannot read properly and the number of early school leavers, and to improve the achievement of learners from migrant or disadvantaged backgrounds.
9. The Council conclusions of 22 May 2008 on promoting creativity and innovation through education and training ⁽⁹⁾ noted that there is a growing need for action at national level as well as cooperation at EU level to bring about the change necessary if schools are to prepare pupils to face the significant challenges and problems of a fast-changing world,

WELCOME the Communication from the Commission to the Council and the European Parliament of 3 July 2008 entitled *Improving competences for the 21st Century: An Agenda for European Cooperation on Schools*, which proposes an agenda for cooperation between Member States aimed at stepping up and strengthening the development of school systems.

REAFFIRM THAT:

1. free compulsory education is a fundamental right for all citizens, the provision of which is the duty of public authorities and organisation of which the responsibility of the Member States;
2. school education — including all forms of school education up to the end of secondary — lays the foundations for lifelong learning by enabling pupils to acquire the key competences which they will need and which will help to guide them throughout their personal and professional lives;

⁽¹⁾ Doc. SN 100/1/00 REV 1, paragraph 25.

⁽²⁾ OJ L 60, 1.3.2001.

⁽³⁾ OJ C 298, 8.12.2006.

⁽⁴⁾ OJ L 327, 24.11.2006.

⁽⁵⁾ OJ L 394, 30.12.2006.

⁽⁶⁾ OJ C 290, 4.12.2007.

⁽⁷⁾ OJ C 300, 12.12.2007.

⁽⁸⁾ Doc. 7652/08, paragraph 15, p. 10.

⁽⁹⁾ OJ C 141, 7.6.2008, p. 17.

3. school education not only represents an important means of socialising individuals and passing on the values, skills, knowledge and attitudes required for democracy, citizenship, intercultural dialogue and personal development, but also plays an essential role in the acquisition of the key competences needed for successful integration into economic life;
4. schools have a duty to provide their pupils with an education which will enable them to adapt to an increasingly globalised, competitive, diversified and complex environment, in which creativity, the ability to innovate, a sense of initiative, entrepreneurship and a commitment to continue learning are just as important as the specific knowledge of a given subject;
5. although responsibility for the organisation and content of education and training systems rests with individual Member States, and schools may sometimes enjoy a considerable degree of autonomy, European cooperation has a valuable role to play. It can help Member States to meet common challenges, in particular by means of the open method of coordination;
6. Member States have a common interest in cooperating in order to draw benefit from the range of innovative and high-quality practices to be found in EU school systems.
5. a coherent approach to competence development, based on the European reference framework of key competences for lifelong learning ⁽¹⁾, implies the need for stronger efforts to improve reading literacy and other basic skills, as well as more personalised approaches to learning that respond to the unique needs of each pupil, that involve suitable forms of assessment and that lead to better motivation for learning;
6. ensuring high-quality education and training systems which are both equitable and efficient ⁽²⁾ requires better and more accessible pre-school provision, ambitious schools that offer equitable opportunities for all pupils, regardless of their backgrounds, as well as the right balance of mainstream and specialist provision for children with special needs;
7. greater efforts are also required to implement the Council conclusions of November 2007 ⁽³⁾ in which Member States were invited to ensure a high standard of initial teacher education, to provide early career support and continuing professional development that is coordinated, coherent, adequately resourced and quality assured, to attract into the teaching profession — and endeavour to retain — the most able people, to tackle instances of poor performance, to support all pupils in making full use of their potential and to create school environments in which teachers learn from one another and which focus on improving student learning.

EMPHASISE THAT:

1. given the essential contribution made by education and training to the future growth, long-term competitiveness and social cohesion of the Union, as well as to the promotion of active citizenship, they should remain a key priority for the next cycle of the Lisbon process;
2. further development of school systems is needed to ensure that social cohesion is maintained and that — through improved access and opportunities — every young person is able to develop his or her full potential and to become an active participant in the emerging knowledge society;
3. schools need to foster creativity and a spirit of innovation and enterprise in their pupils by providing stimulating working environments. To achieve this, schools should themselves be creative, dynamic places that are open to cooperation and partnerships with the wider world and that develop a culture of internal and external evaluation in which families too are involved, in order to identify possible areas for change and improvement;
4. there is still on average insufficient progress towards the three European benchmarks adopted by the Council for 2010 which relate directly to school education: on early school leavers, reading literacy and the completion of upper secondary education;
1. to guarantee and improve the acquisition of key competences, in particular literacy and numeracy;
2. to enhance the essential role which schools play in promoting inclusive societies and strengthening social cohesion, by ensuring high-quality education for all pupils in accordance with the principle of equity;
3. to promote teaching as a profession and to improve initial and in-service training for teaching staff and school leaders.

