

Official Journal

of the European Communities

ISSN 0378-6978

L 22

Volume 44

24 January 2001

English edition

Legislation

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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 125/2001
of 23 January 2001
establishing the standard import values for determining the entry price of certain fruit and
vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1498/98 ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 January 2001.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 23 January 2001 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	74,5
	204	38,6
	624	64,6
	999	59,2
0707 00 05	052	116,8
	624	193,9
	628	150,8
	999	153,8
0709 90 70	052	119,7
	204	88,9
	999	104,3
0805 10 10, 0805 10 30, 0805 10 50	052	39,2
	204	51,3
	212	49,8
	624	36,8
	999	44,3
0805 20 10	204	102,5
	624	53,8
	999	78,2
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	72,4
	204	91,3
	624	81,1
	999	81,6
0805 30 10	052	61,9
	600	66,6
	999	64,3
0808 10 20, 0808 10 50, 0808 10 90	039	86,7
	400	88,7
	404	83,7
	720	109,2
	728	73,7
	999	88,4
0808 20 50	052	189,0
	388	138,4
	400	88,4
	720	106,1
	999	130,5

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 126/2001**of 23 January 2001****amending Regulations (EEC) No 2312/92 and (EEC) No 1148/93 laying down detailed rules for implementing the specific measures for supplying the French overseas departments with breeding bovines and horses**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 4(5) thereof,

Whereas:

- (1) Pursuant to Article 4 of Regulation (EEC) No 3763/91, it is necessary to determine the number of pure-bred breeding bovines and horses in the Community which are eligible for aid with a view to encouraging the development of those sectors in the French overseas departments (FODs).
- (2) The quantities of the forecast supply balance and the level of aid for those products are fixed by Commission Regulations (EEC) No 2312/92 ⁽³⁾ and (EEC) No 1148/93 ⁽⁴⁾, as last amended by Regulation (EC) No 2590/1999 ⁽⁵⁾.
- (3) As a result of the presentation by the French authorities of information on the needs of the French overseas departments, a new supply balance should be fixed and consequently the Annexes to Regulations (EEC) No 2312/92 and (EEC) No 1148/93 should be replaced by the Annexes to this Regulation.
- (4) An examination of the costs of the supply of pure-bred breeding animals shows that there have been no substantial changes. The aid amounts granted for 2000 should therefore be maintained.
- (5) As a result, the Annexes to Regulations (EEC) No 2312/92 and (EEC) No 1148/93 should be amended.
- (6) This Regulation will enter into force after the expiry of the time limit for submitting licence applications in January 2001. To avoid a break in supplies to the French overseas departments, provision should be made to derogate from Article 9(1) and (2) of Regulation (EEC) No 2312/92 and Article 4(1) and (2) of Regulation (EEC)

No 1148/93 and to allow, for that month alone, the submission of licence applications in the five working days following the entry into force of this Regulation and to set the time limit for the issue of such licences at 10 working days after the entry into force of this Regulation.

- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

1. Annex III to Regulation (EEC) No 2312/92 is replaced by Annex I to this Regulation.
2. By way of derogation from Article 9(1) of Regulation (EEC) No 2312/92, in January 2001 applications for licences shall be submitted to the competent authority no later than the fifth working day following the entry into force of this Regulation.

By way of derogation from Article 9(2) of Regulation (EEC) No 2312/92, in January 2001 licences shall be issued no later than 10 working days after the entry into force of this Regulation.

Article 2

1. The Annex to Regulation (EEC) No 1148/93 is replaced by Annex II to this Regulation.
2. By way of derogation from Article 4(1) of Regulation (EEC) No 1148/93, in January 2001 applications for licences shall be submitted to the competent authority no later than the fifth working day following the entry into force of this Regulation.

By way of derogation from Article 4(2) of Regulation (EEC) No 1148/93, in January 2001 licences shall be issued no later than 10 working days after the entry into force of this Regulation.

Article 3

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

⁽¹⁾ OJ L 356, 24.12.1991, p. 1.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 222, 7.8.1992, p. 32.

⁽⁴⁾ OJ L 116, 12.5.1993, p. 15.

⁽⁵⁾ OJ L 315, 9.12.1999, p. 7.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 January 2001.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

ANNEX III

PART 1

Supply to Réunion of pure-bred breeding bovines originating in the Community for the year 2001

(EUR/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines ⁽¹⁾	429	930

PART 2

Supply to French Guiana of pure-bred breeding bovines originating in the Community for the year 2001

(EUR/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines ⁽¹⁾	153	930

PART 3

Supply to Martinique of pure-bred breeding bovines originating in the Community for the year 2001

(EUR/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines ⁽¹⁾	9	930

PART 4

Supply to Guadeloupe of pure-bred breeding bovines originating in the Community for the year 2001

(EUR/head)

CN code	Description	Number of animals to be supplied	Aid
0102 10 00	Pure-bred breeding bovines ⁽¹⁾	9	930

⁽¹⁾ Entry under this subheading is subject to the conditions laid down in the relevant Community provisions.

ANNEX II

'ANNEX

PART 1

Supply to French Guiana of pure-bred breeding horses originating in the Community for the year 2001

(EUR/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses ⁽¹⁾	7	930

PART 2

Supply to Martinique of pure-bred breeding horses originating in the Community for the year 2001

(EUR/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses ⁽¹⁾	3	930

PART 3

Supply to Guadeloupe of pure-bred breeding horses originating in the Community for the year 2001

(EUR/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses ⁽¹⁾	0	930

PART 4

Supply to Réunion of pure-bred breeding horses originating in the Community for the year 2001

(EUR/head)

CN code	Description of the goods	Number of animals to be supplied	Aid
0101 11 00	Pure-bred breeding horses ⁽¹⁾	5	930

⁽¹⁾ Entry under this subheading is subject to the conditions laid down in Council Directive 90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae (OJ L 224, 18.8.1990, p. 55).'

COMMISSION REGULATION (EC) No 127/2001
of 23 January 2001
amending Regulation (EC) No 28/97 and assessing requirements for the supply of certain vegetable
oils (other than olive oil) for the processing industry in the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments ⁽¹⁾, as last amended by Regulation (EC) No 1257/1999 ⁽²⁾, and in particular Article 2(6) thereof,

Whereas:

- (1) Commission Regulation (EC) No 28/97 of 9 January 1997 laying down detailed rules for implementation of the specific measures for the supply of certain vegetable oils for the processing industry in the French overseas departments and assessing supply requirements ⁽³⁾, as last amended by Regulation (EC) No 2359/2000 ⁽⁴⁾, establishes the supply requirements for those products for 1999.
- (2) Article 2 of Regulation (EEC) No 3763/91 requires that supply requirements for agricultural products essential for consumption and processing be established each year; the supply requirements of vegetable oils intended for the processing industry in the French overseas departments should therefore be established for 2001; the Annex to Regulation (EC) No 28/97 should therefore be amended.
- (3) This Regulation will enter into force after the expiry of the time limit for submitting licence applications in January 2001. To avoid a break in supplies to the French overseas departments, provision should be made to derogate from Article 4(1) and (2) of Regulation (EC) No 28/97 and to allow, for that month alone, the submis-

sion of licence applications in the five working days following the entry into force of this regulation and to set the time limit for the issue of such licences at 10 working days following the entry into force of this Regulation.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Oils and Fats,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 28/97 is replaced by the Annex to this Regulation.

Article 2

By way of derogation from Article 4(1), in January 2001 applications for licences shall be submitted to the competent authority no later than the fifth working day following the entry into force of this Regulation.

By way of derogation from Article 4(2), in January 2001 licences shall be issued during January 2001 no later than 10 working days after entry into force of this Regulation.

Article 3

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 1 January 2001.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 356, 24.12.1991, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 6, 10.1.1997, p. 15.

⁽⁴⁾ OJ L 272, 25.10.2000, p. 17.

ANNEX

'ANNEX

Assessment of supply requirements for vegetable oils (other than olive oil) for the processing industry falling within CN codes 1507 to 1516 (except 1509 and 1510) for the French overseas departments for 2001

Department	Quantity (in tonnes)
French Guiana	311
Martinique	1 549
Réunion	8 908
Guadeloupe	232
Total	11 000'

COMMISSION REGULATION (EC) No 128/2001**of 23 January 2001****amending Regulation (EEC) No 2826/92 laying down detailed implementing rules for the specific measures for supplying the French overseas departments with products from the egg, poultrymeat and rabbit sectors**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments ⁽¹⁾, as last amended by Regulation (EC) No 1257/1999 ⁽²⁾, and in particular Article 4(5) thereof,

Whereas:

- (1) The aid and the quantities for supplying the French overseas departments with eggs for hatching, breeding chicks and breeding rabbits originating in the rest of the Community were fixed in Commission Regulation (EEC) No 2826/92 ⁽³⁾, as amended by Regulation (EC) No 897/97 ⁽⁴⁾. That aid must be fixed taking account in particular of the costs of supply from the world market, the conditions resulting from the geographical situation of the French overseas departments and the basis of the current prices on export to third countries of the animals or products concerned.
- (2) The application of those rules and criteria to the current situation on the markets for eggs, poultrymeat and rabbits calls for the quantities to be adjusted.
- (3) Provision should also be made for the aid for supplies of pure bred breeding rabbits to apply to that category of animals as a whole.
- (4) This Regulation will enter into force after the expiry of the time limit for submitting licence applications in January 2001. To avoid a break in supplies to the French overseas departments, provision should be made to derogate from Article 4(1) and 4(2) of Regulation (EEC)

No 2826/92 and to allow, for that month alone, the submission of licence applications in the five working days following the entry into force of this Regulation and to set the time limit for the issue of such licences at 10 working days following the entry into force of this Regulation.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 2826/92 is hereby replaced by the Annex hereto.

Article 2

By way of derogation from Article 4(1) of Regulation (EEC) No 2826/92, in January 2001 applications for licences shall be submitted to the competent authority no later than the fifth working day following the entry into force of this Regulation.

By way of derogation from Article 4(2) of Regulation (EEC) No 2826/92, in January 2001 licences shall be issued during January 2001 no later than 10 working days after the entry into force of this Regulation.

Article 3

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 356, 24.12.1991, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 285, 30.9.1992, p. 10.

⁽⁴⁾ OJ L 128, 21.5.1997, p. 10.

ANNEX

‘ANNEX

Breeding material originating in the Community and supplied to the French overseas departments each calendar year

CN code	Description	Number	Aid
			EUR per 100 units
ex 0105 11	Parent and grandparent stock chicks ⁽¹⁾	80 000	30
ex 0407 00 19	Eggs for hatching intended for the production of parent and grandparent stock chicks ⁽¹⁾	5 000	24
			EUR per unit
ex 0106 00 10	Pure-bred breeding rabbits	500	60

⁽¹⁾ In accordance with the definition in Article 1 of Council Regulation (EEC) No 2782/75 (OJ L 282, 1.11.1975, p. 100).’

