



Council of the  
European Union

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**DRAFT MINUTES**  
COUNCIL OF THE EUROPEAN UNION  
(Employment, Social Policy, Health and Consumer Affairs)  
ECCL, Luxembourg  
15 October 2021

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## 1. Adoption of the agenda



The Council adopted the agenda set out in 12447/21.

### Non-legislative activities


2. **The future of the European Semester with a strong role of the European Pillar of Social Rights**  12198/21  
*Policy debate*

The Council held a policy debate on the future of the European Semester with a strong role of the European Pillar of Social Rights, based on the Presidency note in doc. 12198/21. Ministers unanimously supported the return to the fully-fledged Semester cycle in 2022, and called for a strong role of EPSCO in the Semester process.

## 3. European Semester

- a) **Key Employment Challenges: Key messages from the EMCO based on the Annual Employment Performance Report and the Employment Performance Monitor**  11899/21  
*Endorsement* + ADD 1-2
- b) **Key Social Challenges: Key messages from the SPC based on the Annual Review of the Social Protection Performance Monitor**  12174/21  
*Endorsement* + ADD 1-4

The Council endorsed the key messages of the Employment Committee and of the Social Protection Committee, as set out in documents 11899/21 and 12174/21.

- c) **Council Decision on Guidelines for the employment policies of the Member States**  **C** 12403/21  
(Legal basis proposed by the Commission: Art. 148(2) TFEU) 12312/21  
*Adoption* + ADD 1 REV 1

The Council adopted the Decision on the Employment Guidelines, as set out in document 12403/21.

Poland submitted a statement to the Council minutes as set out in the Annex.

4. **Conclusions on Gender Mainstreaming in the EU Budget**  12201/21 + COR 1  
(CoA SR No 10/2021) + ADD 1  
*Approval*

The Council approved the conclusions on the European Court of Auditors Special Report No 10/2021 on Gender Mainstreaming in the EU Budget, as set out in document 12201/21 + COR 1.

Hungary and Poland submitted statements to the Council minutes as set out in the Annex.

## 5. Approval of "A" items

- a) **Legislative list** (Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

12708/21

### Economic and Financial Affairs

1. **Amendments of the European Parliament to the Council's position on the draft budget for 2022**

**S** 12442/21  
FIN

*Non-approval of the European Parliament's amendment(s) approved by Coreper, Part 2, on 13.10.2021*

The Council confirmed that it cannot approve all the amendments to the Council's position on the draft budget for 2022 should they be adopted by the European Parliament and approved the draft letter to the European Parliament to that effect, as set out in the Annex of document 12442/21.

- b) **Non-legislative list**

12707/21

The Council adopted the "A" items listed in 12707/21 including COR and REV documents presented for adoption. Statements to these items are set out in the Addendum.

For the following items, the documents should read as follows:

### EU positions for international negotiations

2. Council Decision on the EU position in the Helsinki Convention on Adoption of Recommendation Amending Annex III Part II of the Convention

**C** 12423/21 + COR 1  
+ **COR 2 (es)**  
+ ADD 1  
12169/21  
ENV

*Adoption*

approved by Coreper, Part 1, on 13.10.2021

### Justice and Home Affairs

13. Council Decision authorising the opening of negotiations to amend the EU-Japan mutual legal assistance Agreement (MLA)

12479/1/21 REV 1  
+ REV 1 ADD 1  
12141/21  
+ **COR 1 (fi)**  
+ ADD 1  
+ **ADD 1 COR 1 (fi)**  
COPEN

*Adoption*

approved by Coreper, Part 2, on 13.10.2021

## 6. **Safety and health at the heart of the future of work**

 12199/21

### *Policy debate*

The Council held a policy debate on Safety and health at the heart of the future of work, based on the Presidency note in doc. 12199/21. The Council welcomed the new EU strategic framework on health and safety at work 2021-2027 and discussed the role of occupational safety and health in the changing landscape of work, particularly in the context of enabling sustainable work over the life-course.

### **Any other business**

#### 7. a) **A long-term vision for rural areas**



*Presentation by the Commission*

The Council took note of the information provided by the Commission.

#### b) **Tripartite Social Summit (Brussels, 20 October 2021)**



*Information from the Presidency and the Commission*

The Council took note of the information provided by the Presidency and the Commission.


#### c) **Electronic Exchange of Social Security Information (EESSI) and European Social Security Pass (ESS PASS) projects**

12703/21

*Information from the Commission on the state of play*

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 Public debate proposed by the Presidency (Article 8(2) of the Council's Rules of Procedure)

 Item based on a Commission proposal

 Special legislative procedure

Statements to the "B" items set out in doc. 12447/21

**European Semester**

**Ad "B" item 3c:**

- c) **Council Decision on Guidelines for the employment policies of the Member States**  
**(Legal basis proposed by the Commission: Art. 148(2) TFEU)**  
*Adoption*

**STATEMENT BY 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 international human rights treaties and within the framework of the fundamental values and principles of the European Union. For these reasons, in places where the text refers to gender equality Poland will interpret it as a equality between women and men, according to Article 2 of the Treaty on European Union and Article 8 of the Treaty on the Functioning of the European Union.”

**Ad "B" item 4:**

- Conclusions on Gender Mainstreaming in the EU Budget**  
**(CoA SR No 10/2021)**  
*Approval*

**STATEMENT BY 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 international human rights treaties and within the framework of the fundamental values and principles of the European Union. For these reasons, Poland will interpret the expression ‘gender equality’ as equality between women and men, in accordance with Articles 2 and 3 of the Treaty on European Union and Articles 8 and 157(3) of the Treaty on the Functioning of the European Union. In view of the above, Poland will interpret other expressions containing the term ‘gender’ as referring to ‘sex’, in accordance with Article 10, Article 19(1) and Article 157(2) and (4) of the Treaty on the Functioning of the European Union.”

## STATEMENT BY HUNGARY

“Hungary declares that the Commission’s Communication on a Union of Equality: Gender Equality Strategy 2020-2025 (hereinafter referred to as “Strategy”), mentioned in these Council Conclusions, should be interpreted with due regard to national competences and the specific circumstances in each Member State. Furthermore Hungary states that equality between women and men is enshrined in the Treaties of the European Union as a fundamental right. Hungary ensures equality between women and men within the framework of the Hungarian 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, Hungary interprets the concept of „gender“ as reference to sex and concept of „gender equality“ as reference to the equality between men and women.”