

Council of the European Union

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## DRAFT MINUTES

COUNCIL OF THE EUROPEAN UNION (Justice and Home Affairs) 8 and 9 June 2023

In document ST 10506/23 INIT, on page 16, the statement by Hungary to item 17 (Directive on combating violence against women and domestic violence), should read as follows:

## **"STATEMENT BY HUNGARY**

"Hungary has concerns about the legal basis of the proposal on the Directive on combating violence against women and domestic violence. Article 83 of the Treaty on the Functioning of the European Union provides that "[t]he European Parliament and the Council may, by means of directives adopted in accordance with the ordinary legislative procedure, establish minimum rules concerning the definition of criminal offences and sanctions in the areas of particularly serious crime with a cross-border dimension resulting from the nature or impact of such offences or from a special need to combat them on a common basis." This Article lists "computer crime" among the so-called eurocrimes. However, this cannot be construed to mean that the legislative powers established by this Article would extend to the harmonisation of all criminal offences that are committed online or by using computers.

Furthermore, Hungary recognises and promotes equality between men and women 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. Equality between women and men is enshrined in the Treaties of the European Union as a fundamental value. In line with these and its national legislation, Hungary interprets the term "gender" as a reference to "sex" in the Directive on combating violence against women and domestic violence.""