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A10-0214/2025

5.11.2025

REPORT

on the amendment of the European Electoral act, allowing Members to vote in plenary by proxy voting during pregnancy and after giving birth
(2025/2195(INL) – 2025/0900(APP))

Committee on Constitutional Affairs

Rapporteur: Juan Fernando López Aguilar

CONTENTS

	Page
MOTION FOR A EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION	3
ANNEX TO THE MOTION FOR A LEGISLATIVE RESOLUTION	5
EXPLANATORY STATEMENT	7
ANNEX: DECLARATION OF INPUT	8
INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE	9
FINAL VOTE BY ROLL CALL BY THE COMMITTEE RESPONSIBLE ON THE DRAFT LEGISLATIVE PROPOSAL	10
FINAL VOTE BY ROLL CALL BY THE COMMITTEE RESPONSIBLE ON THE DRAFT MOTION FOR RESOLUTION.....	11

MOTION FOR A EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the amendment of the European Electoral act, allowing Members to vote in plenary by proxy voting during pregnancy and after giving birth
(2025/2195(INL) – 2025/0900(APP))**

The European Parliament,

- having regard to the Treaties, and in particular Articles 9, 10, 14 and 17(7) of the Treaty on European Union (TEU) and Articles 20, 22, 223(1) and 225 of the Treaty on the Functioning of the European Union (TFEU), and Article 2 of Protocol No 1 on the role of national parliaments in the European Union,
- having regard to Article 106a(1) of the Treaty establishing the European Atomic Energy Community,
- having regard to the Act concerning the election of the members of the European Parliament by direct universal suffrage (“the Electoral Act”), annexed to Council decision 76/787/ECSC, EEC, Euratom of 20 September 1976, as amended, and in particular Article 6 thereof,
- having regard to Article 5 of the Decision of the European Parliament of 28 September 2005 adopting the Statute for Members of the European Parliament¹,
- having regard to its previous resolutions on the European Parliament’s electoral procedure, and in particular its resolution of 15 July 1998 on a draft electoral procedure incorporating common principles for the election of Members of the European Parliament², its resolution of 22 November 2012 on the elections to the European Parliament in 2014³, its resolution of 4 July 2013 on improving the practical arrangements for the holding of the European elections in 2014⁴, its resolution of 11 November 2015 on the Reform of the electoral law of the EU⁵ and its resolution of 3 May 2022 on the Reform of the electoral law of the EU⁶,
- having regard to the Framework Agreement of 20 October 2010 on relations between the European Parliament and the European Commission, as modified on 17 February 2018⁷,
- having regard to the Charter of Fundamental Rights of the European Union, and in particular Article 33 thereof,

¹ OJ L 262, 7.10.2005, p. 1, ELI: <http://data.europa.eu/eli/dec/2005/684/oj>.

² OJ C 292, 21.9.1998, p. 66.

³ OJ C 419, 16.12.2015, p. 185.

⁴ OJ C 75, 26.2.2016, p. 109.

⁵ OJ C 366, 27.10.2017, p. 7.

⁶ OJ C 465, 6.12.2022, p. 171.

⁷ OJ L 45, 17.2.2018, p. 46, ELI: http://data.europa.eu/eli/agree_interinstit/2010/1120/oj.

- having regard to Rules 46 and 55 of its Rules of Procedure,
 - having regard to the report of the Committee on Constitutional Affairs (A10-0214/2025),
- A. whereas the European Parliament has the right to initiate the reform of its own electoral procedure, and to give its consent thereto;
 - B. whereas the possibility of developing a uniform electoral procedure based on direct universal suffrage has been enshrined in the Treaties since 1957;
 - C. whereas the reform of the European Parliament's electoral procedure should aim to enhance the democratic dimension of European elections, improve the functioning of the European Parliament and the governance of the Union, make the work of the European Parliament more legitimate and efficient, and provide for greater electoral equality for citizens of the Union;
 - D. whereas work-life balance policies should contribute to the achievement of gender equality by promoting the participation of mothers in politics;
 - E. whereas the reform of the electoral procedure must respect the principles of subsidiarity and proportionality.
1. Decides to strengthen maternity rules for Members of the European Parliament who wish to continue to carry out their parliamentary duties;
 2. Proposes a targeted revision of the European Electoral Act enabling Members to delegate their plenary vote to another Member of their choice during pregnancy and after giving birth;
 3. Believes that this reform will allow Members, in the periods immediately before and after becoming mothers, to fully exercise their mandates, improving institutional fairness and inclusion in the European Parliament;
 4. Adopts the proposal annexed hereto and submits it to the Council;
 5. Instructs its President to forward this legislative resolution and the proposal annexed hereto to the European Council, the Council, and the Commission, and to the parliaments and governments of the Member States.