COMMISSION REGULATION (EC) No 129/2001**of 23 January 2001****amending Regulation (EEC) No 2989/92 laying down detailed implementing rules for the specific measures for supplying the French overseas departments with products from the pigmeat sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 4(5) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2989/92 ⁽³⁾ sets the aid provided for in Article 4(1) of Regulation (EEC) No 3763/91 for the supply of pure-bred breeding swine of Community origin to the French overseas departments and the number of animals for which the aid is to be granted.
- (2) Experience in recent years has shown that the number of animals laid down in the Annex to Regulation (EEC) No 2989/92 have exceeded the actual requirements of the French overseas departments for pure-bred breeding swine. The number of eligible animals should therefore be reduced.
- (3) This Regulation will enter into force after the expiry of the time limit for submitting licence applications in January 2001. To avoid a break in supplies to the French overseas departments, provision should be made to derogate from Article 4(1) and (2) of Regulation (EEC) No 2989/92 and to allow, for that month alone, the submission of licence applications in the five working

days following the entry into force of this Regulation and to set the time limit for the issue of such licences at 10 working days following the entry into force of this Regulation.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 2989/92 is replaced by the Annex to this Regulation.

Article 2

By way of derogation from Article 4(1), in January 2001 applications for licences shall be submitted to the competent authority no later than the fifth working day following the entry into force of this Regulation.

By way of derogation from Article 4(2), in January 2001 licences shall be issued during January 2001 no later than 10 working days after the entry into force of this Regulation.

Article 3

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 356, 24.12.1991, p. 1.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 300, 16.10.1992, p. 12.

ANNEX

'ANNEX

Supply to the French overseas departments of pure-bred breeding swine of Community origin per calendar year

CN code	Description	Number of animals to be supplied	Aid (EUR/head)
0103 10 00	Pure-bred breeding swine ⁽¹⁾ :		
	— male animals	10	440
	— female animals	80	380

⁽¹⁾ Entry under this subheading is subject to the conditions laid down in the relevant Community provisions.'

COMMISSION REGULATION (EC) No 130/2001**of 23 January 2001****determining the extent to which the applications for import licences submitted in January 2001 for certain dairy products under certain tariff quotas opened by Regulation (EC) No 1374/98 can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 1670/2000 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1374/98 of 29 June 1998 laying down detailed rules for the application of the import arrangements and opening tariff quotas for milk and milk products ⁽³⁾, as last amended by Regulation (EC) No 1998/2000 ⁽⁴⁾, and in particular Article 14(4) thereof,

Whereas:

Applications lodged for the products referred to in Annex II to Regulation (EC) No 1374/98 concern quantities greater than those available; therefore, the allocation factors should be fixed for the quantities applied for,

Article 1

1. Import licences applied for for products falling within the order numbers in Annex II to Regulation (EC) No 1374/98 listed in Annex I to this Regulation lodged pursuant to Regulation (EC) No 1374/98 for the period 1 January to 30 June 2001, shall be awarded in accordance with the allocation factors indicated.
2. Import licences applied for for products falling within the order numbers in Annex III B to Regulation (EC) No 1374/98 listed in Annex II lodged pursuant to Regulation (EC) No 1374/98 for the period 1 January to 30 June 2001, shall be awarded in accordance with the allocation factors indicated.
3. Import licences applied for for products falling within the order numbers in Annex III C to Regulation (EC) No 1374/98 listed in Annex III lodged pursuant to Regulation (EC) No 1374/98 for the period 1 January to 30 June 2001, shall be awarded in accordance with the allocation factors indicated.

Article 2

This Regulation shall enter into force on 24 January 2001.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 185, 30.6.1998, p. 21.

⁽⁴⁾ OJ L 238, 22.9.2000, p. 28.

ANNEX I

Order number in Annex II to Regulation (EC) No 1374/98	TARIC order number	Period: January to June 2001 Allocation factor
33	09.4590	0,0087
34	09.4599	0,0012
36	09.4591	0,1684
37	09.4592	0,2909
38	09.4593	1,0000
39	09.4594	0,0061
41	09.4595	0,0039
44	09.4596	0,0016

ANNEX II

Order number in Annex III B to Regulation (EC) No 1374/98	TARIC order number	Period: January to June 2001 Allocation factor
13	09.4101	1,0000

ANNEX III

Order number in Annex III C to Regulation (EC) No 1374/98	TARIC order number	Period: January to June 2001 Allocation factor
15	09.4151	—

COMMISSION REGULATION (EC) No 131/2001**of 23 January 2001****determining the percentage of quantities which may be allowed in respect of import licence applications lodged in January 2001 under tariff quotas for beef and veal provided for in Regulation (EC) No 1279/98 for the Republic of Poland, the Republic of Hungary, the Czech Republic, Slovakia, Bulgaria and Romania**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Commission Regulation (EC) No 1279/98 of 19 June 1998, laying down rules for the application of the tariff quotas for beef and veal provided for by Council Regulation (EC) No 3066/95 for the Republic of Poland, the Republic of Hungary, the Czech Republic, the Slovak Republic, the Republic of Bulgaria and Romania ⁽¹⁾, amended by Regulation (EC) No 2857/2000 ⁽²⁾, and in particular Article 4(4) thereof,

Whereas:

(1) Articles 1 and 2 of Regulation (EC) No 1279/98 fix the quantities of certain beef and veal products originating in Poland, Hungary, the Czech Republic, Slovakia, Romania and Bulgaria, which may be imported on special terms in respect of the period 1 January to 31 March 2001. The quantities of certain beef and veal products originating in Hungary, the Czech Republic and Romania covered by import licence applications submitted are such that applications may be accepted in full. However, quantities covered by applications in respect of certain beef and veal products originating in Poland must be reduced proportionately in accordance with Article 4(4) of that Regulation.

(2) Article 2 of Regulation (EC) No 1279/98 states that if for the quota period the quantities for which applications for import licences have been submitted for the first, second or third period specified in the preceding subparagraph are less than the quantities available, the remaining quantities are to be added to the quantities in respect of the following period. Taking into account the quantities remaining from the third period, the quantities available for the six countries concerned for the fourth period running from 1 April to 30 June 2001 should accordingly be determined,

1. The following percentages of quantities covered by import licence applications submitted in respect of the period 1 January to 31 March 2001 under the quotas referred to in Regulation (EC) No 1279/98 may be allowed:

- (a) 100 % of quantities covered by applications in respect of products falling within CN codes 0201 and 0202 originating in Hungary and the Czech Republic;
- (b) 100 % of quantities covered by applications in respect of products falling within CN codes 0201, 0202, 1602 50 31, 1602 50 39 and 1602 50 80 originating in Romania;
- (c) 8,5222 % of quantities covered by applications in respect of products falling within CN codes 0201, 0202, and 1602 50 originating in Poland.

2. The quantities available for the period referred to in Article 2 of Regulation (EC) No 1279/98 running from 1 April to 30 June 2001 shall amount to:

- (a) beef and veal falling within CN codes 0201 and 0202:
 - 5 950 t for meat originating in Hungary,
 - 3 240 t for meat originating in the Czech Republic,
 - 3 500 t for meat originating in Slovakia,
 - 250 t for meat originating in Bulgaria;
- (b) 5 000 t for beef and veal falling within CN codes 0201 and 0202 originating in Poland, or 2 336,448 t for processed products falling within CN code 1602 50 originating in Poland;
- (c) 2 393,446 t for beef and veal products falling within CN codes 0201, 0202, 1602 50 31, 1602 50 39 and 1602 50 80 originating in Romania.

Article 2

⁽¹⁾ OJ L 176, 20.6.1998, p. 12.

⁽²⁾ OJ L 332, 28.12.2000, p. 55.

This Regulation shall enter into force on 24 January 2001.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 January 2001.

For the Commission
Franz FISCHLER
Member of the Commission

COUNCIL DIRECTIVE 2001/41/EC**of 19 January 2001****amending the sixth Directive (77/388/EEC) on the common system of value added tax, with regard to the length of time during which the minimum standard rate is to be applied**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 93 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas:

- (1) Article 12(3)(a) of the sixth Council Directive (77/388/EEC) of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment ⁽³⁾, hereinafter referred to as the sixth VAT Directive, lays down that the Council is to decide on the level of the standard rate applicable after 31 December 2000.
- (2) While the standard rate of value added tax currently in force in the various Member States, combined with the mechanism of the transitional system, has ensured that this system has functioned to an acceptable degree, it is nonetheless important to prevent a growing divergence in the standard rates of VAT applied by the Member States from leading to structural imbalances in the Community and distortions of competition in some sectors of activity, at least in the period in which a new VAT strategy is being implemented to simplify and modernise current Community legislation on VAT, as set out in the Commission Communication of 7 June 2000.
- (3) It is therefore appropriate to maintain the current minimum standard rate at 15 % for a further period long enough to allow the strategy for simplification and modernisation to be implemented,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The first and second subparagraphs of Article 12(3)(a) of the sixth VAT Directive shall be replaced by the following:

- ‘3. (a) The standard rate of value added tax shall be fixed by each Member State as a percentage of the taxable amount and shall be the same for the supply of goods and for the supply of services. From 1 January 2001 to 31 December 2005, this percentage may not be less than 15 %.

On a proposal from the Commission and after consulting the European Parliament and the Economic and Social Committee, the Council shall decide unanimously on the level of the standard rate to be applied after 31 December 2005.’

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 1 January 2001. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2. Member States shall communicate to the Commission the text of the provisions of national law which they adopt in the field covered by this Directive.

Article 3

This Directive shall enter into force on the third day following that of its publication in the *Official Journal of the European Communities*.

It shall apply from 1 January 2001.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 19 January 2001.

For the Council

The President

B. RINGHOLM

⁽¹⁾ Opinion delivered on 14 December 2000 (not yet published in the Official Journal).

⁽²⁾ Opinion delivered on 29 November 2000 (not yet published in the Official Journal).

⁽³⁾ OJ L 145, 13.6.1977, p. 1. Directive as last amended by Directive 2000/65/EC (OJ L 269, 21.10.2000, p. 44).

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 19 January 2001

on Guidelines for Member States' employment policies for the year 2001

(2001/63/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 128(2) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Having regard to the opinion of the Committee of the Regions ⁽⁴⁾,

Having regard to the opinion of the Employment Committee,

Whereas:

- (1) The Luxembourg process, based on the implementation of the coordinated European Employment Strategy, was launched by the extraordinary European Council meeting on Employment on 20 and 21 November 1997. The Council Resolution of 15 December 1997 on the 1998 Employment Guidelines ⁽⁵⁾ has launched a process with high visibility, strong political commitment and a wide-ranging acceptance by all parties concerned.
- (2) The Council Decision of 13 March 2000 on guidelines for Member States' employment policies for the year 2000 ⁽⁶⁾ has allowed consolidation of the Luxembourg process through compliance with those guidelines.
- (3) The Lisbon European Council on 23 and 24 March 2000 set a new strategic goal for the European Union to become the most competitive and dynamic knowledge-

based economy in the world capable of sustainable economic growth with more and better jobs and greater social cohesion. The attainment of this goal will enable the Union to regain the conditions of full employment.

