



Council of the  
European Union

Brussels, 22 March 2024  
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**DRAFT MINUTES**  
COUNCIL OF THE EUROPEAN UNION  
(Foreign Affairs)  
19 February 2024

## **Non-legislative activities**

### **3. Current affairs**

The Council discussed Belarus and the situation of the democratic opposition in Russia.

### **4. Russian aggression against Ukraine**

*Exchange of views*

The Council held an exchange of views on the EU's response to the Russian aggression against Ukraine.

### **5. Situation in the Middle East**

*Exchange of views*

The Council discussed the evolving situation in the region, including the humanitarian needs.

### **6. Sahel**

*Exchange of views*

The Council held an exchange of views on the EU's engagement in the Sahel.

### **7. Any other business**

The Council took note of the information provided by Estonia, also representing Latvia, Lithuania and Poland, on the need for EU solidarity following Russian Ministry of Interior's decision to launch investigations against several individuals of those Member States (document 6685/24).

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**Statements to the non-legislative "A" items set out in doc. 6641/24****Ad "A" item 10:**

**European Union's human rights and international humanitarian law  
due diligence policy on security sector support to third parties (EU  
HRDDP)**  
*Approval*

**STATEMENT BY HUNGARY**

“National Declaration on European Union policy of vigilance with regard to human rights and international humanitarian law when supporting third parties in the security sector  
Coreper II on 14.02.2024.

(2.2 Gender-responsiveness)

Hungary recognizes and promotes equality between women and men in accordance with the Fundamental Law of Hungary, and the primary law, principles, and values of the European Union, as well as commitments and principles stemming from international law.

Furthermore, equality between women and men is enshrined as a fundamental value in the Treaties of the European Union, in particular in Article 2 of the TEU and Article 8 of the TFEU.

In line with these and its national legislation, Hungary interprets the concept of “gender” as reference to “sex” and the concept of “gender equality” as reference to the “equality between women and men”

**Ad "A" item 19:**

**Public access to documents**  
**Confirmatory application No 01/c/01/24**  
*Approval*

**STATEMENT BY LATVIA**

“The Ministry of Health categorically opposes the Council's position as set out in the document reply 5189/24 concerning the request for disclosure 01/c/01/24 of documents relating to the tenth session of the Conference of the Parties to the World Health Organisation (WHO) Framework Convention on Tobacco Control and to the EU position on the various issues to be discussed at the Conference.

On the basis of Article 4(3) of Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, access to a document containing a statement of views for internal purposes relating to deliberations and preliminary discussions within the institution concerned may be refused, even where a decision has already been taken, where consultation of the document would seriously undermine the institution's decision-making, unless such consultation is in the overriding public interest.”

**Ad "A" item 26:**

**Council Decision authorising the opening of negotiations with the  
Republic of Guinea-Bissau for a new implementing protocol to the  
Fisheries Partnership Agreement**  
*Approval*

**STATEMENT BY THE COMMISSION**

“The Commission considers it legally incorrect that a Council Decision authorising the opening of negotiations indicates a substantive legal basis.

The Decision authorising the opening of negotiations is premised solely on the existence of conferred powers of the Union and not on a determination of a specific competence. Its effect is limited to authorising the Commission or the High Representative, as the case may be, to use its prerogatives under the EU Treaties in order to start negotiations. The scope of these negotiations is therefore determined by the scope of the powers of the Union. Besides, the freedom of the envisaged treaty partner of the Union as regards the determination of the scope of the negotiations cannot be limited by the Council Decision authorising the opening of the negotiations. Thus, the precise legal basis for the future agreement can only be determined after the content of the agreement is known.

The Commission reserves all its rights in this regard.”

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