



Council of the
European Union

098817/EU XXVII. GP
Eingelangt am 02/05/22

Brussels, 29 April 2022
(OR. en)

7933/22
PV CONS 22
EDUC 123
JEUN 44
CULT 41
AUDIO 25
SPORT 24

DRAFT MINUTES
COUNCIL OF THE EUROPEAN UNION
(Education, Youth, Culture and Sport)
4 and 5 April 2022

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MEETING ON MONDAY 4 APRIL 2022

1. Adoption of the agenda

The Council adopted the agenda set out in 7587/1/22 REV 1.

2. Approval of 'A' items

(a) Non-legislative list

7619/22

The Council adopted the "A" items listed in 7619/22 including COR and REV documents presented for adoption.

For the following items the documents should read as follows:

EU positions for international negotiations

19. Council Decision on the position to be taken by the European Union in the Partnership Council established by the Trade and Cooperation Agreement between the EU and the United Kingdom on the adoption of the guidelines of the Civil Society Forum
Adoption
approved by Coreper, Part 2, on 30 March 2022

☐ 7205/22
7208/22
+ **COR 1 (ga)**
+ ADD 1
UK

- (b) Legislative list (public deliberation in accordance with Article 16(8) of the Treaty on European Union)

7620/22 + **COR 1**

Telecommunications

1. **Regulation on roaming on public mobile communications networks within the Union**
Adoption of the legislative act
approved by Coreper, Part 1, on 30 March 2022

☐☐ 7483/22
PE-CONS 86/21
TELECOM

The Council approved the European Parliament's position at first reading and the proposed act was adopted, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 114 TFEU).

2. Decision on providing macro-financial assistance to the Republic of Moldova



7266/22
PE-CONS 9/22
ECOFIN

Adoption of the legislative act

approved by Coreper, Part 2, on 30 March 2022

The Council approved the European Parliament's position at first reading and the proposed act was adopted, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 212(2) TFEU).

General Affairs

3. Regulation on Cohesion's Action for Refugees in Europe (CARE)



7267/22
PE-CONS 12/22
COH

Adoption of the legislative act

Decision to derogate from the eight-week period provided for in Article 4 of Protocol 1 on the role of national parliaments in the EU

approved by Coreper, Part 2, on 30 March 2022

The Council approved the European Parliament's position at first reading and the proposed act was adopted, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Articles 175(3) and 177 TFEU).

The Council agreed to derogate from the eight- week period referred to in Article 4 of Protocol No 1 on the role of national Parliaments

4. Regulation amending Regulations (EU) No 514/2014, (EU) No 516/2014 and (EU) 2021/1147 on the funding of home affairs policies



7255/22 + ADD 1
PE-CONS 11/22
JAI

Adoption of the legislative act

Decision to derogate from the eight-week period provided for in Article 4 of Protocol 1 on the role of national parliaments in the EU

approved by Coreper, Part 2, on 30 March 2022

The Council approved the European Parliament's position at first reading and the proposed act was adopted, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Articles 78(2), 79(2), 79(4), 82(1), 84 and 87(2) TFEU).

The Council agreed to derogate from the eight- week period referred to in Article 4 of Protocol No 1 on the role of national Parliaments

Statements to this item by Austria and Ireland are set out in the Annex.

Non-legislative activities

CULTURE AND AUDIOVISUAL/MEDIA

3. Conclusions on building a European strategy for the cultural and creative industries ecosystem



6937/22
+ ADD 1 REV 1

Approval

The Council approved the above-mentioned conclusions, as set out in doc. 6937/22 and agreed that they be published in the Official Journal. The Council also took note of the statement by Hungary as set out in the Annex.

4. Conclusions on reinforcing intercultural exchanges through the mobility of artists and cultural and creative professionals, and through multilingualism in the digital era
Approval

6756/22 + COR 1
+ ADD 1 REV 1
+ ADD 2

The Council approved the above-mentioned conclusions, as set out in doc. 6756/22, and agreed that they be published in the Official Journal. The Council also took note of the statements by Hungary and Poland as set out in the Annex.

5. Action to protect the cultural sector and those active in it affected by the situation in Ukraine
Policy debate

6751/22 + COR 1

The Council held a policy debate on the above-mentioned topic, on the basis of a Presidency background note set out in the Annex to doc. 6751/22.