- (4) The opinion of the Employment Committee was drafted jointly with the Economic Policy Committee.

- (5) Consistency and synergy between the Employment Guidelines and the Broad Economic Policy Guidelines should be ensured.

- (6) In implementing the employment guidelines, Member States should aim at a high degree of consistency with two other priorities highlighted by the Lisbon Summit, modernising social protection and the promotion of social inclusion, while ensuring that work pays, and the long-term sustainability of social protection systems is secured.

- (7) The Lisbon European Council stressed the need to adapt European education and training systems both to the demands of the knowledge society and to the need for an improved level and quality of employment, and called upon Member States, the Council and the Commission to pursue a substantial annual increase in per capita investment in human resources.

- (8) The Santa Maria da Feira European Council on 19 and 20 June 2000 invited the social partners to play a more prominent role in defining, implementing and evaluating the employment guidelines which depend on them, focusing particularly on modernising work organisation, lifelong learning and increasing the employment rate, particularly for women.

⁽¹⁾ Proposal of 14 November 2000 (not yet published in the Official Journal)

⁽²⁾ Opinion delivered on 24 November 2000 (not yet published in the Official Journal).

⁽³⁾ OJ C 14, 16.1.2001, p. 75.

⁽⁴⁾ Opinion delivered on 13 October 2000 (not yet published in the Official Journal).

⁽⁵⁾ OJ C 30, 28.1.1998, p. 1.

⁽⁶⁾ OJ L 72, 21.3.2000, p. 15.

- (9) The 2000 Joint Employment Report, drawn up by the Council and the Commission, describes the employment situation in the Community and examines the action taken by the Member States in implementing their employment policy in line with the 2000 Employment Guidelines, and the Council Recommendation 2000/164/EC of 14 February 2000 on the implementation of Member States' employment policies ⁽¹⁾.
- (10) On 19 January 2001 the Council adopted a further recommendation on the implementation of Member States' employment policies ⁽²⁾.
- (11) The mid-term Review of the Luxembourg process conducted in 2000 at the request of the Lisbon European Council should be taken into account in revising the Employment Guidelines 2001, without changing the basic four pillar structure, and in improving the efficiency of the Luxembourg process.
- (12) Member States should strengthen their efforts to include and make visible a gender perspective across all the pillars.
- (13) The implementation of the guidelines may vary according to their nature, the parties to whom they are addressed and the different situations in the Member States. They should respect the principle of subsidiarity and Member States' responsibilities with regard to employment.
- (14) In implementing the Employment Guidelines, Member States should be able to take regional situations into account, while fully respecting the attainment of national targets and the principle of equal treatment.
- (15) The effectiveness of the Luxembourg process requires that the implementation of the employment guidelines is also reflected *inter alia* in financial provision. To this end, the national reports should, where appropriate, include budget information in order to permit an effective assessment of the progress achieved by each Member State in implementing the guidelines, taking into account their impact and cost effectiveness.
- (16) Council Directive 1999/85/EC ⁽³⁾, which provides for the possibility of applying a reduced VAT rate on labour-intensive services on an experimental basis, should be followed up in order to examine, in particular, the impact of national initiatives in terms of job potential.
- (17) The contribution of the Structural Funds, and in particular the European Social Fund and the Community Initiative EQUAL to the European Employment Strategy in the new programming period should be highlighted, as well as the role of the European Investment Bank.
- (18) Partnership at all levels should be encouraged, including with the social partners, regional and local authorities and representatives of civil society so that they can contribute, in their respective fields of responsibility, to promoting a high level of employment.
- (19) There is a need further to consolidate and develop comparable indicators to make it possible to assess the implementation and impact of the annexed guidelines, and to refine the targets which they contain and facilitate the identification and exchange of best practice.
- (20) Sustainable development and the integration of environmental concerns into other Community policies are objectives of the Treaty. Member States are invited to give effect to such integration within their national employment strategies by promoting employment creation in the environmental field,

HAS DECIDED AS FOLLOWS:

Sole Article

The Guidelines for Member States' employment policies for the year 2001, annexed hereto, are hereby adopted. They shall be taken into account by the Member States in their employment policies.

Done at Brussels, 19 January 2001.

For the Council
The President
 B. RINGHOLM

⁽¹⁾ OJ L 52, 25.2.2000, p. 32.

⁽²⁾ See page 27 of this Official Journal.

⁽³⁾ OJ L 277, 28.10.1999, p. 34.

ANNEX

THE EMPLOYMENT GUIDELINES FOR 2001

Horizontal objectives — building conditions for full employment in a knowledge-based society

The careful build-up, over the last decade, of a macroeconomic framework for stability and growth coupled with consistent efforts to reform labour, capital, goods and services markets, as well as favourable prospects in the world economy, has created a favourable economic outlook for the European Union which will bring the attainment of some of its key fundamental objectives within reach. Further progress, however, is not automatic: it requires leadership, commitment and concerted action.

This is why the European Council embraced full employment as an overarching objective of the EU's employment and social policy. It committed the Member States to reach the strategic goal of making the Union the most competitive and dynamic knowledge-based economy in the world, capable of sustainable economic growth with more and better jobs and greater social cohesion. The achievement of these objectives requires simultaneous efforts by the Community and the Member States. It also requires a continued implementation of an effective and well balanced and mutually supportive policy mix, based on macroeconomic policy, structural reforms promoting adaptable and flexible labour markets, innovation and competitiveness, and an active welfare state promoting human resources development, participation, inclusion and solidarity.

Preparing the transition to a knowledge-based economy, reaping the benefits of the information and communication technologies, modernising the European social model by investing in people and combating social exclusion and promoting equal opportunities are key challenges for the Luxembourg process. In order to achieve the goal of full employment set at Lisbon, the Member States should articulate their response to the guidelines under the four pillars in a coherent overall strategy which incorporates the following horizontal objectives:

- A. Enhancing job opportunities and providing adequate incentives for all those willing to take up gainful employment with the aim of moving towards full employment recognising Member States' different starting positions, and recognising the fact that full employment is a goal of overall national economic policy. To this end, Member States should consider setting national targets for raising the rate of employment, in order to contribute to the overall European objectives of reaching by 2010 an overall employment rate of 70 per cent and an employment rate of more than 60 per cent for women. In pursuing these targets, the aim of increasing the quality of jobs should also be taken into consideration.
- B. Member States shall develop comprehensive and coherent strategies for Lifelong Learning, in order to help people acquire and update the skills needed to cope with economic and social changes throughout the entire life cycle. In particular, the strategies should cover the development of systems for initial, secondary and tertiary education, further education and vocational training for young people and adults to improve their employability, adaptability and skills, as well as their participation in the knowledge-based society. Such strategies should articulate the shared responsibility of public authorities, enterprises, the social partners and individuals, with relevant contribution from civil society, to contribute to the realisation of a knowledge-based society. In this context, the social partners should negotiate and agree on measures to improve further education and training of adults to enhance the adaptability of workers and competitiveness of business. To this end, Member States should set national targets for an increase in investment in human resources as well as in participation in further education and training (whether formal or informal) and monitor regularly progress towards such targets.
- C. Member States shall develop a comprehensive partnership with the social partners for the implementation, monitoring and follow-up of the Employment Strategy. The social partners at all levels are invited to step up their action in support of the Luxembourg process. Within the overall framework and objectives set by these guidelines, the social partners are invited to develop, in accordance with their national traditions and practices, their own process of implementing the guidelines for which they have the key responsibility, identify the issues upon which they will negotiate and report regularly on progress, in the context of the National Action Plans if desired, as well as the impact of their actions on employment and labour market functioning. The social partners at European level are invited to define their own contribution and to monitor, encourage and support efforts undertaken at national level.
- D. In translating the Employment Guidelines into national policies, Member States will give due attention to all the four pillars and the horizontal objectives by setting their priorities in a balanced manner, so as to respect the integrated nature and equal value of the guidelines. The National Action Plans will develop the strategy for employment (adopting a gender mainstreaming approach), comprising an identification of the policy mix based on the four pillars and the horizontal objectives which should make explicit how policy initiatives under different guidelines are structured in order to reach long-term goals. In giving effect to the Strategy, the regional dimension and regional disparities will be taken into account in terms of differentiated policies or targets, while fully respecting the attainment of national targets and the principle of equal treatment. Likewise, it is appropriate for Member States, without prejudice to the overall framework, to focus, in particular, on certain dimensions of the strategy to meet the particular needs of their labour market situation.

- E. Member States and the Commission should strengthen the development of common indicators in order to evaluate adequately progress under all four pillars and to underpin the setting of benchmarks and the identification of good practice. The social partners are invited to develop appropriate indicators and benchmarks and supporting statistical databases to measure progress in the actions for which they are responsible.

I. IMPROVING EMPLOYABILITY

Tackling youth unemployment and preventing long-term unemployment

In order to influence the trend in youth and long-term unemployment, Member States will intensify their efforts to develop preventive and employability-oriented strategies, building on the early identification of individual needs. Within a period to be determined by each Member State, which may not exceed two years and which — without prejudice to the review of the Guidelines which will take place in two years' time — may be longer in Member States with particularly high unemployment, Member States will ensure that:

1. Every unemployed person is offered a new start before reaching six months of unemployment in the case of young people, and twelve months of unemployment in the case of adults in the form of training, retraining, work practice, a job, or other employability measure, including, more generally, accompanying individual vocational guidance and counselling with a view to effective integration into the labour market.

These preventive and employability measures should be combined with measures to reduce the stock of the long-term unemployed by promoting their reinsertion in the labour market.

In this context, Member States should pursue the modernisation of their Public Employment Services, in particular by monitoring progress, setting clear deadlines and providing adequate retraining of their staff. Member States should encourage cooperation with other service providers so as to make the strategy of prevention and activation more effective.

A more employment-friendly approach: benefits, taxes and training systems

Benefit, tax and training systems — where that proves necessary — must be reviewed and adapted to ensure that they actively support the employability of unemployed persons. Moreover, these systems should interact appropriately to encourage the return to the labour market of those inactive persons willing and able to take up a job. Particular attention should be given to promoting incentives for unemployed or inactive people to seek and take up work, as well as measures to upgrade their skills and enhance job opportunities in particular for those with greatest difficulties.