AGREE ON THE FOLLOWING PRIORITIES FOR EUROPEAN COOPERATION ON SCHOOLS:

INVITE THE MEMBER STATES, WITH THE SUPPORT OF THE COMMISSION,

1. within the framework of the open method of coordination, to work together to enhance European cooperation in order to promote the policy priorities outlined in these conclusions;

⁽¹⁾ OJ L 394, 30.12.2006.

⁽²⁾ European Council Conclusions, March 2006 (doc. 7775/06, paragraph 23, p. 6).

⁽³⁾ OJ C 300, 12.12.2007.

2. when following up the Recommendation on key competences for lifelong learning, to focus cooperation on:
 - increasing levels of literacy and numeracy, as well as promoting the learning of at least two languages in addition to the mother tongue,
 - stimulating greater interest in mathematics, science and technology, in order to develop scientific ways of thinking from an early age,
 - reinforcing not only subject-based, but also transversal competences, in particular 'learning to learn' and social and civic competences,
 - improving assessment techniques in the context of personalised learning;
 3. when following up the Council conclusions on efficiency and equity in education and training, to focus cooperation on:
 - ensuring accessible, high-quality pre-school provision,
 - reducing early school leaving,
 - combating inequality and fostering social inclusion, by seeking to reduce the underachievement of pupils and to improve the performance of schools,
 - ensuring successful transitions between different school types and levels, and into lifelong education and training, particularly by improving access to and the quality of information, guidance and advice services,
 - ensuring access to high-quality educational opportunities and services, particularly for children and young people who — disadvantaged by personal, social, cultural and/or economic circumstances — need particular support in order to fulfil their educational potential,
 - identifying learning difficulties early and finding solutions based on more personalised pedagogical approaches, tailored to the needs and abilities of each pupil,
 - ensuring timely and adequate learning support for all pupils with special needs, whether in mainstream or specialised schools,
 - improving the governance of schools and their openness to the world around them;
 4. when following up the Council conclusions on improving the quality of teacher education, to focus cooperation on:
 - enhancing the attractiveness of teaching as a profession,
 - enabling all beginning teachers to benefit from structured early career support programmes,
 - improving the supply, quality and take-up of teachers' continuous professional development programmes,
 - reviewing teacher recruitment, placement, retention and mobility policies, in order to maximise their impact on the quality of school education,
 - expanding opportunities for teachers to spend a period of time in another Member State, so that they can further their own education and training, acquire additional work experience and develop their foreign language skills,
 - improving the recruitment and training of school leaders, in order to enhance their management and teaching skills;
 5. to use all relevant instruments, such as those forming part of the open method of coordination, the Lifelong Learning Programme, the 7th Framework Programme for Research and Technological Development and, in accordance with national priorities, the European Social Fund, in order to promote the above aims;
 6. to conduct regular dialogue on schools issues — including the promotion of creativity and innovative capacity in and through school education — involving high-level policy makers from the Member States.
- INVITE THE COMMISSION:
- to propose appropriate forms of cooperation and the exchange of good practice in the areas set out in these conclusions, in the context of preparations for a new strategic framework for European cooperation in education and training beyond 2010.
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COMMISSION

Euro exchange rates ⁽¹⁾

12 December 2008

(2008/C 319/09)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,3340	TRY	Turkish lira	2,0987
JPY	Japanese yen	120,21	AUD	Australian dollar	2,0291
DKK	Danish krone	7,4499	CAD	Canadian dollar	1,6598
GBP	Pound sterling	0,89235	HKD	Hong Kong dollar	10,3384
SEK	Swedish krona	10,6625	NZD	New Zealand dollar	2,4500
CHF	Swiss franc	1,5746	SGD	Singapore dollar	1,9876
ISK	Iceland króna		KRW	South Korean won	1 833,58
NOK	Norwegian krone	9,2110	ZAR	South African rand	13,5835
BGN	Bulgarian lev	1,9558	CNY	Chinese yuan renminbi	9,1282
CZK	Czech koruna	25,990	HRK	Croatian kuna	7,1805
EEK	Estonian kroon	15,6466	IDR	Indonesian rupiah	15 074,20
HUF	Hungarian forint	264,50	MYR	Malaysian ringgit	4,7791
LTL	Lithuanian litas	3,4528	PHP	Philippine peso	64,230
LVL	Latvian lats	0,7095	RUB	Russian rouble	37,0077
PLN	Polish zloty	3,9592	THB	Thai baht	46,710
RON	Romanian leu	3,9290	BRL	Brazilian real	3,1993
SKK	Slovak koruna	30,170	MXN	Mexican peso	17,8723

