



Council of the
European Union

Brussels, 5 December 2023
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DRAFT MINUTES
COUNCIL OF THE EUROPEAN UNION
(Foreign Affairs/Development)
21 November 2023

Non-legislative activities

3. Current affairs¹

The Council addressed:

- EU support to the reconstruction of Ukraine
- Development cooperation with Palestine
- Joint Commission/High Representative mid-term report on the implementation of the Gender Action Plan III (GAP III)
- Follow up to the EU-CELAC summit held in Brussels on 17-18 July 2023

4. Team Europe engagement in complex environments in Africa

Exchange of views

The Council held an exchange of views.

5. Any other business

- The Council welcomed the information provided by the Commission on the signature of the Samoa Agreement - A new EU-OACPS partnership agreement.
- The Council took note of the information provided by the Commission about the outcome of the first edition of the Global Gateway Forum held in Brussels on 25-26 October 2023.

¹ Including an informal exchange of views with the President of the World Bank Group (via videoconference)

Statements to the non-legislative "A" items set out in doc. 15546/23**Ad "A" item 3:****Conclusions on Team Europe approach***Approval***STATEMENT BY POLAND**

“Equality between women and men is enshrined in the treaties of the European Union as a fundamental right. Poland ensures equality between women and men within the Polish national legal system in accordance with international human rights treaties and within the framework of the fundamental values and principles of the European Union.

For these reasons, the expression "gender equality" will be interpreted by Poland as referring to the equality between women and men, in accordance with Article 2 and 3 of the Treaty on European Union and Article 8, 153 and 157 para. 3 of the Treaty on the Functioning of the European Union.

While Poland joins consensus on the Council Conclusions we do not consider its specific elements mentioned above as an agreed language and basis for any future negotiations.”

Ad "A" item 4:**Conclusions on a social, green and digital transition***Approval***STATEMENT BY POLAND**

“Equality between women and men is enshrined in the treaties of the European Union as a fundamental right. Poland ensures equality between women and men within the Polish national legal system in accordance with international human rights treaties and within the framework of the fundamental values and principles of the European Union.

For these reasons, the expression "gender equality" will be interpreted by Poland as referring to the equality between women and men, in accordance with Article 2 and 3 of the Treaty on European Union and Article 8, 153 and 157 para. 3 of the Treaty on the Functioning of the European Union. In connection with the above, the remaining expressions containing the term "gender" will be interpreted by Poland as "sex", in accordance with Article 10, Article 19 para 1 and Article 157 para 2 and 4 of the Treaty on the Functioning of the European Union.

While Poland joins consensus on the Council Conclusions we do not consider its specific elements mentioned above as an agreed language and basis for any future negotiations.”

STATEMENT BY POLAND

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While Poland joins consensus on the Council Conclusions we do not consider its specific elements mentioned above as an agreed language and basis for any future negotiations.”

STATEMENT BY HUNGARY

“The adoption of the Programme of Action of the International Conference on Population and Development (ICPD) and the Beijing Platform for Action marked a remarkable consensus. They placed the enjoyment of human rights at the heart of development and important gains in the fields of health, gender equality and education have been achieved since their adoption. These fields are at the core of the 2030 Agenda for Sustainable Development incorporating as founding principles the universal respect for human rights and human dignity, the rule of law, justice, equality and non-discrimination.

Hungary remains dedicated to its commitments in the field of human rights, including the rights of women. We are deeply committed to the implementation of the ICPD Programme of Action and Beijing Platform for Action as well as the 2030 Agenda, serving also as basic references in the fields of sexual and reproductive health and reproductive rights.

The term of “sexual and reproductive health and rights” and related issues like “sexual rights”, “comprehensive sexuality education” are lacking consensual definition at international level, including within the European Union. These issues are interpreted and promoted by Hungary in the context of the 2030 Agenda for Sustainable Development, the ICPD Programme of Action and the Beijing Declaration and Platform for Action, in line with relevant national legislations. The above mentioned terms and issues are interpreted accordingly in the *European Court of Auditors’ Special Report No. 21/2023 on the Spotlight Initiative to eliminate Violence against Women and Girls*, as well.”

STATEMENT BY BULGARIA

“Bulgaria attaches great importance to the development and deepening of relations between the EU and Latin America and the Caribbean and therefore wishes to express its support for the proposed draft Council Conclusions on relations between the EU and Latin America and the Caribbean.

In 2018, the Bulgarian Constitutional Court adopted a decision stating that the Council of Europe’s Convention on Preventing and Combatting Violence against Women and Domestic Violence (“Istanbul Convention”) promotes legal concepts related to the notion of gender that are incompatible with main principles of the Bulgarian Constitution. In 2021, the Constitutional Court of the Republic of Bulgaria adopted another decision clarifying that the notion “sex” used in the Constitution could only be regarded in the sense of its biological determination.

Therefore, in line with the above-mentioned Decisions of the Constitutional Court, the Republic of Bulgaria declares that the country cannot accept either the concept of gender or the gender-based approach of the Council of Europe’s Convention or any other document that intends to differentiate between “sex” as a biological (women and men) category and “gender” as a social construct. Moreover, we strongly believe that when addressing fundamental rights in the context of the Charter of Fundamental Rights of the European Union, the Council should utilise the terminology of the Charter.”
