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#### 'I' ITEM NOTE

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee
Subject:	Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the Instrument for Pre-Accession assistance (IPA III) ( <b>first reading</b> ) - Decision to use the written procedure for the adoption of the Council's position at first reading and of the statement of the Council's reasons = Statements

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#### Statement by Bulgaria for the COREPER minutes

We welcome the efforts to reach a provisional agreement with the European Parliament on the IPA III Regulation. However, Bulgaria recalls the concerns raised in respect to the application of the indicator on good neighbourly relations in Annex IV, line 458. Bulgaria remains of the opinion that good neighbourliness as an essential element of the Enlargement process is a political criterion which cannot be measured only by the listed in line 458 quantitative indicators. The assessment based on these indicators does not substitute the overall evaluation of the implementation of the principle of good neighbourly relations, including among others commitment to bilateral relations with other enlargement countries and neighbouring EU Member States, achievement of tangible results and implementation in good faith of bilateral agreements, intensive political dialogue, bilateral exchanges and practical sectoral cooperation, participation in regional initiatives, level of transport connectivity among IPA beneficiaries and IPA/EU MS. We encourage the Commission to

take this duly into account by the assessment of the progress towards the achievement of the specific objectives and thematic priorities of IPA III Regulation and by the assessment of the implementation of the IPA III Programming Framework.

### **Statement by Hungary for the COREPER and Council minutes**

IPA funding contributes to the prosperity of the candidate and potential candidate countries and provides the means for the connection between the EU and the Western Balkans. Therefore, Hungary is in favour of the swift access to the IPA funding for the concerned countries.

The text of the Regulation has been improved by incorporating several of our amendments. However, concerning references to the EU Gender Action Plans and relevant Council Conclusions in the IPA regulation, it must be pointed out that the third Gender Action Plan (GAP III) adopted by the European Commission and the High Representative on 25 November 2020, has not been endorsed by all Member States. As the third Gender Action Plan is based on a definition of gender which is not compatible with the Hungarian constitutional framework and has not been endorsed by all Member States, Hungary shall not take part in the implementation of the GAP III. Reference to GAP III or the six key thematic policy areas of the GAP III in the IPA Regulation should be understood against this background and limitations posed by this situation must be taken into consideration.

Furthermore, the term “sexual and reproductive health and rights (SRHR)” is lacking consensual definition at international level, including within the European Union. This issue is interpreted by Hungary in the context of the 2030 Agenda, the ICPD Programme of Action and the Beijing Declaration and Platform for Action and in line with its national legislation..

Hungary recognizes 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. Furthermore, 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 concept of ‘gender’ as reference to ‘sex’. Thus, regarding indicators, in Hungary’s understanding, they are to be based on “sex disaggregated data”, where relevant and if such data is available.

### **Statement by Poland for the COREPER minutes**

Poland regrets changes to the EU SRHR agreed language, which were introduced in the last-minute manner and as such negatively impacted the transparency of the negotiation process. For these reasons Poland is forced to resubmit its position on the SRHR and state that Poland remains committed to the promotion, protection and fulfilment of all human rights and to the full and effective implementation of the Beijing Platform for Action and the Programme of Action of the International Conference on Population and Development (ICPD) and as such remains committed to sexual and reproductive health and rights (SRHR) in this context only. Poland will continue to oppose any changes to the agreed EU position as captured in the Council conclusions on EU priorities in UN human rights fora in 2021.

At the same time, Poland understands the formulation “gender equality” as referring to “equality between women and men”, in line with art. 2 and art. 3 of the Treaty on European Union, and the formulation “gender” as referring to “sex” in line with art. 10, art. 19 para 1 and art. 157 para 2 and 4 of the Treaty on the Functioning of the European Union.

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