2. Each Member State will:
 - review and, where appropriate, reform its benefit and tax system to reduce poverty traps, and provide incentives for unemployed or inactive people to seek and take up work or measures to enhance their employability and for employers to create new jobs;
 - endeavour to increase significantly the proportion of unemployed and inactive persons benefiting from active measures to improve their employability with a view to effective integration into the labour market, and will improve the outcomes, outputs and cost effectiveness of such measures;
 - promote measures for unemployed and inactive people to acquire or upgrade skills, including IT and communication skills, thereby facilitating their access to the labour market and reducing skills gaps. To this end, each Member State will fix a target for active measures involving education, training or similar measures offered to the unemployed thereby aiming at gradually achieving the average of the three most advanced Member States, and at least 20 per cent.

Developing a policy for active ageing

In-depth changes in the prevailing social attitudes towards older workers, as well as a revision of tax-benefit systems are called for, in order to reach full employment, to help ensure the long-term fairness and sustainability of social security systems, and to make the best use of older workers' experience.

3. Member States, if appropriate with the social partners, will therefore develop policies for active ageing with the aim of enhancing the capacity of, and incentives for, older workers to remain in the labour force as long as possible, in particular by:
 - adopting positive measures to maintain working capacity and skills of older workers, not least in a knowledge-based labour market, in particular through sufficient access to education and training, to introduce flexible working arrangements including, for example, part-time work if workers so choose, and to raise employers' awareness of the potential of older workers; and
 - reviewing tax and benefit systems in order to reduce disincentives and make it more attractive for older workers to continue participating in the labour market.

Developing skills for the new labour market in the context of lifelong learning

Effective and well functioning educational and training systems responsive to labour market needs are key to the development of the knowledge-based economy and to the improvement of the level and quality of employment. They are also crucial to the delivery of lifelong learning to allow for a smooth transition from school to work, lay the foundations for productive human resources equipped with core and specific skills and enable people to adapt positively to social and economic change. The development of an employable labour force involves providing people with the capacity to access and reap the benefits of the knowledge-based society, addressing skill gaps and preventing the erosion of skills resulting from unemployment, non-participation and exclusion throughout the lifecycle.

4. Member States are therefore called upon to improve the quality of their education and training systems, as well as the relevant curricula, including the provision of appropriate guidance in the context of both initial training and lifelong learning, the modernisation and greater effectiveness of apprenticeship systems and of in-work training, and promote the development of multi-purpose local learning centres, in order to:
 - equip young people with the basic skills relevant to the labour market and needed to participate in lifelong learning;
 - reduce youth and adult illiteracy and reduce substantially the number of young people who drop out of the school system early. Particular attention should also be given to young people with learning difficulties and with educational problems. Member States will in this context develop measures aimed at halving by 2010 the number of 18 to 24 year olds with only lower-secondary level education who are not in further education and training;
 - promote conditions to facilitate better access of adults, including those with atypical contracts, to lifelong learning, so as to increase the proportion of adult working-age population (25-64 year olds) participating at any given time in education and training. Member States should set targets for this purpose.

In order to facilitate mobility and encourage lifelong learning, Member States should improve the recognition of qualifications, acquired knowledge and skills.

5. Member States will aim at developing e-learning for all citizens. In particular, Member States will ensure that all schools have access to the internet and multimedia resources by the end of 2001 and that all the teachers needed are skilled in the use of these technologies by the end of 2002 in order to provide all pupils with a broad digital literacy.

Active policies to develop job matching and to prevent and combat emerging bottlenecks

In all Member States unemployment and exclusion from the labour market coexist with labour shortages in certain sectors, occupations and regions. With the improvement of the employment situation and accelerating pace of technological change, these bottlenecks are increasing. An insufficiency of active policies to prevent and combat emerging labour shortages will harm competitiveness, increase inflationary pressures and keep structural unemployment high.

6. Member States will, as appropriate with the social partners, step up their efforts to identify and prevent emerging bottlenecks, in particular by:
 - developing the job-matching capacities of employment services;
 - developing policies to prevent skills shortages;
 - promoting occupational and geographical mobility;
 - enhancing the functioning of labour markets by improving databases on jobs and learning opportunities which should be interconnected at European level, making use of modern information technologies and experience already available at European level.

Combating discrimination and promoting social inclusion by access to employment

Many groups and individuals experience particular difficulties in acquiring relevant skills and in gaining access to, and remaining in, the labour market. This may increase the risk of exclusion. A coherent set of policies which promote social inclusion by supporting the integration of disadvantaged groups and individuals into the world of work, and combat discrimination in access to, and on, the labour market is called for.

7. Each Member State will:
 - identify and combat all forms of discrimination in access to the labour market and to education and training;

- develop pathways consisting of effective preventive and active policy measures to promote the integration into the labour market of groups and individuals at risk or with a disadvantage, in order to avoid marginalisation, the emergence of 'working poor' and a drift into exclusion;
- implement appropriate measures to meet the needs of the disabled, ethnic minorities and migrant workers as regards their integration into the labour market and set national targets where appropriate for this purpose.

II. DEVELOPING ENTREPRENEURSHIP AND JOB CREATION

Making it easier to start up and run businesses

The development of new businesses in general, and the contribution to the growth of small and medium-sized enterprises (SMEs) in particular, is essential for job creation and for the expansion of training opportunities for young people. This process must be promoted by encouraging greater entrepreneurial awareness across society and in educational curricula, by providing a clear, stable and predictable set of rules and regulations by improving the conditions for the development of, and access to, risk capital markets. Member States should also reduce and simplify the administrative and tax burdens on SMEs. These policies should strengthen the prevention of undeclared work.

8. Member States will give particular attention to reducing significantly the overhead costs and administrative burdens for businesses, in particular when an enterprise is being set up and when hiring additional workers. Also, Member States should, when drafting new regulations, assess their potential impact on such administrative burdens and overhead costs for businesses.
9. Member States will encourage the taking up of entrepreneurial activities:
 - by examining, with the aim of reducing, any obstacles which may exist, especially those within tax and social security regimes, to moving to self-employment and the setting up of small businesses;
 - by promoting education for entrepreneurship and self-employment, targeted support services as well as training for entrepreneurs and would-be entrepreneurs;
 - by combating undeclared work and encouraging the transformation of such work into regular employment, making use of all relevant means of action including regulatory measures, incentives and tax and benefit reform, in partnership with the social partners.

New opportunities for employment in the knowledge-based society and in services

If the European Union wants to deal successfully with the employment challenge, all possible sources of jobs and new technologies must be exploited effectively. Innovative enterprises must find a supportive environment because they can make an essential contribution to mobilising the job creation potential of the knowledge-based society. A considerable potential exists in particular in the services sector. To this end:

10. Member States will remove barriers to the provision of services and develop framework conditions to exploit fully the employment potential of the full range of the services sector to create more and better jobs. In particular, the employment potential of the knowledge society and the environmental sector should be tapped.

Regional and local action for employment

All actors at the regional and local levels, including the social partners, must be mobilised to implement the European Employment Strategy by identifying the potential of job creation at local level and strengthening partnerships to this end.

11. Member States will:

- take into account, where appropriate, in their overall employment policy the regional development dimension;
- encourage local and regional authorities to develop strategies for employment in order to exploit fully the possibilities offered by job creation at local level and promote partnerships to this end with all the actors concerned, including the representatives of civil society;
- promote measures to enhance the competitive development and job creation capacity of the social economy, especially the provision of goods and services linked to needs not yet satisfied by the market, and examine, with the aim of reducing, any obstacles to such measures;
- strengthen the role of the Public Employment Services at all levels in identifying local employment opportunities and improving the functioning of local labour markets.

Tax reforms for employment and training

It is important to deepen the examination of the employment impact of the tax burden, and make the taxation system more employment friendly by reversing the long-term trend towards higher taxes and charges on labour. Tax reforms must also take into account the need to increase investment in people, by business, public authorities and individuals themselves, in view of the longer term impact on employment and competitiveness.

12. Each Member State will:

- set a target, if necessary and taking account of its present level, for gradually reducing the overall tax burden and, where appropriate, set a target for gradually reducing the fiscal pressure on labour and non-wage labour costs, in particular on relatively unskilled and low-paid labour. Such reforms should be undertaken without jeopardising the recovery of public finances or the long-term sustainability of social security systems;
- provide incentives and remove tax obstacles to investment in human resources;
- examine the desirability of using alternative sources of tax revenue, *inter alia* energy and pollutant emissions, taking into account current market trends, notably in oil markets.

III. ENCOURAGING ADAPTABILITY OF BUSINESSES AND THEIR EMPLOYEES

The opportunities created by the knowledge-based economy and the prospect of an improved level and quality of employment require a consequent adaptation of work organisation and the contribution to the implementation of Life Long Learning strategies by all actors including enterprises, in order to meet the needs of workers and employers.

Modernising work organisation

In order to promote the modernisation of work organisation and forms of work, a strong partnership should be developed at all appropriate levels (European, national, sectoral, local and enterprise levels).

13. The social partners are invited:

- to negotiate and implement at all appropriate levels agreements to modernise the organisation of work, including flexible working arrangements, with the aim of making undertakings productive and competitive, achieving the required balance between flexibility and security, and increasing the quality of jobs. Subjects to be covered may, for example, include the introduction of new technologies, new forms of work and working time issues such as the expression of working time as an annual figure, the reduction of working hours, the reduction of overtime, the development of part-time working, access to career breaks, and associated job security issues; and
- within the context of the Luxembourg process, to report annually on which aspects of the modernisation of the organisation of work have been covered by the negotiations as well as the status of their implementation and impact on employment and labour market functioning.

14. Member States will, where appropriate in partnership with the social partners or drawing upon agreements negotiated by the social partners,

- review the existing regulatory framework, and examine proposals for new provisions and incentives to make sure they will contribute to reducing barriers to employment, to facilitate the introduction of modernised work organisation and to helping the labour market adapt to structural change in the economy;
- at the same time, taking into account the fact that forms of employment are increasingly diverse, examine the possibility of incorporating in national law more flexible types of contract, and ensure that those working under new flexible contracts enjoy adequate security and higher occupational status, compatible with the needs of business and the aspirations of workers;
- endeavour to ensure a better application at workplace level of existing health and safety legislation by stepping up and strengthening enforcement, by providing guidance to help enterprises, especially SMEs, to comply with existing legislation, by improving training on occupational health and safety, and by promoting measures for the reduction of occupational accidents and diseases in traditional high risk sectors.

Supporting adaptability in enterprises as a component of lifelong learning

In order to renew skill levels within enterprises as a key component to lifelong learning:

15. The social partners are invited, at all relevant levels, to conclude agreements, where appropriate, on lifelong learning to facilitate adaptability and innovation, particularly in the field of information and communication technologies. In this context, the conditions for giving every worker the opportunity to achieve information society literacy by 2003 should be established.