ANNEX TO THE MOTION FOR A LEGISLATIVE RESOLUTION

DRAFT PROPOSAL FOR A COUNCIL DECISION

adopting the provisions amending the Act concerning the election of the members of the European Parliament by direct universal suffrage

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 223(1) thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 106a(1) thereof,

Having regard to the proposal from the European Parliament,

After transmission of the draft legislative act to the national parliaments,

Having regard to the consent of the European Parliament,

Acting in accordance with a special legislative procedure,

Whereas:

(1) Work-life balance policies should contribute to the achievement of gender equality by promoting the participation of mothers in politics.

(2) The introduction of a system of proxy voting in plenary sessions will allow Members, in the periods immediately before and after becoming mothers, to fully exercise their mandates.

HAS ADOPTED THIS DECISION

Article 1

In Article 6(1) of the Act concerning the election of the Members of the European Parliament by direct universal suffrage, annexed to Council Decision 76/787/ECSC, EEC, Euratom¹, the following subparagraph is added:

“By way of derogation from the first subparagraph, a Member who is pregnant or who has given birth may have her vote cast by another Member acting as proxy for a maximum period of three

¹ Council Decision 76/787/ECSC, EEC, Euratom of 20 September 1976 of the representatives of the Member States meeting in the council relating to the Act concerning the election of the representatives of the Assembly by direct universal suffrage (OJ L 278, 8.10.1976, p. 1, ELI: [http://data.europa.eu/eli/dec/1976/787\(1\)/oj](http://data.europa.eu/eli/dec/1976/787(1)/oj)).

months before the estimated date of birth of the child and for a maximum period of six months after the birth.”

Article 2

1. This Decision shall be subject to the approval by the Member States in accordance with their respective constitutional requirements. Member States shall notify the General Secretariat of the Council of the completion of the procedures necessary for that purpose.
2. This Decision shall enter into force on the first day after the day on which the last notification referred to in paragraph 1 has been received.

Article 3

This decision shall be published in the *Official Journal of the European Union*.

Done at Brussels,

For the Council
The President

EXPLANATORY STATEMENT

This report contains the proposed amendment to the European Electoral Act to permit Members of the European Parliament (MEPs) to cast their votes in plenary sessions by proxy for a maximum period of three months before the estimated date of birth of the child and for a maximum period of six months after the birth.

The European Electoral Act needs to be amended because Article 6(1) provides that: “Members of the European Parliament shall vote on an individual and personal basis. They shall not be bound by any instructions and shall not receive a binding mandate”. Therefore, voting on behalf of a fellow Member would violate this provision, even if the aim pursued is legitimate.

The rationale behind the principle of individual and personal vote is that Members of the European Parliament represent directly the Union’s citizens, and that an election by the citizens creates a unique, individual and personal link between the Member and the institution. Hence, in order to introduce a system of voting by substitution in plenary sessions during a Member’s absence due to maternity leave, the legal instruments defining a Member’s vote as a strictly individual and personal vote need to be amended.

Such amendment is designed to accommodate the unique health, physical, and logistical challenges faced by Members who are pregnant or who have recently given birth, thereby enabling them to fully participate in the legislative process without being compelled to attend plenary sessions in person.

Currently, the requirement for in-person voting can pose significant difficulties for Members who are pregnant or who have recently given birth, including increased health risks, mobility limitations, and challenges related to childcare responsibilities. This amendment recognizes these challenges and introduces proxy voting as a practical solution that balances the need for active political engagement with the well-being of Members during these critical life stages.

By formalizing proxy voting, the European Parliament demonstrates its commitment to inclusivity, gender equality, and family-friendly working conditions. It aligns the institution with modern labour standards, best practices and workplace accommodations, thus fostering an environment where all elected representatives can contribute effectively without sacrificing their personal health or family commitments.