Ministers reiterated their solidarity and support to Ukraine and its people. Ministers undertook to step up efforts to protect and preserve Ukraine's cultural heritage, as well as to facilitate the arrival of Ukrainian artists and culture professionals and their families. They also addressed the need to start planning the reconstruction process and the reparation of Ukrainian cultural heritage post conflict.

The Commission announced that it will increase the mobility of Ukrainian artists and creators in relevant EU programmes such as Creative Europe or Erasmus+.

In the context of this discussion, ministers had the opportunity to informally exchange views via videoconference with the Ukrainian Minister for Culture, Oleksandr Tkachenko.

SPORT

6. **Council conclusions on sport and physical activity, a promising lever to transform behaviour for sustainable development** [2] 7067/22 + ADD 1-2
Approval

The Council approved the above-mentioned conclusions, as set out in doc. 7764/22 and agreed that they be published in the Official Journal. The Council also took note of the statements by Hungary and Poland as set out in the Annex.

7. **Promoting EU values through sport and the organisation of sport** [2] 7068/22
Policy debate

The Council held a policy debate on the importance of defending European values in the sport sector, in particular in the context of the invasion of Ukraine. Delegations also discussed the emergence of new sport organisations and practices within the framework of the key features of a European model of sport.

Before the policy debate, Mr Vadym Huttsait, Minister of Youth and Sports of Ukraine Youth, addressed the Council and called on Member States to continue supporting the sport sector and banning Russian and Belorussian from participating in sport competition.

Any other business

Culture and Audiovisual/Media

8. (a) **Naples Conference of the Ministers for Culture of the Euro-Mediterranean Region – the first meeting of the EU Southern Partnership’s ministers for culture (Naples, 16-17 June 2022)** [2] 7310/22
+ COR 1 REV 1
Information from the Italian delegation

The Council took note of the information provided by the Italian delegation.

- (b) Selection of the European Capital of Culture 2026 (Trenčín)
Information from the Slovak delegation 7039/22 + COR 1
- (c) Coordination of European actions in the field of culture and media to support Ukraine
Information from the Estonian, Latvian and Lithuanian delegations 7448/22
- (d) Work programme of the incoming Presidency
Information from the Czech delegation

Sport

- (e) **Impact of the war in Ukraine on the sport sector in Europe** [2] 7066/22
Presentation by the Polish delegation

The Council took note of the Polish presentation.

- (f) Work programme of the incoming Presidency
Information from the Czech delegation

MEETING ON TUESDAY 5 APRIL 2022

Non-legislative activities

EDUCATION

- 9. **Conclusions on enhancing teachers' and trainers' mobility, in particular European mobility, during their initial and in-service education and training** [2] 6989/22 + ADD 1
Approval

The Council approved the Conclusions as set out in doc. 7923/22 and agreed that they be published in the Official Journal. The Council also took note of the statement by Hungary as set out in the Annex.

10. **Conclusions on a European strategy empowering higher education institutions for the future of Europe** [2] 6985/22 + ADD 1-2
Approval

The Council approved the Conclusions as set out in doc. 7936/22 and agreed that they be published in the Official Journal. The Council also took note of the statement by Hungary and that by Poland as set out in the Annex.

11. **Council Recommendation on building bridges for effective European higher education cooperation** [C][2] 6986/22 + COR 1 + ADD 1-2
(Legal basis proposed by the Commission: Articles 165(4) and 166(4) TFEU)
Adoption

The Council adopted the Recommendation as set out in doc. 7937/22 and agreed that it be published in the Official Journal. The Council also took note of the statement by Hungary and that by Poland as set out in the Annex.

12. **Strengthening crisis management and anticipation in the European education area** [2] 7212/1/22 REV 1 + REV 1 COR 1
Policy debate

The Council held a policy debate on the above topic on the basis of a discussion paper prepared by the Presidency (doc. 7212/1/22). Delegations exchanged ideas on the lessons learnt from the national education systems' capacity to respond to crises, against the backdrop of the pandemic and the situation in Ukraine. Discussions also focused on the type of coordination mechanism which could be put in place to support Member States at the start of a crisis, and the forms of solidarity to be developed in such a situation.