IV. STRENGTHENING EQUAL OPPORTUNITIES POLICIES FOR WOMEN AND MEN

Gender mainstreaming approach

In order to meet the objective of equal opportunity and reach the target of an increased employment rate for women in line with the conclusions of the Lisbon European Council, Member States' policies towards gender equality should be strengthened and should address all relevant conditions influencing women's decisions to take up employment.

Women still face particular problems in gaining access to employment, in career advancement, in earnings and in reconciling professional and family life. It is therefore important, *inter alia*:

- to ensure that active labour market policies are made available for women in proportion to their share of unemployment;
- to pay particular attention to the gender impact of tax and benefit systems. Wherever tax-benefit structures are identified that impact negatively on women's participation in the labour force, they should be reviewed;
- to pay particular attention to ensuring the application of the principle of equal pay for equal work or work of equivalent value;
- to give particular attention to obstacles which hinder women who wish to set up new businesses or become self-employed;
- to ensure that women are able to benefit positively from flexible forms of work organisation, on a voluntary basis and without loss of job quality;
- to ensure the conditions for facilitating the access of women to lifelong learning and in particular to IT training.

16. Therefore, the Member States will adopt a gender-mainstreaming approach in implementing the Guidelines across all four pillars:

- developing and reinforcing consultative systems with gender equality bodies;
- applying procedures for gender impact assessment under each guideline;
- developing indicators to measure progress in gender equality in relation to each guideline.

In order meaningfully to evaluate progress, Member States will need to provide for adequate data collection systems and procedures and ensure a gender breakdown of employment statistics.

Tackling gender gaps

Member States and the social partners should pay attention to the imbalance in the representation of women or men in certain economic sectors and occupations, as well as to the improvement of female career opportunities.

17. Member States will, where appropriate with the social partners:

- strengthen their efforts to reduce the gap in unemployment rates between women and men by actively supporting the increased employment of women, and consider setting national targets in accordance with the objectives set out in the conclusions of the Lisbon European Council;
- take action to bring about a balanced representation of women and men in all sectors and occupations;
- initiate positive steps to promote equal pay for equal work or work of equal value and to diminish differentials in incomes between women and men: actions to address gender pay gaps are necessary in the public and private sector, and the impact of the policies on gender pay gaps should be identified and addressed;
- consider an increased use of measures for the advancement of women in order to reduce gender gaps.

Reconciling work and family life

Policies on career breaks, parental leave and part-time work, as well as flexible working arrangements which serve the interests of both employers and employees, are of particular importance to women and men. Implementation of the various Directives and social-partner agreements in this area should be accelerated and monitored regularly. There must be an adequate provision of good quality care for children and other dependants in order to support the entry of women and men into, and their continued participation in, the labour market. An equal sharing of family responsibilities is crucial in this respect. Those returning to the labour market after an absence may also have outmoded skills, and experience difficulty in gaining access to training. Reintegration of women and men into the labour market after an absence must be facilitated. In order to strengthen equal opportunities,

18. Member States and the social partners will:

- design, implement and promote family-friendly policies, including affordable, accessible and high-quality care services for children and other dependants, as well as parental and other leave schemes;
 - consider setting a national target, in accordance with their national situation, for increasing the availability of care services for children and other dependants;
 - give specific attention to women, and men, considering a return to the paid workforce after an absence and, to that end, they will examine the means of gradually eliminating the obstacles to such return.
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COUNCIL RECOMMENDATION
of 19 January 2001
on the implementation of Member States' employment policies

(2001/64/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 128(4) thereof,

Having regard to the 15 implementation reports for 2000 received from the Member States, comprising the implementation of the 1999 National Employment Action Plans and describing the adjustments made to the National Employment Action Plans to take account of the changes introduced by the 2000 guidelines,

Having regard to the Council Recommendation of 14 February 2000 on the implementation of Member States' employment policies ⁽¹⁾,

Having regard to the Commission recommendation of 6 September 2000,

Whereas:

- (1) The Council adopted the employment guidelines for 1998, 1999 and 2000 by, respectively, the Resolutions of 15 December 1997 ⁽²⁾ and 22 February 1999 ⁽³⁾, and by the Decision of 13 March 2000 ⁽⁴⁾.
- (2) The Lisbon European Council on 23 and 24 March 2000 agreed on a comprehensive strategy towards employment, economic reform and social cohesion as part of the knowledge-based society, made a commitment to creating the conditions for full employment and stressed the importance of lifelong learning.
- (3) The Santa Maria da Feira European Council on 19 and 20 June 2000 highlighted the prominent role the social partners are called to play in modernising work organisation, promoting lifelong learning and increasing the employment rate, particularly amongst women.
- (4) The Council adopted the recommendation on the Broad Economic Policy Guidelines on 19 June 2000, and the Amsterdam European Council of 16 and 17 June 1997 agreed on a Resolution on a Stability and Growth Pact setting commitments by Member States.
- (5) The 2000 Joint Employment Report, prepared jointly with the Commission, describes the employment situation in the Community and examines the action taken

by Member States in implementing their employment policy in line with the guidelines.

- (6) On 31 October 2000, the Employment Committee and the Economic Policy Committee jointly submitted an opinion on this Recommendation.
- (7) The Council considers it appropriate, in the light of the examination of the implementation of the Member States' employment policies, to make recommendations. They should be used sparingly, concentrate on priority issues and be based on sound and accurate analysis.
- (8) In complementing action undertaken by the Member States with a view to contributing towards the achievement of full employment, the competences of the Member States should be respected.
- (9) The Council acknowledges the significant efforts already undertaken by Member States with a view to implementing the Employment Guidelines and the Recommendation of 14 February 2000. In the assessment of the impact of these policies, the multi-annual perspective of the Employment Guidelines should be taken into account.
- (10) In addressing the employment guidelines, an overall strategic approach to the development and implementation of the employment policies in the Member States is called for.
- (11) The development and implementation of lifelong learning is crucial to the development of a competitive and dynamic knowledge-based society and requires the active commitment of all actors concerned, including public authorities, the social partners and individuals, with a relevant contribution from civil society.
- (12) To tackle youth unemployment, which is a long-standing problem in most Member States, all young people should have the opportunity to gain entry to the world of work before they have been unemployed for six months.
- (13) To prevent adult long-term unemployment, which affects roughly half of the unemployed in the European Union, all the adult unemployed should be offered a new start before they have been unemployed for twelve months.

⁽¹⁾ OJ L 52, 25.2.2000, p. 32.

⁽²⁾ OJ C 30, 28.1.1998, p. 1.

⁽³⁾ OJ C 69, 12.3.1999, p. 2.

⁽⁴⁾ OJ L 72, 21.3.2000, p. 15.

- (14) It is important to reduce disincentives to employment embodied in the tax or benefit systems in order to ensure higher participation rates amongst women and older workers.
- (15) Improvements of the business environment and a better equipment of individuals for taking up entrepreneurial activities are needed to stimulate job creation by more and more dynamic enterprises.
- (16) Framework conditions need to be developed to tap the potential for employment growth in the services sector.
- (17) Sustained job creation calls for more employment-friendly taxation systems in which the currently high burden on labour is shifted to alternative sources of fiscal revenue, such as energy and the environment.
- (18) Local action for employment significantly contributes to the achievement of the objectives of the European Employment Strategy.
- (19) The establishment of partnerships at all appropriate levels is crucial for the modernisation of the organisation of work and the promotion of the adaptability of undertakings and their employees.
- (20) Gender gaps in the labour market, particularly affecting employment, unemployment and pay, as well as gender segregation across sectors and occupations, require comprehensive mainstreaming strategies and measures the better to reconcile work and family life,
- HEREBY ISSUES to the individual Member States the recommendations set out in the Annex.
- Done at Brussels, 19 January 2001.
- For the Council*
The President
B. RINGHOLM
-

ANNEX

RECOMMENDATIONS TO THE INDIVIDUAL MEMBER STATES

I. BELGIUM

Problems in employment performance

The Belgian labour market improved in 1999 with a particularly strong increase in the employment rate and a fall in the unemployment rate to below the EU average. However, employment growth slowed down and was below the EU average, and long-standing challenges are only gradually being met.

- Inflows into long-term unemployment are high, as are stocks of long-term unemployed people, who accounted for 5,0 % of the labour force in 1999.
- Participation in employment is low amongst older people (12 points below EU average) particularly those over 55, whose employment rate (24,7 %) is still the lowest in the Union.
- The average tax burden on labour remains one of the highest in the EU.
- Labour and skills shortages are emerging while regional disparities in unemployment remain considerable.

After due analysis, it appears that more efforts are required in response to the employment guidelines and recommendations concerning: implementation of a preventive policy; revision of the tax-benefit system; better cooperation between labour market authorities; reduction of the tax burden on labour and the development of lifelong learning.

Belgium should therefore:

1. intensify its efforts to implement the new individual approach towards all unemployed young people, which aims to reach them before they have been unemployed for six months; take decisive steps to design, and start implementing, an appropriate early-intervention system for unemployed adults;
2. continue to examine disincentives to labour market participation within the tax and benefit system, particularly those affecting older workers. Belgium should, in particular, closely monitor measures aiming at preventing the early withdrawal of workers from work and consider strengthening disincentive measures in that field;
3. continue efforts to reinforce cooperation between the different labour market authorities in order to integrate and ensure co-ordination between multiple active measures;
4. pursue further and closely monitor measures to reduce the tax burden on labour so as to encourage employees to take up a job and employers to recruit, and closely monitor the impact of the reduction of social security contributions;
5. develop and implement a comprehensive lifelong learning strategy to prevent skills shortages and build a more solid foundation for the knowledge-based economy and society.

II. DENMARK

Problems in employment performance

The labour market situation remains very favourable with the highest employment rates in the EU, both for men and women and one of the lowest unemployment rates. The key challenges for Denmark still lie in the need:

- to expand the current labour force, notably by encouraging employees to remain active members of the workforce for longer and by reducing the number of people of working age on social benefits;
- to achieve a greater balance between women and men across occupations.

After due analysis, it appears that further efforts are required in response to the employment guidelines and recommendations concerning: reduction of the tax-burden on labour; encouragement for employees to remain active members of the work force for longer; integration of unemployed women and lessening the degree of gender segregation.

Denmark should therefore:

1. pursue further and closely monitor implementation of on-going reforms to reduce the overall fiscal pressure on labour, in particular, the tax burden on low incomes;
2. increase incentives to take up, or remain in, employment and continue to monitor closely reform of early retirement and leave schemes in the light of the need to increase labour supply;
3. continue efforts to develop a more substantial mainstreaming approach and a comprehensive strategy for reducing the current levels of occupational gender segregation in the labour market.

