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⁽¹⁾ Text with EEA relevance

I

(Resolutions, recommendations and opinions)

RESOLUTIONS

COUNCIL

Resolution of the Council of the European Union and the Representatives of the Governments of the Member States, meeting within the Council, on a new European disability framework

(2010/C 316/01)

The Council of the European Union and the representatives of the governments of the Member States, meeting within the Council,

TAKING INTO ACCOUNT:

1. Article 2 of the Treaty on European Union establishing that the Union is founded, inter alia, on the values of respect for human dignity, freedom and respect for human rights, including the rights of persons belonging to minorities and that these values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail;
2. Article 19 of the Treaty on the Functioning of the European Union, according to which the Council, after obtaining the consent of the European Parliament, may take appropriate action to combat discrimination, including discrimination based on disability;
3. Article 10 of the Treaty on the Functioning of the European Union, according to which, in defining and implementing its policies and activities, the Union shall aim to combat discrimination, including discrimination based on disability;
4. the Charter of Fundamental Rights of the European Union ⁽¹⁾, which reaffirms the right of non-discrimination, and the principle of integration of persons with disabilities;
5. the United Nations Convention on the Rights of Persons with Disabilities ⁽²⁾ the UN Convention and its Optional Protocol, adopted on 13 December 2006 by the General Assembly of the United Nations;
6. the Council Decision of 26 November 2009 concerning the conclusion, by the European Community, of the United Nations Convention on the Rights of Persons with Disabilities ⁽³⁾, including the appendix to the Annex which lists Community Acts which refer to matters governed by the Convention. These Acts include, among others, Council Directive 2000/78/EC ⁽⁴⁾ as well as Council Regulation (EC) No 1083/2006 ⁽⁵⁾, Regulation (EC) No 1107/2006 of the European Parliament and of the Council ⁽⁶⁾ and Regulation (EC) No 1371/2007 of the European Parliament and of the Council ⁽⁷⁾;
7. the Council conclusions on the follow-up of the European Year of People with Disabilities, adopted in December 2003 ⁽⁸⁾, and the Disability Action Plan 2003-2010 ⁽⁹⁾ of the European Commission;
8. the European Parliament Resolution of 19 January 2006 on disability and development ⁽¹⁰⁾;
9. the two informal meetings of Ministers responsible for disability policies, held under the German Presidency on 11 June 2007 and under the Slovenian Presidency on 22 May 2008, where the Ministers focused on the implementation of the UN Convention and on its inclusion among the priorities of the Disability Action Plan and where they recognised the importance of cooperation between the Member States and the European Union to strengthen the approach to disability based on human rights;

⁽¹⁾ OJ C 364, 18.12.2000, p. 1.⁽²⁾ <http://www.un.org/disabilities/convention/conventionfull.shtml>⁽³⁾ OJ L 23, 27.1.2010, p. 35.⁽⁴⁾ OJ L 303, 2.12.2000, p. 16.⁽⁵⁾ OJ L 210, 31.7.2006, p. 25.⁽⁶⁾ OJ L 204, 26.7.2006, p. 1.⁽⁷⁾ OJ L 315, 3.12.2007, p. 14.⁽⁸⁾ Doc. 15206/03 + COR 1.⁽⁹⁾ COM(2003) 650 final.⁽¹⁰⁾ OJ C 287E, 24.11.2006, p. 336.

10. the Presidency conclusions of the third informal meeting of Ministers responsible for disability policies and the Conference on disability and personal autonomy, held under the Spanish Presidency from 19 to 21 May 2010, in favour of persons with disabilities. Ministers and participants of the conference reviewed the state of play of the implementation of the UN Convention, consolidating the approach to disability based on human rights, and stressed the importance of cooperation both, among the Member States and with people with disabilities and their representative organisations;
11. the Opinion of the European Economic and Social Committee of 17 March 2010 ⁽¹⁾ on 'People with disabilities: employment and accessibility by stages', according to which there is a need to advance in European legislation, policies and appropriate funding for people with disabilities through the adoption of new instruments,

WELCOMING:

12. the commitments and progress made by the Member States and the European Union, that will be completed by the respective ratification or formal confirmation and full implementation of the UN Convention;
13. the recognition, in the Commission's communication on the Europe 2020 Strategy ⁽²⁾, of disability issues as a European and national priority in the major field of combating poverty; the communication states that the Commission will work to design and implement programmes to promote the social inclusion of the most vulnerable, in particular by providing innovative education, training and employment opportunities, and fighting discrimination against persons with disabilities; it also urges the Member States to define and implement, taking into account national responsibilities, measures addressing the specific circumstances of groups at particular risk, including persons with disabilities;
14. the Resolution of the Council of the European Union and the representatives of the Governments of the Member States, meeting within the Council of 17 March 2008 on the situation of persons with disabilities in the European Union ⁽³⁾;
15. the new Autonomous Agreement between the European social partners on Inclusive Labour Markets of December 2009 ⁽⁴⁾,

