



Council of the
European Union

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From: General Secretariat of the Council

To: Permanent Representatives Committee (Part 1)/Council

Subject: Council Conclusions on Strengthening Minimum Income Protection to
Combat Poverty and Social Exclusion in the COVID-19 Pandemic and
Beyond

Delegations will find attached statements from Poland, Slovakia and Austria

Statement from 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 framework of the Polish national legal system in accordance with internationally binding human rights instruments and within the framework of fundamental values and principles of the European Union. For these reasons, in places, where the conclusions refer to gender equality, Poland will interpret it as equality between women and men, according to Article 8 TFEU.

Statement from Slovakia

The Slovak Republic recognizes and promotes equality between men and women in accordance with the Constitution of the Slovak Republic and primary law of the European Union. In this context, the Slovak Republic interprets the concept of "gender" in the text of the Council Recommendation and Council Conclusions as reference to sex, and the concept of "gender equality" as reference to the equality between men and women.

Statement from Austria

As a general remark, Austria states that it is exclusively up to the Member States to regulate minimum income protection systems – be it legislative or executive.

As minimum income schemes aim at combating social exclusion, inter alia Article 153(2)(a) TFEU only allows the adoption by the European Parliament and the Council of "measures designed to encourage cooperation between Member States through initiatives aimed at improving knowledge, developing exchanges of information and best practices, promoting innovative approaches and evaluating experiences". Harmonisation of the laws and regulations of the Member States is excluded. The legal basis for these non-binding measures is Article 153(1)(j) TFEU. Subsequently, Member States shall, in strict compliance with the principle of subsidiarity, exchange information and experience by using the method of open coordination in order to develop their national systems while respecting their national competence.