



Council of the
European Union

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FREMP 69

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION amending the Act concerning the election of the members of the European Parliament by direct universal suffrage, annexed to Council Decision 76/787/ECSC, EEC, Euratom of 20 September 1976

COUNCIL DECISION (EU, Euratom) 2026/...

of ...

**amending the Act concerning the election
of the members of the European Parliament by direct universal suffrage,
annexed to Council Decision 76/787/ECSC, EEC, Euratom of 20 September 1976**

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 Parliament¹,

Acting in accordance with a special legislative procedure,

¹ Consent of ... (not yet published in the Official Journal).

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 of the European Parliament will allow members to fully exercise their mandates in the periods immediately before and after they give birth.
- (3) The Act concerning the election of the members of the European Parliament by direct universal suffrage², annexed to Council Decision 76/787/ECSC, EEC, Euratom³ should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

² OJ L 278, 8.10.1976, p. 5, ELI: [http://data.europa.eu/eli/dec/1976/787\(2\)/oj](http://data.europa.eu/eli/dec/1976/787(2)/oj).

³ Council Decision 76/787/ECSC, EEC, Euratom of 20 September 1976 (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)).

Article 1

In Article 6 of the Act concerning the election of the members of the European Parliament by direct universal suffrage, the following paragraphs are inserted:

- ‘1a. By way of derogation from paragraph 1, a member of the European Parliament who is pregnant or who has given birth may have her vote cast by another member of the European Parliament, acting as 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 that birth.

- 1b. General conditions governing the derogation provided for in paragraph 1a shall be laid down in the Statute for Members of the European Parliament adopted by Decision 2005/684/EC, Euratom of the European Parliament* and shall ensure compliance with the principles of transparency, accountability, traceability, legal certainty and integrity of the vote.

- 1c. Detailed arrangements for the derogation provided for in paragraph 1a shall be laid down in the Rules of Procedure of the European Parliament.

* Decision 2005/684/EC, Euratom of the European Parliament of 28 September 2005 adopting the Statute for the Members of the European Parliament (OJ L 262, 7.10.2005, p. 1, ELI: <http://data.europa.eu/eli/dec/2005/684/oj>).’

Article 2

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

Done at ..., ...

For the Council

The President