III. GERMANY

Problems in employment performance

As the German economy continues to recover, the reversal in employment trends is becoming clearer, and unemployment has fallen further as the consequences of German unification continue to feed through. Amongst the key challenges still facing Germany's labour market are:

- slow absorption of the job losses registered throughout most of the 1990s (–1,2 percentage points per year from 1991 to 1998); and large regional differences in unemployment rates, the new *Länder* being particularly badly affected;
- persistently high long-term unemployment, accounting for 4,4 % of the labour force;
- despite recent reforms, one of the highest overall tax burdens on labour in the EU;
- the low proportion of people between 55 and 64 still in employment (about 37,8 %), which points to an additional unused employment potential, and the need for a more vigorous comprehensive lifelong learning policy to boost the employability of the labour force.

After due analysis, it appears that more efforts are required in response to the employment guidelines and recommendations concerning: the tax burden on labour; preventive policies; the tax/benefit system, in particular for older workers; lifelong learning and equal opportunities.

Germany should therefore:

1. push ahead with full implementation of a preventive approach, focused on early action to meet individual needs and prevent people from becoming long-term unemployed. Progress towards common and national targets should be closely monitored;
2. continue to examine obstacles and disincentives liable to discourage labour market participation amongst all groups, especially older workers. Changes in labour market participation rates amongst older workers should be monitored and further measures adopted to improve the employability of this group;
3. tackle skills gaps in the labour market, through improvements in the framework conditions, including incentives, for continuous education, training and apprenticeship in partnership with the social partners, and through further developing a comprehensive strategy and qualitative as well as quantitative targets for lifelong learning. Measures are needed in schools and training establishments to ensure a better transition into modern jobs in the workplace;
4. pursue further and monitor efforts to continue the reduction of the fiscal pressure on labour notably, on the basis of the recent tax reform 2000 and eco-tax reform, by reducing taxes and social security contributions. Labour costs should be reduced further also at the lowest end of the wage scale, while respecting the need for fiscal consolidation;
5. pursue and strengthen the double-pronged approach coupling gender mainstreaming and specific measures for equal opportunities, paying particular attention to the impact of the tax and benefit system on women's employment, and taking action to reduce the gender pay gap.

IV. GREECE

Problems in employment performance

By the end of 1999, Greece met the convergence criteria for joining the Economic and Monetary Union. However, Greece has one of the lowest employment rates (55,4 %) in the EU. Unemployment has increased in the last few years largely as a result of the growing labour force (women and immigrants) and of the continuous decline of employment in the agricultural sector, and it is still above the EU average. Long-term unemployment has also increased. This situation illustrates the following structural problems in the labour market:

- youth, female and long-term unemployment rates remain high, above the EU average;
- there is a wide gender gap both in employment and unemployment;

- educational reforms include steps to develop lifelong learning, but there is no clear overall strategy, while education and vocational training systems need further improvement;
- high administrative burdens hinder business growth, particularly in the start-up phase, and employment in services is still low, despite improvements in certain areas;
- there is room for improvement in the use of new technologies and in the modernisation of work organisation.

After due analysis, it appears that further efforts are required in response to the employment guidelines and recommendations concerning: the overall policy approach; prevention and activation; gender mainstreaming and increased female participation; education and training; the reduction of the administrative burden and the modernisation of work organisation.

Greece should therefore:

1. develop a strategic framework and a set of well structured policies for the implementation of the employment guidelines across the four pillars;
2. take decisive and coherent action to prevent young and adult unemployed people from drifting into long-term unemployment, in compliance with guidelines 1 and 2, through developing existing plans for the swift reform of public employment services; the statistical system must be upgraded, so that policy indicators on prevention and activation are available in good time and progress can be effectively monitored;
3. examine the possibility of reducing taxes on labour and/or earned income, in order to raise the employment rate. Greece should also encourage, within a gender mainstreaming approach, greater participation of women in the labour market;
4. adopt a comprehensive strategy on lifelong learning, including the setting of targets, and further improve education and vocational training systems in order to enhance the skills of the labour force; and give more support for continuous training, in particular by involving social partners more actively;
5. adopt and implement a coherent strategy aimed at significantly reducing the administrative burden involved in setting up a new business, in order to stimulate entrepreneurship and fully exploit the job creation potential of the service sector;
6. strengthen a partnership approach and promote concrete commitments by the social partners at all appropriate levels on the modernisation of work organisation, with the aim of making undertakings more productive and competitive while achieving the required balance between flexibility and security.

V. SPAIN

Problems in employment performance

Spain has been experiencing positive economic and employment growth over recent years, but serious challenges remain.

- The employment rate, though on the rise, is among the lowest in the EU. Unemployment is still high, at 15,9 %, despite a significant decline since 1996. Long-term unemployment has also declined, but women and older workers remain particularly badly affected by unemployment.
- The percentage of temporary employment is high; most of these temporary jobs are of short duration and tend to be done predominantly by women and young people.
- Regional disparities are wide, while geographical mobility is very low.
- Although the female employment rate has been increasing, it is still the lowest in the EU (37,6 %). At 30,3 %, the employment gender gap is the widest in the EU. Unemployment amongst women is running at 23,1 %.
- Less than 35 % of the population aged 25 to 64 have completed upper-secondary level education. Early school-leaving is widespread and participation in education and training during adulthood is particularly low. There is no comprehensive approach to lifelong learning.

After due analysis, it appears that more efforts are required in response to the employment guidelines and recommendations concerning: prevention and activation policies; improvement of the statistical monitoring system; gender mainstreaming; lifelong learning; adaptability and tax and benefit systems.

Spain should therefore:

1. continue with modernisation of the Public Employment Services to improve its efficiency, and step up implementation of the preventive approach so as to cover all potential beneficiaries. Such efforts should include the completion of the statistical monitoring system in accordance with the National Action Plan and the Joint Employment Report;
2. do more to support mainstreaming of equal opportunities in order to bring the female employment rate up towards the EU average, in a timeframe, given the extent of the problem, that adequately reflects the urgency of this objective;
3. develop and implement a coherent strategy on lifelong learning which includes targets and encompasses initial and continuing education and training so as to increase the levels of educational attainment and participation of adults in education and training activities. Special attention should be given to the problem of early school leavers;
4. pursue efforts, in partnership with the social partners, to adapt employment relations, including labour regulations, and to develop new forms of work organisation, by ensuring an appropriate balance between flexibility and security for the whole labour force;
5. examine the incentives/disincentives emerging from the tax and benefit systems with a view to increase participation in the labour market and stable employment.

VI. FRANCE

Problems in employment performance

The employment situation continues to improve. However, major structural problems remain.

- Participation amongst the 55 to 64 age group remains well below the EU average (28,3 % against 35,9 %) and 1999 saw no change in the downward trend.
- The fall in unemployment was modest and, at 11,3 %, the unemployment rate is still above the EU average of 10,8 %.
- Taxes on labour are high.

After due analysis, it appears that further efforts are required in response to the employment guidelines and recommendations concerning: older workers in active life; the reduction of fiscal pressure on labour; prevention and lifelong learning.

France should therefore:

1. strengthen efforts to curb older workers' early withdrawal from working life by developing a more comprehensive approach involving the social partners;
2. pursue and evaluate policy measures designed to reduce the fiscal pressure on labour, particularly measures with an effect on unskilled and low-paid workers;
3. continue with implementation of individualised and early intervention schemes for the unemployed, and make greater use of such schemes to prevent both youth and adult unemployment;
4. pursue efforts to modernise work organisation and monitor closely the net effects of the implementation of the 35-hour week legislation; take steps to increase the efficiency of the continuous training system and to promote a comprehensive lifelong learning strategy;
5. pursue the implementation of coherent strategies, encompassing regulatory, fiscal and other measures, designed to reduce the administrative burden on companies, and evaluate the impact of on-going efforts to create new job opportunities for young people.

VII. IRELAND

Problems in employment performance

Ireland's economic and employment performance has been exceptional. In 1999, the employment rate overtook the EU average. Furthermore, the unemployment rate has continued to fall for all groups. These developments indicate a further tightening of the labour market. Some structural problems still exist however.

- As is the case for some other Member States, avoiding labour market shortages and associated wage inflation pressures is a core problem for Ireland.
- Although it has increased significantly, the participation rate for women remains below the EU average and the employment gender gap has only slightly improved between 1998 and 1999.

- As a result of the growing labour market shortages, it is important for Ireland to invest in education and training for the unemployed and employed alike. It is one of the few countries which saw an increase in the percentage of unemployed people taking part in training. At the same time, the number of employed in training remains one of the lowest in the Union.

After due analysis, it appears that further efforts are required in response to the employment guidelines and recommendations concerning: the participation of women in the labour market and the development of a strategy in relation to in-company training and lifelong learning.

Ireland should therefore:

1. push ahead with its comprehensive strategy aimed at increasing the proportion of women in employment, removing tax barriers and increasing child care places; and take action with the aim of reducing the gender pay gap;
2. pursue and strengthen efforts to sustain productivity growth and upgrade skills and qualifications in the workforce, through increased emphasis on in-company training and the further development of lifelong learning, including the setting of targets.

VIII. ITALY

Problems in employment performance

Employment increased during 1999, principally due to the adoption of fiscal incentives and flexible working arrangements. However, these improvements leave several structural problems of the Italian labour market still unsolved, particularly with reference to regional unbalances.

- The low employment rate of 52,5 % is some 10 percentage points below the EU average. At 27,5 %, the employment rate for older people is still low.
- The female employment rate rose more sharply than the male rate, yet, at 38,1 %, it remains among the lowest in the EU.
- Unemployment fell to 11,3 % but remains 2 percentage points above the EU average. At 12,4 % the unemployment ratio amongst 15 to 24 year-olds remained almost 4 percentage points higher than the EU average. Long-term unemployment improved only marginally from 7,1 % of the labour force in 1998 to 6,9 % in 1999.
- Wide gender gaps in employment — at roughly 30 percentage points — are characteristic of the labour market, particularly in the southern regions and female unemployment, at 15,6 %, is almost double the male unemployment rate of 8,7 %.
- Regional disparities remain significant with an unemployment rate of about 6,5 % in the Centre-North and 22 % in the South.
- 51,5 % of the workforce has completed upper secondary level education, compared with the EU average of 66 %, but only 6,1 % of adults were involved in education or training, compared to an EU average of 8,7 %.

After due analysis, it appears that further efforts are required in response to the employment guidelines and recommendations concerning: the policy mix across the four pillars; tax and benefit systems; activation and prevention; gender mainstreaming and gender gaps and lifelong learning.