NOTING THAT:

16. the achievement of a socially sustainable and cohesive Europe should be based on the principle of 'nothing about people with disabilities without people with disabilities', and that this is only possible through their inclusion and participation;
17. access to employment, goods and services, and education, and to social and public life, among other spheres, is a prerequisite for the full inclusion and participation of persons with disabilities in society;
18. strengthening private sector involvement helps to enable persons with disabilities to lead an independent life and participate fully in all spheres of life;
19. social inclusion and non-discrimination advance participation of persons with disabilities in society and bring economic returns to society as a whole ⁽⁵⁾;
20. persons with disabilities demand high quality and diverse and individualised community-based services. The demand for social services is expanding and may boost the creation of new jobs, including those for people with disabilities;
21. there is a need to foster new jobs and to promote accessibility and universal design; these developments provide an opportunity to enhance quality and sustainable employment for persons with disabilities;
22. women with disabilities often face double discrimination. Gender mainstreaming across all relevant disability policies is a tool in the hands of governments to remedy this situation,

INVITE THE COMMISSION, IN ACCORDANCE WITH ITS COMPETENCES:

23. to support the effective implementation of the UN Convention by the Member States and the European Union Institutions;
24. to prepare, in cooperation with the Member States, persons with disabilities and their representative organisations and other relevant stakeholders, a new European Disability Strategy building on the values enshrined in the European Treaties, the Europe 2020 Strategy and the UN Convention;

⁽¹⁾ SOC/363.

⁽²⁾ Doc. 7110/10.

⁽³⁾ OJ C 75, 26.3.2008, p. 1.

⁽⁴⁾ http://www.etuc.org/IMG/pdf_06-EN-Inclusive-Labour-Markets.pdf

⁽⁵⁾ See the report for the Directorate-General for Employment and Social Affairs, 'Costs of non-social policy: Towards an economic framework of quality social policies — and the costs of not having them', 3.1.2003, http://www.ucc.ie/social_policy/EU-docs-socpol/Fouarge_costofnonsoc_final_en.pdf

25. to promote and improve accessibility by establishing an annual European award for accessible cities;

26. to strengthen the mechanisms of collaboration and participation of persons with disabilities and their families as well as their representative organisations in order to ensure the implementation of Article 4 of the UN Convention,

INVITE THE MEMBER STATES AND THE COMMISSION, IN ACCORDANCE WITH THEIR RESPECTIVE COMPETENCES:

27. The general policy framework:

(a) to promote the ratification and application of the UN Convention, continue the efforts to approve a Code of conduct, and adapt EU and national legislation, where necessary, to the provisions of the Convention;

(b) to mainstream disability issues in all relevant flagship initiatives of the Europe 2020 Strategy and, at the same time, where appropriate, to develop disability-specific measures, without prejudice to national competences, in order to implement the UN Convention in co-operation with persons with disabilities and their representative organisations and other relevant stakeholders;

(c) to mainstream disability issues in a cross-cutting and coordinated way in the definition of general policies and programmes, particularly in national plans for employment and social protection and inclusion, and continue to develop specific programmes for persons with disabilities and their families, paying special attention to those in need of a high level of support;

(d) to tap the human capital of persons with disabilities, including by developing the appropriate training and employment measures; this can also contribute to the efforts to reach the headline target set within the context of the Europe 2020 Strategy aiming to bring to 75 % the employment rate for women and men aged 20-64;

(e) to promote coordination and cooperation among the Member States and the Commission as well as the persons with disabilities, their representative organisations and their families in order to find shared solutions. Appropriate European and national financing, including through recourse to the European Social Fund, where appropriate, will contribute to a comprehensive approach.

28. Education:

(a) to contribute to promoting inclusive education systems at all levels to realise the universal right to education

based on the principles of equal opportunity and non-discrimination; this means developing policies designed to offer quality education to all citizens, as well as providing them with the necessary (economic, human, educational, technical and technological) resources;

(b) to provide initial and ongoing training for teachers at all educational levels, with the aim of allowing them to meet the diverse needs of their students with disabilities and to adequately perform their duties within the framework of inclusive education systems;

(c) to promote improvements in education systems, with the aim of eliminating stereotypes and promoting awareness and tolerance towards persons with disabilities.