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

V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMPETITION
POLICY

COMMISSION

Prior notification of a concentration

(Case COMP/M.5310 — Jysk Stålinindustrie/Volgo-Balt)

Candidate case for simplified procedure

(Text with EEA relevance)

(2008/C 319/10)

1. On 2 December 2008, the Commission received a notification of a proposed concentration pursuant to Article 4, and following a referral pursuant to Article 4(5), of Council Regulation (EC) No 139/2004 ⁽¹⁾, by which the undertaking Jysk Stålinindustrie ApS (Jysk, Denmark), belonging to the Universal Cargo Logistics Holding B.V. (UCLH, Netherlands) group which is controlled by Mr Vladimir Lisin who also controls Novolipetsk Steel (NLMK, Russia), acquires sole control of the undertaking Volgo-Balt Transport Holding Limited ('Volgo-Balt', Cyprus) within the meaning of Article 3(1)(b) of the Council Regulation by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for UCLH: sea port and stevedoring services in Russia,
- for Jysk: holding company,
- for NLMK: steel production (carbon steel flat products and electrical steel),
- for Volgo-Balt: transportation of dry cargo by sea around Europe and North Africa, and by inland waterways in Russia, transportation of oil products by the inland waterways of Russia, tourism and passenger services in Russia.

3. On preliminary examination, the Commission finds that the notified concentration could fall within the scope of Regulation (EC) No 139/2004. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004 ⁽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.

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 ((32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.5310 — Jysk Stålinindustrie/Volgo-Balt, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
B-1049 Brussels

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

⁽²⁾ OJ C 56, 5.3.2005, p. 32.

Prior notification of a concentration
(Case COMP/M.5435 — Nexans/SEI/Opticable)
Candidate case for simplified procedure

(Text with EEA relevance)

(2008/C 319/11)

1. On 4 December 2008, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which Sumitomo Electric Industries Ltd ('SEI', Japan), and Nexans group ('Nexans', France) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control over Opticable ('Opticable', Belgium), currently solely controlled by Nexans, by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for SEI: manufacture and sale of electric wires, harness and cables, as well as optical fibres and telecom fibre optic cables for terrestrial applications,
- for Nexans: active in the cable industry offering an extensive range of cables and cabling systems in the infrastructure, industry, building and local area network markets. As a complementary activity it also provides fibre optic cables,
- for Opticable: manufacture and sale of fibre optic cables for terrestrial applications in Europe.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of Regulation (EC) No 139/2004. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004 ⁽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.

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 ((32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.5435 — Nexans/SEI/Opticable, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
B-1049 Brussels

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

⁽²⁾ OJ C 56, 5.3.2005, p. 32.

Re-notification of a previously notified concentration**(Case COMP/M.5253 — Sanofi-Aventis/Zentiva)****(Text with EEA relevance)**

(2008/C 319/12)

1. On 5 September 2008, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking Sanofi-Aventis Europe, *société par actions simplifiée* (France), belonging to the Sanofi-Aventis group (France), acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Zentiva N.V. (the Netherlands) by way of a public bid announced on 11 July 2008.

2. The business activities of the undertakings concerned are:

— for Sanofi-Aventis: research, development, manufacturing and marketing of pharmaceuticals and human vaccines,

— for Zentiva: development, manufacturing and marketing of branded generic pharmaceuticals.

3. This notification has been declared incomplete on 2 October 2008. The undertakings concerned have now provided the further information required. The notification became complete within the meaning of Article 10(1) of Council Regulation (EC) No 139/2004 on 5 December 2008.

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 ((32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.5253 — Sanofi-Aventis/Zentiva, to the following address:

Commission of the European Communities
Competition DG
Merger Registry
Rue Joseph II/Jozef II-straat 70
B-1000 Brussels

NOTE TO THE READER

The institutions have decided no longer to quote in their texts the last amendment to cited acts.

Unless otherwise indicated, references to acts in the texts published here are to the version of those acts currently in force.