



Council of the European Union
General Secretariat

Brussels, 5 March 2021

CM 2064/21

JAI
FREMP
PROCED

COMMUNICATION

WRITTEN PROCEDURE

Contact: WP-FREMP@consilium.europa.eu

Tel./Fax: +32 281 4948

Subject: END OF WRITTEN PROCEDURE
DRAFT COUNCIL Conclusions on strengthening the application of the
Charter of Fundamental Rights in the European Union
– Approval

Delegations are informed that the written procedure, opened by CM 1963/21 of 3 March 2020 (and revised by CM 1963/1/21 REV 1) was completed on 5 March 2021 at 16.00 and that all delegations agreed to the approval of the Council Conclusions, as set out in the annex to document 6437/21 REV 1.

Therefore, the above Conclusions are approved.

The statements by Hungary and Poland are reproduced in the Annex to this CM.

The above statements will be included in the summary of acts adopted by the written procedure as statements to be entered in the Council minutes, in accordance with the third subparagraph of Article 12(1) of the Council's Rules of Procedure.

Statement by Hungary

Hungary can support the final compromise text of the Council Conclusions on strengthening the application of the Charter of Fundamental Rights in the European Union. However, this support cannot be interpreted as an endorsement by Hungary of either the Annual Rule of Law Cycle referred to in point 2 of the Council Conclusions or the Annual Rule of Law Reports implied in this reference. As reiterated by Hungary several times both in the dialogue with the Commission and in the Council, the Annual Rule of Law Report of the Commission raises concerns as regards its objectivity, sources and methodology. Hungary also reaffirms its position that the Annual Rule of Law Dialogues within the Council should not be based on the Annual Rule of Law Reports of the Commission.

Statement of the Republic of Poland

Item 18 Conclusions on strengthening the application of the Charter of Fundamental Rights in the European Union

In relation to the Council Conclusions on the strengthening the application of the Charter of Fundamental Rights in the European Union, 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 place where the conclusions refer to “gender” Poland will interpret it as meaning women and men, in accordance with Article 8 and 10 TFEU.

With this clarification, Poland accepts the proposal concerning Council Conclusions on the strengthening the application of the Charter of Fundamental Rights in the European Union.