29. Accessibility:

(a) to make progress on proposals to promote accessibility to sea transport, city and intercity buses, and to improve e-accessibility and to make a better use of new technologies for enhanced inclusion;

(b) to promote the principles of accessibility and of universal design. In this regard, it is recalled that Regulation (EC) No 1083/2006 on the European Regional Development Fund, the European Social Fund and the Cohesion Fund requires operators to observe the criterion of accessibility for disabled persons when any operation is being co-financed by the Funds;

(c) to initiate a discussion on the establishment of a European mobility card for persons with disabilities to provide them with better access to transport, cultural facilities and events.

30. Employment and Social issues:

(a) to ensure full implementation of Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation, including its provisions on reasonable accommodation for persons with disabilities;

(b) to promote the design and provision of vocational guidance and vocational training for persons with disabilities enabling them to have increased opportunities for employment;

(c) to support social partners' initiatives to promote the labour market participation, vocational training and professional rehabilitation of persons with disabilities and to combat discrimination on the ground of disability in the area of employment;

- (d) to support and maintain dialogue with persons with disabilities and their representative organisations with a view to awareness-raising, and to ensuring effective cooperation within a good governance framework;
- (e) to encourage actions at the local level to promote the personal autonomy of persons with disabilities and their families, giving preference to community-based services, while providing the necessary support to public administrations at all levels;
- (f) to develop sustainable economic policies that promote the inclusion of persons with disabilities in society focusing on human rights.

31. International issues:

- (a) to promote the protection and safety of persons with disabilities in situations of risk, including armed conflicts, humanitarian emergencies and natural disasters;
- (b) to aim at ensuring that development cooperation, including international development programmes, is inclusive and accessible to persons with disabilities.

INVITE THE EUROPEAN UNION INSTITUTIONS:

32. to continue efforts to guarantee equal treatment and opportunities for all persons with disabilities, setting an example and encouraging an increase in the number of workers with disabilities employed by them and by other EU bodies, by improving the accessibility of their own buildings, facilities and information and communication

technologies, including computer systems and the internet and its applications, thus showing a real commitment to persons with disabilities and the effective enforcement of the obligations of the EU institutions under the UN Convention and the applicable legislation,

ACKNOWLEDGE THEIR WORK AND ENCOURAGE ORGANISATIONS REPRESENTING PERSONS WITH DISABILITIES:

33. to continue their work as civil society representatives, conveying their needs and proposals to the European Union institutions and to the national authorities.

INVITE FUTURE PRESIDENCIES OF THE EUROPEAN UNION:

34. to continue to strengthen the European perspective on the human rights of persons with disabilities, promoting full social inclusion and the full achievement of equal opportunities and non-discrimination, ensuring the adequate participation of all stakeholders;
35. to support the holding of informal meetings of Ministers responsible for disability policies on a regular basis;
36. to make full use of coordination and advisory groups, such as the High-Level Group on Disability, to facilitate the application of the provisions of the UN Convention and the implementation of the forthcoming European Disability Strategy;
37. to promote the European Union's approach to disability based on the values as set out in the Treaty on European Union and reflected in the Treaty on the Functioning of the European Union and the Charter of Fundamental Rights of the European Union.

II

*(Information)*INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES
AND AGENCIES

EUROPEAN COMMISSION

Authorisation for State aid pursuant to Articles 107 and 108 of the TFEU**Cases where the Commission raises no objections****(Text with EEA relevance)**

(2010/C 316/02)

Date of adoption of the decision	28.6.2010
Reference number of State Aid	N 559/09
Member State	United Kingdom
Region	North Yorkshire
Title (and/or name of the beneficiary)	Extension to NYnet North Yorkshire Broadband
Legal basis	Local Government Act 2000
Type of measure	Aid scheme
Objective	Sectoral development
Form of aid	Direct grant
Budget	—
Intensity	—
Duration (period)	2010-2012
Economic sectors	Post and telecommunications
Name and address of the granting authority	North Yorkshire County Council
Other information	—

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

http://ec.europa.eu/community_law/state_aids/state_aids_texts_en.htm

Date of adoption of the decision	27.10.2010
Reference number of State Aid	N 172/10
Member State	Austria
Region	—
Title (and/or name of the beneficiary)	Ausweitung der Methode der AWS GmbH zur Berechnung der Beihilfeintensität staatliche Bürgschaften des Landes Niederösterreich, welche über die NÖBEG abgewickelt werden
Legal basis	—
Type of measure	Aid scheme
Objective	Regional development, Small and medium-sized enterprises
Form of aid	Guarantee
Budget	—
Intensity	—
Duration (period)	until 31.12.2013
Economic sectors	All sectors
Name and address of the granting authority	NÖ Beteiligungsfinanzierungen GmbH + NÖ Bürgschaften GmbH Seidengasse 9-11 1070 Wien ÖSTERREICH
Other information	—