Italy should therefore:

1. continue to improve the balance in the policy mix across the four pillars, by further strengthening employability policies, pursuing the modernisation of work organisation, including the regulatory framework, developing a comprehensive strategy for equal opportunities and continuing gender mainstreaming efforts;
2. continue the implementation of the reform of pension through the review planned for 2001 and review other benefit systems in order to reduce the outflow from the labour market and further continue efforts to reduce the tax burden, especially on low-paid workers;
3. in the context of employability policies, take further action to prevent the inflow of young and adult unemployed people into long-term unemployment. Such action would include the full implementation of the PES reform across the country, speeding up the introduction of the Employment Information System and continuation of current efforts to upgrade the statistical monitoring system;
4. pursue active labour market policies and implement specific measures to narrow the wide gender gaps in employment and unemployment, with the aim of providing women with more and better job opportunities;
5. adopt and implement a coherent strategy on lifelong learning, including national targets; social partners should be more active in providing more training opportunities for the work force.

IX. LUXEMBOURG

Problems in employment performance

Luxembourg enjoyed good labour market conditions in 1999, supported by strong economic growth and the highest rise in the employment rate in the EU (4,8 percentage points). The unemployment rate continued to fall and remains the lowest in the EU (2,3 %). Some structural problems can be identified though.

- The overall national employment rate is very low despite a very good employment situation with a large number of cross-border workers. The rates are especially low for workers over 55 (26,3 %) and for women (48,5 %), although both figures have risen since 1998.
- The employment gender gap is one of the widest in the EU, at 25,9 percentage points.
- The domestic supply of qualified people is insufficient.
- The proportion of the adult working population taking part in continuous education and training is still low (5,3 %).

After due analysis, it appears that further efforts are required in response to the employment guidelines and recommendations concerning: the social dialogue, participation of older workers and women in the labour market and lifelong learning.

Luxembourg should therefore:

1. encourage the social partners to foster a constructive dialogue, as this is indispensable for the success of the employment policies outlined in the National Action Plan;
2. pursue efforts and implement measures aimed at increasing labour-market participation rates amongst older workers and women, including a review of tax and benefit systems; and take action to promote gender mainstreaming;
3. continue with implementation of the framework law on continuous vocational training and work on policy development and implementation, including the setting of targets, so as to increase the participation rates in education and training.

X. THE NETHERLANDS

Problems in employment performance

The Netherlands enjoyed healthy employment growth in 1999 and employment rates are clearly above the EU average. The unemployment rate continued to fall in 1999, to 3,3 %, below the EU average. There are still some structural problems however.

- Although long-term unemployment is falling, there are persistent problems with specific groups, especially low-skilled workers, older workers and ethnic minorities.
- Large numbers of working-age people are kept out of the labour market by disability and other welfare benefits.
- Labour market shortages and associated wage inflation pressures are emerging.

After due analysis, it appears that further efforts are required in response to the employment guidelines and recommendations concerning: the tax and benefit systems and the statistical monitoring system.

The Netherlands should therefore:

1. continue to cooperate with the social partners, to reduce disincentives in the benefit system liable to discourage people from participating in the open labour market, in particular people receiving disability benefits, and generate poverty traps;
2. continue to upgrade the statistical system so that policy and output indicators are available early enough to be used for monitoring and evaluating on-going implementation of the preventive approach.

XI. AUSTRIA

Problems in employment performance

The Austrian labour market's performance improved last year, when the overall employment rate reached 68,2 % (59,7 % for women). That figure is close to the 70 % target established by the Lisbon European Council and well above the EU average. Overall unemployment was reduced to 3,8 % in 1999, and together with youth and long-term unemployment is among the lowest in the EU. Despite the overall good performance, structural problems remain in the labour market.

- The overall tax burden is above average and fiscal pressure on labour increased in the period from 1994 to 1998. The forecast reduction in non-wage labour costs of around 0,4 percentage points of GDP by 2003 is a first step forward.

- There is still a significant gender gap in both employment and unemployment, despite the fact that the employment rate for women is higher than the EU average.
- The employment rate for older workers is below the EU average figure and unemployment amongst the over-50s remains high.

After due analysis, it appears that more efforts are required in response to the employment guidelines and recommendations concerning: older workers' employability, gender mainstreaming and taxation on labour.

Austria should therefore:

1. do more to reduce significantly the heavy tax burden on labour, in particular by focusing on groups who face problems in the labour market;
2. pursue a comprehensive strategy to narrow the still significant gender gap in employment, for instance through measures that help reduce the pay gap and facilitate the reconciliation of work and family life;
3. continue its efforts to reform early retirement schemes and other measures for older people to stay in work longer so as to achieve a significant rise in the employment rate of older workers.

XII. PORTUGAL

Problems in employment performance

The employment situation further improved in 1999, confirming the previous year's positive trend. Unemployment is among the lowest in the EU, and long-term unemployment has fallen fast. However, the labour market suffers from structural weaknesses which require action:

- the average skill level in the work force is low. Only 21,2 % have completed at least upper-secondary education compared to the EU average of 66 %. At 3,6 %, participation in education and training is also below the EU average of 8,7 % and 45 % of young people aged 18 to 24 left school early;
- the potential for creating jobs in services is considerable, as can be seen from the service-sector employment rate of 36,2 %, and it is necessary to pursue a coherent strategy to foster entrepreneurship;
- a strong input from the social partners is needed to address the main challenges facing the Portuguese labour market, in particular the low skill level, the modernisation of work organisation and employment relations;
- in a context of overall improvement of the situation of women in the labour market, a better gender balance is needed, especially in terms of sectors.

After due analysis, it appears that more efforts are required in response to the employment guidelines and recommendations concerning: education and training; reduction of the administrative burden on companies; the partnership approach; gender segregation and access to childcare.

Portugal should therefore:

1. pursue the efforts to develop and implement a comprehensive lifelong learning strategy which also addresses the problems of early school leaving, sets clear objectives and devises appropriate means. Particular attention should be devoted to the quality of education and training in order to avoid skill shortages;
2. pursue efforts to reduce the administrative burden on companies, to exploit the job creation potential of the service sector and to promote the creation of medium and highly skilled jobs in the services sector;
3. pursue efforts to implement a partnership approach and promote concrete commitments from social partners, in particular in the areas of modernisation of work organisation, adaptation of employment relations, including labour regulations and continuous training;
4. pursue efforts to reconcile family and working life by extending childcare facilities, and examine ways to promote gender balance at sectorial level.

XIII. FINLAND

Problems in employment performance

While Finland has maintained strong economic growth over the past five years, some major structural problems remain.

- The overall unemployment rate is still high at 10,2 %, being predominantly structural. Youth unemployment and long-term unemployment for those over 50 years old remain a major concern.
- Through recent initiatives, Finland has made progress in lightening the tax burden on labour. However it remains heavier than the EU-average.
- Finland faces skills shortages in several sectors (both in high and low-skilled jobs) and there is a general need to mobilise the labour force by focusing on quality active labour market policies.
- Regional disparities in employment remain considerable.

After due analysis, it appears further efforts are required in response to the employment guidelines and recommendations concerning: tax and benefit schemes, the tax burden on labour and occupational and sectoral segregation in the labour market.

Finland should therefore:

1. continue to review existing tax and benefit schemes, in order to increase incentives to work and to recruit workers, and focus lifelong learning policies on older people, so as to retain them as active members of the workforce for longer;
2. pursue further recent policy initiatives aimed at reducing the tax burden on labour, with due consideration for prevailing economic and employment conditions in Finland;
3. monitor and assess, in the context of a gender mainstreaming approach, the current levels of occupational and sectoral segregation in the labour market.

XIV. SWEDEN

Problems in employment performance

Sweden has one of the highest employment rates in the EU. It has recently improved its job creation performance, reducing unemployment to 7,2 % in 1999. However, a number of structural problems remain in the labour market.

- The tax burden on labour is still very heavy, especially for the relatively unskilled and low paid. Sweden continues to have the highest tax rates on employed labour in the EU — 52,7 % in 1998 compared to the EU average of 39,2 %.
- A large number of people of working age are dependent on benefits.
- Skill shortages, particularly at regional level, have become a factor hampering economic growth and regional development.
- The current level of occupational and sectoral segregation between men and women remains an issue of concern, despite well developed equal opportunity policies.

After due analysis, it appears that further efforts are required in response to the employment guidelines and recommendations concerning: the tax burden on labour, and gender mainstreaming.

Sweden should therefore:

1. do more, including the setting of targets taking into account the national situation to reduce the high tax burden on labour, in particular for those with a low take-home pay from work;
2. pursue further policy initiatives to further adapt the benefit and assistance schemes, so as to provide adequate incentives to take up jobs;
3. monitor and assess current levels of occupational and sectoral segregation in the labour market, as part of the gender mainstreaming reforms begun in 1999.

XV. UNITED KINGDOM

Problems in employment performance

The United Kingdom enjoyed healthy employment growth in 1999, and the employment rates for men and women are clearly above the EU average. The unemployment rate continued to fall in 1999, to 6,1 %, below the EU average. Yet, important structural problems persist:

- inflows into long-term unemployment amongst young people and adults (17 % and 11 % respectively) still exceed those of the best performing Member States;

- although long-term unemployment is falling, there are still persistent problems concentrated in specific groups, especially within households with no one in work, amongst disadvantaged groups, and in a number of geographical areas. Inactivity among lone parents is still a problem;
- some sectors, particularly information technology, suffer from a skills gap. The low level of basic skills is a generalised problem in the United Kingdom;
- though diminishing, the gender pay gap remains high compared to the EU average. The gender gap in employment attributable to the impact of parenthood is also the highest in the EU, suggesting a need for sufficient and affordable childcare;
- the current levels of occupational and sectoral segregation between men and women are higher than the EU average.

After due analysis, it appears that further efforts are required in response to the employment guidelines and recommendations concerning: adaptability, the gender pay gap, childcare provision, a preventive strategy for the unemployed and lifelong learning.

The United Kingdom should therefore:

1. improve the balance of policy implementation of the Guidelines, so as to strengthen and make more visible efforts to modernise work organisation, in particular by fostering social partnership at all appropriate levels;
 2. pursue efforts to reduce the gender pay gap and take action to improve childcare provision, with a view to making it easier for men and women with parental responsibilities to take employment. Special attention should be given to the needs of lone parents;
 3. reinforce active labour market policies for the adult unemployed before the 12 month point, so as to increase the number of people benefiting from active measures, and supplement the support provided by the Jobseekers' Allowance Regime;
 4. intensify efforts to implement initiatives on lifelong learning, particularly those aimed at increasing the general level of basic skills, demonstrating how access will be ensured for those groups traditionally reluctant to take up the opportunity, or unable to find suitable provision.
-

COMMISSION

COMMISSION DECISION

of 23 January 2001

amending Decision 96/333/EC establishing health certification of live bivalve molluscs, echinoderms, tunicates and marine gastropods from third countries which are not yet covered by a specific decision

(notified under document number C(2001) 127)

(Text with EEA relevance)

(2001/65/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/492/EEC of 15 July 1991 laying down the health conditions for the production and the placing on the market of live bivalve molluscs ⁽¹⁾, as amended by Directive 97/79/EC ⁽²⁾, and in particular Article 9 thereof,

Whereas:

- (1) Commission Decision 96/333/EC of 3 May 1996 establishing health certification of live bivalve molluscs, echinoderms, tunicates and marine gastropods from third countries which are not yet covered by a specific decision ⁽³⁾, as amended by Decision 98/740/EC ⁽⁴⁾, is applicable until 31 December 2000.
- (2) Commission Decision 97/20/EC ⁽⁵⁾, as amended by Decision 2001/38/EC ⁽⁶⁾, establishes the list of third countries fulfilling the equivalence conditions for the production and placing on the market of bivalve molluscs, echinoderms, tunicates and marine gastropods. Part II of that list contains the third countries which might be the subject of a provisional decision based on Council Decision 95/408/EC ⁽⁷⁾, as last amended by Decision 2001/4/EC ⁽⁸⁾.

