



Council of the
European Union

Brussels, 9 March 2022
(OR. en, pl)

6468/22
ADD 1

SOC 97
GENDER 13
ECOFIN 159
DRS 10
CODEC 196

NOTE

From: General Secretariat of the Council
To: Council

Subject: Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF
THE COUNCIL on improving the gender balance among directors of
companies listed on stock exchanges, and related measures
- *Statement by Polish delegation*
- *Statement by Hungarian delegation*

Delegations will find attached a statement by Poland (followed by a courtesy English translation)
and a statement by Hungary in relation to the above proposal.

OŚWIADCZENIE POLSKI

DO PROJEKTU DYREKTYWY PE I RADY WS POPRAWY RÓWNOWAGI PŁCI WŚRÓD DYREKTORÓW NIE WYKONAWCZYCH SPÓLEK, KTÓRYCH AKCJE SĄ NOTOWANE NA GIELDZIE I ODNOŚNYCH ŚRODKÓW

Równość kobiet i mężczyzn została zapisana w Traktatach Unii Europejskiej jako podstawowe prawo. Polska zapewnia równość kobiet i mężczyzn w ramach polskiego krajowego systemu prawnego zgodnie z międzynarodowymi traktatami praw człowieka oraz w ramach podstawowych wartości i zasad Unii Europejskiej. Z tych powodów, wyrażenie "gender equality" Polska będzie interpretowała jako równość kobiet i mężczyzn, a wyrażenie "gender balance" Polska będzie interpretowała jako równowagę kobiet i mężczyzn, zgodnie z art. 2 i 3 Traktatu Unii Europejskiej oraz art. 8 i 157 para 3 Traktatu o Funkcjonowaniu Unii Europejskiej. W związku z powyższym, pozostałe wyrażenia zawierające termin "gender", Polska będzie interpretowała jako płeć ("sex"), zgodnie z art. 10, art. 19 para 1 oraz art. 157 para 2 i 4 Traktatu o Funkcjonowaniu Unii Europejskiej.

STATEMENT BY POLAND

ON THE PROPOSAL FOR A DIRECTIVE ON IMPROVING THE GENDER BALANCE AMONG NON-EXECUTIVE DIRECTORS OF COMPANIES LISTED ON STOCK EXCHANGES AND RELATED MEASURE.

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 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, the expression "gender equality" will be interpreted by Poland as equality between women and men, the expression "gender balance" will be interpreted by Poland as balance between women and men, in accordance with Article 2 and 3 of the Treaty on European Union and Article 8 and 157 para 3 of the Treaty on the Functioning of the European Union. In connection with the above, the remaining expressions containing the term "gender" will be interpreted by Poland as "sex", in accordance with Article 10, Article 19 para 1 and Article 157 para 2 and 4 of the Treaty on the Functioning of the European Union.

STATEMENT BY HUNGARY

ON THE PROPOSAL FOR A DIRECTIVE ON IMPROVING THE GENDER BALANCE AMONG DIRECTORS OF COMPANIES LISTED ON STOCK EXCHANGES AND RELATED MEASURES

Hungary considers initiatives to promote equal opportunities and equal treatment between women and men to be of the utmost importance, and therefore we generally support the aim of the proposed directive to strengthen women's participation at all levels of decision-making, including in the economic sphere. Throughout the negotiations the text improved significantly, however our previously expressed concerns are not addressed satisfactorily as regard to the principles of subsidiarity and proportionality, and the need to appropriately take into consideration the different company and corporate laws of EU Member States.

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 the international law. For these reasons, the expression 'gender equality' will be interpreted by Hungary as equality between women and men, the expression 'gender balance' will be interpreted by Hungary as balance between women and men, in accordance with Articles 2 and 3 of the Treaty on the European Union and Article 8 and Article 157 paragraph 3 of the Treaty on the Functioning of the European Union. In connection with the above, the remaining expressions containing the term 'gender' will be interpreted by Hungary as sex, in accordance with Article 10, Article 19 paragraph 1 and Article 157 paragraphs 2 and 4 of the Treaty on the Functioning of the European Union.

Furthermore Hungary declares that the Commission's Communication on 'A Union of Equality: Gender Equality Strategy 2020-2025' referred to in the directive should be interpreted with due regard to the national competences and the specific circumstances in each Member State.