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

http://ec.europa.eu/community_law/state_aids/state_aids_texts_en.htm

Date of adoption of the decision	19.10.2010
Reference number of State Aid	N 217/10
Member State	Poland
Region	Warmińsko-Mazurskie
Title (and/or name of the beneficiary)	Zakład Naprawczy Mechanizacji Rolnictwa w Ostródzie Sp. z o.o.
Legal basis	Artykuł 56 ust. 1 pkt 2 ustawy z dnia 30 sierpnia 1996 r. o komercjalizacji i prywatyzacji – Dz. U. z 2002 r. Nr 171, poz. 1397 ze zm.
Type of measure	Individual aid
Objective	Rescue of firms in difficulty
Form of aid	Soft loan
Budget	Overall budget: PLN 0,4 million
Intensity	—

Duration (period)	15.11.2010-15.5.2011
Economic sectors	Manufacturing industry
Name and address of the granting authority	Minister Skarbu Państwa ul. Krucza 36/Wspólna 6 00-522 Warszawa POLSKA/POLAND
Other information	—

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

http://ec.europa.eu/community_law/state_aids/state_aids_texts_en.htm

Date of adoption of the decision	3.9.2010
Reference number of State Aid	N 328/10
Member State	Greece
Region	—
Title (and/or name of the beneficiary)	Ίδρυση Ταμείου Χρηματοπιστωτικής Σταθερότητας Recapitalisation of credit institutions in Greece under the Financial Stability Fund (FSF)
Legal basis	Σχέδιο νόμου περί ιδρύσεως Ταμείου Χρηματοπιστωτικής Σταθερότητας
Type of measure	Aid scheme
Objective	Aid to remedy serious disturbances in the economy
Form of aid	Other forms of equity intervention
Budget	Overall budget: EUR 10 000,00 million
Intensity	100 %
Duration (period)	until 31.12.2010
Economic sectors	Financial intermediation
Name and address of the granting authority	Υπουργείο Οικονομικών Νίκης 5-7 10180 Αθήνα/Athens ΕΛΛΑΔΑ/GREECE
Other information	—

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

http://ec.europa.eu/community_law/state_aids/state_aids_texts_en.htm

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾

19 November 2010

(2010/C 316/03)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,3674	AUD	Australian dollar	1,3903
JPY	Japanese yen	114,09	CAD	Canadian dollar	1,3957
DKK	Danish krone	7,4554	HKD	Hong Kong dollar	10,6031
GBP	Pound sterling	0,85520	NZD	New Zealand dollar	1,7620
SEK	Swedish krona	9,3945	SGD	Singapore dollar	1,7744
CHF	Swiss franc	1,3607	KRW	South Korean won	1 546,70
ISK	Iceland króna		ZAR	South African rand	9,5667
NOK	Norwegian krone	8,2000	CNY	Chinese yuan renminbi	9,0789
BGN	Bulgarian lev	1,9558	HRK	Croatian kuna	7,3953
CZK	Czech koruna	24,719	IDR	Indonesian rupiah	12 255,28
EEK	Estonian kroon	15,6466	MYR	Malaysian ringgit	4,2660
HUF	Hungarian forint	274,25	PHP	Philippine peso	59,848
LTL	Lithuanian litas	3,4528	RUB	Russian rouble	42,4630
LVL	Latvian lats	0,7093	THB	Thai baht	40,940
PLN	Polish zloty	3,9345	BRL	Brazilian real	2,3461
RON	Romanian leu	4,2980	MXN	Mexican peso	16,8213
TRY	Turkish lira	1,9785	INR	Indian rupee	61,9855

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

V

(Announcements)

ADMINISTRATIVE PROCEDURES

EUROPEAN CENTRE FOR THE DEVELOPMENT OF
VOCATIONAL TRAINING (CEDEFOP)**Vacancy notice for a Director (Grade AD 14)**

(2010/C 316/04)

The European Centre for the Development of Vocational Training, Cedefop, is a body of the European Union located in Thessaloniki, Greece. It assists the European Commission and other stakeholders in encouraging the promotion and development of vocational education and training.

As Director you will be responsible for directing, managing and representing Cedefop and you will be accountable to the Governing Board and the European Parliament. You must have a good understanding of the institutional framework of an EU organisation and enjoy working at a top level in an international environment. The contract is for a period of five years and may be renewed.