- (3) Under Decision 95/408/EC, the list of countries is applicable until 31 December 2003. Therefore the date of validity of Decision 96/333/EC should be amended to bring it in line with the date of validity of the provisional list.

- (4) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

In Article 5 of Decision 96/333/EC 'to 31 December 2000' is replaced by 'to 31 December 2003'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 23 January 2001.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 268, 24.9.1991, p. 1.

⁽²⁾ OJ L 24, 30.1.1998, p. 31.

⁽³⁾ OJ L 127, 25.5.1996, p. 33.

⁽⁴⁾ OJ L 354, 30.12.1998, p. 65.

⁽⁵⁾ OJ L 6, 10.1.1997, p. 46.

⁽⁶⁾ OJ L 10, 13.1.2001, p. 66.

⁽⁷⁾ OJ L 243, 11.1.1995, p. 17.

⁽⁸⁾ OJ L 2, 5.1.2001, p. 21.

COMMISSION DECISION
of 23 January 2001
amending Decision 97/296/EC drawing up the list of third countries from which the import of
fishery products is authorised for human consumption

(notified under document number C(2001) 128)

(Text with EEA relevance)

(2001/66/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 95/408/EC of 22 of June 1995 ⁽¹⁾ on the conditions for drawing up, for an interim period, provisional lists of third country establishments from which Member States are authorised to import certain products of animal origin, fishery products or live bivalve molluscs, as amended by Decision 2000/4/EC ⁽²⁾, and in particular Article 2(2) thereof,

Whereas:

(1) Council Directive 96/23/EC, of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC ⁽³⁾, provides that aquaculture products shall be included in the monitoring plan for residues of veterinary drugs.

(2) Furthermore, the Annex of Commission Decision 2000/159/EC of 8 February 2000 on the provisional approval of residue plants of third countries according to Council Directive 96/23/EC ⁽⁴⁾, as last amended by Commission Decision 2000/675/EC ⁽⁵⁾, indicates the third countries which have submitted a plan, setting out the guarantees which it offers as regards the monitoring of the groups of residues and substances referred to in Annex I of Directive 96/23/EC.

(3) Consequently, when the guarantees referred to in recital 2 are not provided, the imports of aquaculture products shall not be authorised, even if they are in compliance with the Council Directive 91/493/EC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products ⁽⁶⁾, as last amended by Directive 97/79/EC ⁽⁷⁾.

(4) Since Commission Decision 97/296/EC ⁽⁸⁾, as amended by Decision 2001/40/EC ⁽⁹⁾, lists the countries and territories from which importation of fishery products for human consumption is authorised, it is necessary to modify this Decision to include the requirement that the import of aquaculture products shall only be authorised from those third countries listed in both Decisions: 97/296/EC and 2000/159/EC.

(5) However, as Commission Decision 95/328/EC of 25 July 1995 establishing health certification for fishery products from third countries which are not yet covered by a specific decision ⁽¹⁰⁾, as last amended by Decision 2001/67/EC ⁽¹¹⁾, provides a transitional period for the updating of the model of health certification, it is necessary to provide a derogation in the application of the Decision 2000/159/EC for aquaculture products, during this transitional period.

(6) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Decision 97/296/EC is amended as follows:

1. A new point 3 is added to Article 2:

'3. In addition to paragraph 1, Member States shall ensure that aquaculture products, as defined in Article 2.2 of Council Directive 91/493/EEC, in whatever form intended for human consumption, are imported only from the third countries which are included in the Annex to the present Decision and in the Annex to the Commission Decision 2000/159/EC as a country with an approved residues monitoring plan for aquaculture.'

⁽¹⁾ OJ L 243, 11.10.1995, p. 17.

⁽²⁾ OJ L 2, 5.1.2001, p. 21.

⁽³⁾ OJ L 125, 25.5.1996, p. 10.

⁽⁴⁾ OJ L 51, 24.2.2000, p. 30.

⁽⁵⁾ OJ L 280, 4.11.2000, p. 63.

⁽⁶⁾ OJ L 268, 24.9.1991, p. 13.

⁽⁷⁾ OJ L 24, 30.1.1998, p. 31.

⁽⁸⁾ OJ L 122, 14.5.1997, p. 21.

⁽⁹⁾ OJ L 10, 13.1.2001, p. 75.

⁽¹⁰⁾ OJ L 191, 12.8.1995, p. 32.

⁽¹¹⁾ See page 41 of this Official Journal.

2. Article 3 shall be replaced by the following:

Article 2

'Article 3

Notwithstanding Commission Decision 2000/159/EC and Article 2.3 of the present Decision Member States, when importing fishery products from countries listed in part II of the Annex to the present Decision and up to the date of coming into effect of the model of health certificate provided by the Commission Decision 2001/67/EC (*), shall accept the consignments of fishery products accompanied by the model of health certificate provided by Decision 95/328/EC.

This Decision is addressed to the Member States.

Done at Brussels, 23 January 2001.

For the Commission

David BYRNE

Member of the Commission

(*) OJ L 22, 24.1.2001, p. 41.'

COMMISSION DECISION

of 23 January 2001

amending Decision 95/328/EC establishing a health certification for fishery products from third countries which are not yet covered by a specific decision

(notified under document number C(2001) 130)

(Text with EEA relevance)

(2001/67/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and placing on the market of fishery products⁽¹⁾, as last amended by Directive 97/79/EC⁽²⁾, and in particular Article 11 thereof,

Whereas:

- (1) Commission Decision 95/328/EC of 25 July 1995 establishing health certification for fishery products from third countries, which are not yet covered by a specific decision⁽³⁾, as last amended by Decision 98/739/EC⁽⁴⁾, is valid until 31 December 2000.
- (2) Commission Decision 97/296/EC⁽⁵⁾, as last amended by Decision 2001/66/EC⁽⁶⁾, establishes the list of third countries from which the import of fishery products for human consumption is authorised. Part II of that list contains the third countries which are not yet covered by a specific Decision but which satisfy the requirements of Article 2(2) of Council Decision 95/408/EC⁽⁷⁾, as last amended by Decision 2001/4/EC⁽⁸⁾.
- (3) Under Decision 95/408/EC that list is valid until 31 December 2003, therefore the date of validity of certification should be amended to bring it in line with the date of validity of the provisional lists.
- (4) Furthermore, since Decision 97/296/EC provides that the import of aquaculture products shall only be authorised from countries also listed in Commission Decision 2000/159/EC⁽⁹⁾, as last amended by Decision 2001/31/EC⁽¹⁰⁾, the model of health certificate provided by Decision 95/328/EC should be amended to include the identification of the aquaculture products, when necessary. The model of health certificate should also be

amended to bring it in line with the models of health certificates usually provided for fishery products imported from third countries covered by a specific Decision.

- (5) However, it is necessary to provide a transitional period for the updating of the model of health certificate.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. In Article 4 of Decision 95/328/EC the words 'to 31 December 2000' are replaced by 'to 31 December 2003'.
2. The Annex to the present Decision replaces the Annex to Decision 95/328/EC.

Article 2

Article 1(2) shall come into effect after 45 days of the publication of the present Decision in the *Official Journal of the European Communities*.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 23 January 2001.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 268, 24.9.1991, p. 15.

⁽²⁾ OJ L 24, 30.1.1998, p. 31.

⁽³⁾ OJ L 191, 12.8.1995, p. 32.

⁽⁴⁾ OJ L 354, 30.12.1998, p. 64.

⁽⁵⁾ OJ L 122, 14.5.1997, p. 21.

⁽⁶⁾ See page 39 of this Official Journal.

⁽⁷⁾ OJ L 243, 11.10.1995, p. 17.

⁽⁸⁾ OJ L 2, 5.1.2001, p. 21.

⁽⁹⁾ OJ L 51, 24.2.2000, p. 30.

⁽¹⁰⁾ OJ L 8, 12.1.2001, p. 40.

ANNEX

HEALTH CERTIFICATE
for fishery and aquaculture products intended for export to the European Community

Reference No:

Country of dispatch:	
Competent authority ⁽¹⁾ :	

I. Details identifying the fishery productsDescription of fishery/aquaculture products ⁽²⁾:

— species (scientific name):

— presentation of product and type of treatment ⁽³⁾:

Code number (where available):

Type of packaging:

Number of packages:

Net weight:

Requisite storage and transport temperature:

II. Origin of products

Name(s) and official approval/registration number(s) of establishment(s), factory vessel(s), or cold store(s) approved or freezer vessel(s) registered by the competent authority for export to the EC:

.....

III. Destination of products

The products are dispatched

from:

(place of dispatch)

to:

(country and place of destination)

by the following means of transport:

Name and address of dispatcher:

.....

Name of consignee and address at place of destination:

.....

⁽¹⁾ Name and address.⁽²⁾ Delete where applicable.⁽³⁾ Live, refrigerated, frozen, salted, smoked, preserved, etc.

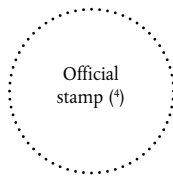
IV. Health attestation

The official inspector hereby certifies that the fishery or aquaculture products specified above:

1. — have been caught, landed, where appropriate packaged, handled, marked, prepared, processed, frozen, thawed, stored and transported under conditions at least equivalent to those laid down in Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products;
 - have undergone health controls at least equivalent to those laid down in Directive 91/493/EEC and in the implementing decisions thereto;
 - do not come from toxic species or species containing biotoxins;
2. in addition, in the case of frozen or processed bivalve molluscs, the later have been gathered in production areas subject to conditions at least equivalent to those laid down in Council Directive 91/492/EEC of 15 July 1991 laying down the health conditions for the production and the placing on the market of live bivalve molluscs.

The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/492/EEC, 91/493/EEC and Decision 97/296/EC.

Done at , on
(Place) (Date)



.....
Signature of official inspector (4)

.....
(Name in capital letters, capacity and qualifications of person signing)

(4) The colour of the stamp and signature must be different from that of the other particulars in the certificate.