Moreover, this amendment promotes the retention and empowerment of women within the European political sphere, addressing barriers that affect female Members. It supports the European Parliament’s broader objectives of diversity and equal opportunity, ensuring that motherhood does not impede parliamentary participation or diminish the democratic representation of citizens.

ANNEX: DECLARATION OF INPUT

The rapporteur declares under his exclusive responsibility that he did not include in his report input from interest representatives falling within the scope of the Interinstitutional Agreement on a mandatory transparency register¹, or from representatives of public authorities of third countries, including their diplomatic missions and embassies, to be listed in this Annex pursuant to Article 8 of Annex I to the Rules of Procedure.

¹ Interinstitutional Agreement of 20 May 2021 between the European Parliament, the Council of the European Union and the European Commission on a mandatory transparency register (OJ L 207, 11.6.2021, p. 1, ELI: http://data.europa.eu/eli/agree_interinst/2021/611/oj).

INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

Date adopted	4.11.2025
Result of final vote	+: 26 -: 4 0: 0
Members present for the final vote	Gerolf Annemans, François-Xavier Bellamy, Vasile Dîncu, Nikolas Farantouris, Daniel Freund, Charles Goerens, Sandro Gozi, Emmanouil Kefalogiannis, Juan Fernando López Aguilar, Thijs Reuten, Bartłomiej Sienkiewicz, Anthony Smith, Stanisław Tyszka, Reinier Van Lanschot, Alexandre Varaut, Loránt Vincze, Charlie Weimers
Substitutes present for the final vote	Marc Angel, Tom Berendsen, Tobiasz Bocheński, Helmut Brandstätter, Marieke Ehlers, Borja Giménez Larraz, Juan Carlos Girauta Vidal, Idoia Mendia, Ana Miguel Pedro, Gheorghe Piperea, Alessandro Zan
Members under Rule 216(7) present for the final vote	Michalis Hadjipantela, Fernando Navarrete Rojas

FINAL VOTE BY ROLL CALL BY THE COMMITTEE RESPONSIBLE ON THE DRAFT LEGISLATIVE PROPOSAL

28	+
PPE	François-Xavier Bellamy, Tom Berendsen, Borja Giménez Larraz, Emmanouil Kefalogiannis, Fernando Navarrete Rojas, Ana Miguel Pedro, Bartłomiej Sienkiewicz, Loránt Vincze
PfE	Gerolf Annemans, Marieke Ehlers, Juan Carlos Girauta Vidal, Alexandre Varaut
ECR	Tobiasz Bocheński, Gheorghe Piperea, Charlie Weimers
Renew	Helmut Brandstätter, Charles Goerens, Sandro Gozi
S&D	Marc Angel, Vasile Dîncu, Juan Fernando López Aguilar, Idoia Mendia, Thijs Reuten, Alessandro Zan
The Left	Nikolas Farantouris, Anthony Smith
Verts/ALE	Daniel Freund, Reinier Van Lanschot

1	-
ESN	Stanisław Tyszka

0	0

Key to symbols:

+ : in favour

- : against

0 : abstention

FINAL VOTE BY ROLL CALL BY THE COMMITTEE RESPONSIBLE ON THE DRAFT MOTION FOR RESOLUTION

26	+
PPE	François-Xavier Bellamy, Tom Berendsen, Borja Giménez Larraz, Michalis Hadjipantela, Emmanouil Kefalogiannis, Fernando Navarrete Rojas, Ana Miguel Pedro, Bartłomiej Sienkiewicz, Loránt Vincze
PfE	Gerolf Annemans, Marieke Ehlers, Juan Carlos Girauta Vidal, Alexandre Varaut
Renew	Helmut Brandstätter, Charles Goerens, Sandro Gozi
S&D	Marc Angel, Vasile Dîncu, Juan Fernando López Aguilar, Idoia Mendia, Thijs Reuten, Alessandro Zan
The Left	Nikolas Farantouris, Anthony Smith
Verts/ALE	Daniel Freund, Reinier Van Lanschot

4	-
ECR	Tobiasz Bocheński, Gheorghe Piperea, Charlie Weimers
ESN	Stanisław Tyszką

0	0

Key to symbols:

+ : in favour

- : against

0 : abstention