Before the policy debate, the Ukrainian Minister for Education and Science, Serhii Shkarlet, addressed the Council providing an update on the situation in Ukraine from an education perspective. He thanked Member States and the Commission for their strong support and called for continued cooperation at all levels.

YOUTH

13. Council Recommendation on the mobility of young volunteers across the European Union

(Legal basis proposed by the Commission: Articles 165(4) and 166(4) TFEU)

Adoption



6923/1/22 REV 1
+ REV 1 ADD 1
REV 1

The Council adopted the above-mentioned recommendation, as set out in the Annex to doc. 7768/22 (Legal basis: Articles 165 and 166 TFEU).

The Council also took note of the statement by Hungary as set out in the Annex.

14. Conclusions – Fostering engagement among young people as actors of change in order to protect the environment

Approval



7053/22 + ADD 1
+ ADD 2 REV 2

The Council approved the above-mentioned conclusions, as set out in doc. 7769/22.

The Council also took note of the statement by Hungary and that by Poland as set out in the Annex.

15. Mobility of young European volunteers: linking national and transnational experiences to make European citizenship a reality

Policy debate



6879/1/22 REV 1

The Council held a policy debate on the mobility of young European volunteers, taking into account the context of the war in Ukraine. Delegations discussed how national volunteering activities can be complementary to European volunteering programmes and how new measures could better promote European citizenship among young volunteers. In this regard, many delegations highlighted the importance of the European Year of Youth 2022.

Before the policy debate, the Minister of Ukraine of Youth and Sports, Mr. Vadym Huttsait, informed the Council on the youth situation in the context of the invasion of Ukraine by Russia.

Any other business

Education

16. (a) **Statement on building a shared vision on the effectiveness, efficiency and fairness of investment in education** [2] 7679/22
Information from the Presidency

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

- (b) **Third high-level meeting of education ministers In the framework of the ninth ‘Environment for Europe’ Ministerial Conference (Nicosia, 5-7 October 2022)** [2] 7339/22
Information from the Cyprus delegation

The Council took note of the information provided by the Cyprus delegation.

- (c) Work programme of the incoming Presidency
Information from the Czech delegation

Youth

- (d) **Report on discussion at the informal Youth lunch** [2]
Information from the Presidency

The Council took note of the debriefing of the informal youth lunch.

- (e) Work programme of the incoming Presidency
Information from the Czech delegation

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- [2] Public debate proposed by the Presidency (Article 8(2) of the Council's Rules of Procedure)
- [C] Item based on a Commission proposal
-

Statements to the non-legislative "B" items set out in doc. 7587/1/22 REV 1**Ad "B" item 3:** **Conclusions on building a European strategy for the cultural and creative industries ecosystem***Approval*

STATEMENT BY HUNGARY

“As the Council conclusions Building a European Strategy for the Cultural and Creative Industries Ecosystem refer to the European Parliament Resolution of 20 October 2021 – ‘Europe’s Media in the Digital Decade: an Action Plan to Support Recovery and Transformation’ (2021/2017), Hungary declares that this document should be interpreted with due regard for national competences and the specific circumstances in each Member State.

Furthermore, the Annex to the Annex of the *Council Conclusions on Building a European Strategy for the Cultural and Creative Industries Ecosystem* refers to several documents as ‘political background’ to which previously Hungary submitted a national statement. Therefore Hungary maintains all its national statements made in this regard.”

Ad "B" item 4: **Conclusions on reinforcing intercultural exchanges through the mobility of artists and cultural and creative professionals, and through multilingualism in the digital era***Approval*

STATEMENT BY POLAND

“With reference to the term *gender* used in paragraph 13 of the draft Council conclusions on reinforcing intercultural exchanges through the mobility of artists and cultural and creative professionals, and through multilingualism in the digital era, Poland makes the following statement: ‘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, where the conclusions refer to gender equality, Poland will interpret it as equality between women and men, in accordance with Article 2 of the Treaty on European Union, Articles 8 and 10 of the Treaty on the Functioning of the European Union, and Article 23 of the EU Charter of Fundamental Rights.’”

STATEMENT BY HUNGARY

“Hungary recognises 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. 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 term ‘gender’ as a reference to ‘sex’ in all relevant documents.”

