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NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Recommendation for a COUNCIL RECOMMENDATION on human capital
in the European Union
- *Adoption*
- *Statement by the HU delegation*

Delegations will find in the annex a statement by the HU delegation in relation to the abovementioned recommendation.

**STATEMENT BY HUNGARY ON THE COUNCIL RECOMMENDATION
ON HUMAN CAPITAL IN THE EUROPEAN UNION**

Hungary recognises the importance of addressing skills shortages, particularly in sectors that are strategically important to the EU economy. Therefore, Hungary generally supports the Recommendation's objectives. At the same time, we maintain the following legal and procedural concerns about the Recommendation and the process leading to its adoption. The text of the Recommendation — particularly the section inviting Member States — focuses predominantly on education and training, despite its legal basis (Article 148 (4) of the Treaty on the Functioning of the European Union), which belongs to employment policy. While Hungary acknowledges that education and training are important tools for achieving employment and labour market objectives, these are different policy areas to employment. The main challenges and elements of the Recommendation, such as strengthening vocational education and training, improving tertiary education outcomes in STEM subjects, and investing in education, training, and skills, fall under Article 165 and 166 of the Treaty on the Functioning of the European Union. Consequently, Hungary is not convinced that the content of the Recommendation fully reflects its legal basis and that the principle of centre of gravity justifies its choice. In any case, we believe that given the aforementioned circumstances the draft Recommendation should have been at least discussed and approved by the education ministers as well before its adoption at the **Employment, Social Policy, Health and Consumer Affairs Council**.

Furthermore, Hungary does not support the strengthening of the role of education and training within the European Semester, particularly given that those areas are not completely encompassed by the legal basis of Article 148 (4) of the Treaty on the Functioning of the European Union, which concerns employment policy. Hungary does not agree with the introduction of annual Council Recommendations on education and training within the European Semester, based on the model of the annual conclusions on the Joint Employment Report. There has been no precedent for such a new annual proposal and EU law has not changed in a way that justifies it. Moreover, education and training are already part of the annual European Semester framework, as evidenced by the country reports and country-specific recommendations, which include the annual challenges and progress made in education, training and skills. Overall, Hungary believes that the European Semester process should be simplified, not extended.