The full requirements for qualifications and experience are described in detail in the vacancy notice and include:

- National of EU Member State
- Born after December 1951
- University degree, preferably in a field relevant to Cedefop
- 15 years of professional experience after graduation, including 5 years of senior management experience
- Relevant experience in vocational education and training
- Good knowledge of languages
- Ability to lead and motivate an international organisation
- Ability to interact and negotiate internationally at senior level with EU institutions, public authorities and social partners.

The application form can be found in the Vacancy Notice, available on Cedefop's website: <http://www.cedefop.europa.eu>

Applications must be submitted and postmarked not later than 7 January 2011.

An HR company will assist in the evaluation of applicants.

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION
POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case COMP/M.6037 — Dnata/Alpha Flight Group)

(Text with EEA relevance)

(2010/C 316/05)

1. On 12 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 undertaking Dnata ('Dnata', United Arab Emirates), controlled by the Investment Corporation of Dubai ('ICD', United Arab Emirates) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the undertaking Alpha Flight Group Limited ('Alpha', United Kingdom) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for Dnata: airline services including travel management services, passenger and cargo handling, maintenance and other technical services for airlines worldwide; it belongs to ICD, a Dubai government-owned fund with investments in a wide array of sectors including the financial sector, transportation (inter alia 'Emirates'), utilities, industrial firms and real estate,
- for Alpha: in-flight catering services to international airlines.

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

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

Observations must reach the European Commission not later than 10 days following the date of this publication. Observations can be sent to the European Commission by fax (+32 22964301), by email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number COMP/M.6037 — Dnata/Alpha Flight Group, 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 'Merger Regulation').

OTHER ACTS

COUNCIL

Notice for the attention of Babbar Khalsa, Gama'a al-Islamiyya (*alias* Al-Gama'a al-Islamiyya) (Islamic Group — IG), Hamas (including Hamas-Izz al-Din-al-Qassem), Kurdistan Workers' Party (PKK) (*alias* KADEK; *alias* KONGRA-GEL), Liberation Tigers of Tamil Eelam (LTTE) and Palestinian Islamic Jihad (PIJ), included on the list provided for in Article 2(3) of Council Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism

(see Annex to Council Regulation (EU) No 610/2010)

(2010/C 316/06)

The following information is brought to the attention of Babbar Khalsa, Gama'a al-Islamiyya (*alias* Al-Gama'a al-Islamiyya) (Islamic Group — IG), Hamas (including Hamas-Izz al-Din-al-Qassem), Kurdistan Workers' Party (PKK) (*alias* KADEK; *alias* KONGRA-GEL), Liberation Tigers of Tamil Eelam (LTTE) and Palestinian Islamic Jihad (PIJ) listed in Council Regulation (EU) No 610/2010 ⁽¹⁾.

Council Regulation (EC) No 2580/2001 ⁽²⁾ provides for a freezing of all funds, other financial assets and economic resources belonging to the persons, groups and entities concerned and that no funds, other financial assets and economic resources may be made available to them, whether directly or indirectly.

The Council has been provided with new information relevant to the listing of the above mentioned groups and entities. Having considered this new information, the Council has amended the statements of reasons accordingly.

The groups and entities concerned may submit a request to obtain the updated Council's statement of reasons for maintaining them on the above mentioned list to the following address:

Council of the European Union
(Attn: CP 931 designations)
Rue de la Loi/Wetstraat 175
1048 Bruxelles/Brussel
BELGIQUE/BELGIË

Such a request should be submitted within two weeks from the date of publication of this notice.

The groups and entities concerned may submit at any time a request to the Council, together with any supporting documentation, that the decision to include and maintain them on the list should be reconsidered, to the address provided above. Such requests will be considered when they are received. In this respect, the attention of the groups and entities concerned is drawn to the regular review by the Council of the list according to Article 1(6) of Common Position 2001/931/CFSP ⁽³⁾. In order for requests to be considered at the next review, it should be submitted within two weeks from the date of notification of the statement.

⁽¹⁾ OJ L 178, 13.7.2010, p. 1.

⁽²⁾ OJ L 344, 28.12.2001, p. 70.

⁽³⁾ OJ L 344, 28.12.2001, p. 93.

The attention of the groups and entities concerned is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as listed in the Annex to the Regulation in order to obtain an authorisation to use frozen funds for essential needs or specific payments in accordance with Article 5(2) of that Regulation. An updated list of competent authorities is available on the web at the following address:

http://ec.europa.eu/comm/external_relations/cfsp/sanctions/measures.htm

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