Ad "B" item 6: **Council conclusions on sport and physical activity, a promising lever to transform behaviour for sustainable development**
Approval

STATEMENT BY POLAND regarding the expression 'gender' in paragraph 19

“Expressions containing the term 'gender' shall be interpreted by Poland as meaning '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

“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 the commitments and principles stemming from the international law. 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 ‘gender’ as reference to ‘sex’.

As the conclusions of the Council and of the representatives of the Governments of the Member States meeting within the Council on Sport and physical activity, a promising lever to transform behaviour for sustainable development refer to the Conclusions of the Council and of the representatives of the Governments of the Member States meeting within the Council on lifelong physical activity, Hungary maintains all its national statements made in the event of the adoption of the aforementioned conclusions.”

Ad "B" item 9:

Conclusions on enhancing teachers' and trainers' mobility, in particular European mobility, during their initial and in-service education and training

Approval

STATEMENT BY HUNGARY

“Hungary recognises 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. 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 term ‘gender’ as a reference to ‘sex’.

The *Council conclusions on enhancing teachers' and trainers' mobility, in particular European mobility, during their initial and in-service education and training* and its Annex as ‘political background’ refer to several documents to which previously Hungary submitted national statements. Therefore Hungary maintains all its national statements made in this regard.

Furthermore, Hungary declares that the Commission’s Communication on a Union of Equality: Gender Equality Strategy 2020-2025, mentioned on page 4 of the Communication from the Commission on achieving the European Education Area by 2025, should be interpreted with due regard to national competences and the specific circumstances in each Member State.”

Ad "B" item 10:

Conclusions on a European strategy empowering higher education institutions for the future of Europe

Approval

STATEMENT BY HUNGARY

“Hungary supports and is committed to deepening the sense of European belonging in higher education based on common values. A common set of values has been shown to play a key role in shaping a common European position on a priority issue / crisis, therefore, defining what we mean by common values is essential at both EU and Member State level. According to Hungary's interpretation, European cohesion based on common values must be based on the values and goals accepted by all Member States, set out in the Charter of Fundamental Rights of the European Union and the Treaties of the European Union.

The word ‘dimension’ appears in the text in a number of different contexts, therefore, Hungary declares that by the European dimension in higher education we mean the instruments referred to in the Council recommendation on promoting common values, inclusive education, and the European dimension of teaching (2018 /C 195/01).

Hungary recognises 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. 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 term ‘gender’ as a reference to ‘sex’ in the *Council Conclusions on a European strategy empowering higher education institutions for the future of Europe*. ‘Diversity’ mentioned in paragraphs 23, 34 and 38 can only be interpreted as set out in Article 22 of the Charter of Fundamental Rights of the European Union.

The *Council Conclusions on a European strategy empowering higher education institutions for the future of Europe* and its Annex as “political background” refer to several documents to which previously Hungary submitted national statements. Therefore Hungary maintains all its national statements made in this regard.”

STATEMENT BY POLAND on the use of the term ‘gender’

“The Republic of Poland understands ‘gender’ as ‘sex’ in accordance with Article 10, Article 19(1) and Article 157(2) and (4) TFEU.”

Council Recommendation on building bridges for effective European higher education cooperation

Ad "B" item 11: (Legal basis proposed by the Commission: Articles 165(4) and 166(4) TFEU)

Adoption

STATEMENT BY HUNGARY

“Hungary supports and is committed to deepening the sense of European belonging in higher education based on common values. A common set of values has been shown to play a key role in shaping a common European position on a priority issue / crisis, therefore, defining what we mean by common values is essential at both EU and Member State level. According to Hungary's interpretation, European cohesion based on common values must be based on the values and goals accepted by all Member States, set out in the Charter of Fundamental Rights of the European Union and the Treaties of the European Union.

Hungary recognises 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. 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 term ‘gender’ as a reference to ‘sex’ in the *Council Recommendation on building bridges for effective European higher education cooperation*.

The text of the *Council Recommendation on building bridges for effective European higher education cooperation* refers to several documents to which previously Hungary submitted a national statement. Hungary maintains all its national statements made earlier.”

STATEMENT BY POLAND on the use of the term ‘gender’

“The Republic of Poland understands ‘gender’ as ‘sex’ in accordance with Article 10, Article 19(1) and Article 157(2) and (4) TFEU.”

Council Recommendation on the mobility of young volunteers across the European Union

Ad "B" item 13:

(Legal basis proposed by the Commission: Articles 165(4) and 166(4) TFEU)
Adoption

STATEMENT BY HUNGARY

“As footnote 26 of the Council Recommendation on the mobility of young volunteers across the European Union refers to several EU Strategies to which Hungary has previously made a national statement, Hungary maintains its respective position and all its national statements made in relation to these cited Strategies.

Furthermore, the text of the Council Recommendation on the mobility of young volunteers across the European Union refers to several documents, to which Hungary previously submitted a national statement. Hungary maintains all its national statements made earlier.”

Council conclusions – Fostering engagement among young people as actors of change in order to protect the environment

Ad "B" item 14:

Approval

STATEMENT BY POLAND

on using ‘gender’

“The Republic of Poland understands the wording ‘gender equality’ as referring to ‘equality between women and men’, in line with Article 2 and Article 3 of the Treaty on European Union.

Also the Republic of Poland understands the wording ‘gender’ as referring to ‘sex’ in line 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 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. 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 term ‘gender’ as reference to ‘sex’.

Furthermore, the Annex to the Annex of the conclusions of the Council and the representatives of the governments of the Member States, meeting within the Council – Fostering engagement among young people as facilitators of change in order to protect the environment refers to several documents to which previously Hungary submitted national statement. Therefore, Hungary maintains all its national statements made in this regard.”

Statements to the legislative "A" items set out in doc. 7620/22

Regulation amending Regulations (EU) No 514/2014, (EU) No 516/2014 and (EU) 2021/1147 on the funding of home affairs policies

Ad "A" item 4:

Adoption of the legislative act

Decision to derogate from the eight-week period provided for in Article 4 of Protocol 1 on the role of national parliaments in the EU

STATEMENT BY AUSTRIA

“Austria thanks the European Commission for the initiative and welcomes the amendments. However, further measures are needed, in particular to rapidly deploy funding from the Multiannual Financial Framework 2021-2027 under the simplest, crisis-appropriate conditions possible.”

STATEMENT BY IRELAND

“Ireland notes that it is intended that the Council will make a decision to adopt the proposed Regulation less than 3 months after presentation of this proposed decision to the Council.

As this is a Title V measure, Protocol 21 on the Position of Ireland in respect of the area of Freedom, Security and Justice annexed to the Treaties applies and Ireland therefore has the right to opt-in to the measure.

Ireland fully supports the proposal that represents an important response to the war in Ukraine. Ireland intends to opt-in to the measure following the required government and parliamentary approvals.

Notwithstanding Protocol 21 and Ireland’s right to opt-in to this regulation, Ireland has, in light of the exceptional circumstances faced and mindful of the importance of the proposed regulation in enabling Member States respond to the crisis in Ukraine, unilaterally decided to waive our right in order to facilitate the speedy adoption of the measure.

In practice, this means that Ireland will not insist, in this instance, upon its right to have 3 months within which to exercise Ireland’s option to notify the President of the Council of its wish to participate in the adoption and application of the proposed Council Decision in accordance with the provisions of Article 3 of Protocol 21.

Ireland will instead opt-in pursuant to Article 4 of Protocol 21 meaning that we will opt-in after the adoption of the measure. It is noted that Recital 21 of the text reflects this decision.

Ireland will proceed with its opt-in under Article 4 as quickly as possible. However, the decision to waive our right to opt-in under Article 3, will mean that Ireland will not be in a position to avail of the funds the measure will release in order to respond to the crisis in the same timeframe as other Member States and, until such time as the Commission approves our subsequent Article 4 opt-in.

With this in mind, we would call on the Commission to, in due course, expedite Ireland's Article 4 opt-in to the measure in order to ensure that there is no adverse impact on Ireland's ability to use the increased flexibility to respond to crisis.

Finally, it is incumbent to note that Ireland's Treaty rights again appear to have been inadequately considered in the preparation of this Regulation. While we welcome the importance and symbolism of the rapid response the proposed regulation represents, the matter of Ireland's Protocol 21 rights must be respected and considered from the outset in all future measures to which it applies, as a domestic constitutional imperative."
