



TEXTS ADOPTED

P10_TA(2026)0006

Reform of the European Electoral Act - hurdles to ratification and implementation in the Member States

European Parliament resolution of 20 January 2026 on the reform of the European Electoral Act - hurdles to ratification and implementation in the Member States (2025/2028(INI))

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 22, 223(1) and 225 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to the Act concerning the election of the members of the European Parliament by direct universal suffrage¹ (European Electoral Act), annexed to the Council decision of 20 September 1976² as amended,
- having regard to the Framework Agreement of 20 October 2010 on relations between the European Parliament and the European Commission³,
- having regard to its resolution of 11 November 2015 on the reform of the electoral law of the European Union⁴,
- having regard to its position of 3 May 2022 on the proposal for a Council Regulation on the election of the members of the European Parliament by direct universal suffrage, repealing Council Decision

¹ 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).

² 76/787/ECSC, EEC, Euratom: Decision 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)).

³ OJ L 304, 20.11.2010, p. 47, ELI:
http://data.europa.eu/eli/agree_interinst/2010/1120/oj.

⁴ OJ C 366, 27.10.2017, p. 7.

(76/787/ECSC, EEC, Euratom) and the Act concerning the election of the members of the European Parliament by direct universal suffrage annexed to that Decision (2020/2220(INL) — 2022/0902(APP))⁵,

- having regard to Council Decision (EU, Euratom) 2018/994 of 13 July 2018 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 1976⁶,
 - having regard to the United Nations Convention on the Rights of Persons with Disabilities,
 - having regard to Rule 55 of its Rules of Procedure, as well as Article 1(1)(e) of, and Annex 3 to, the decision of the Conference of Presidents of 12 December 2002 on the procedure for granting authorisation to draw up own-initiative reports,
 - having regard to the report of the Committee on Constitutional Affairs (A10-0252/2025),
- A. whereas Article 223 TFEU gives Parliament the right to initiate the reform of its own electoral procedure, with the aim of drawing up a uniform procedure that applies throughout the EU or a procedure that is based on principles common to all Member States, and to give its consent thereto; whereas the EU institutions and the Member States are bound by the principle of mutual sincere cooperation as laid down in Article 4(3) TEU;
- B. whereas a uniform electoral procedure would not only ensure greater equality and transparency in the electoral process but also foster the emergence of a European political and public sphere, thereby strengthening the legitimacy of the EU and its institutions;
- C. whereas, in accordance with Article 223(1) TFEU, the entry into force of the amended European Electoral Act is subject to approval by all Member States in accordance with their respective constitutional requirements, with each Member State retaining full discretion over when to ratify it;
- D. whereas the possibility of developing a uniform electoral procedure based on direct universal suffrage has been enshrined in the Treaties since 1957;
- E. whereas the 1976 European Electoral Act outlined the objective of establishing such a uniform procedure, and explicitly mandated Parliament to take the necessary steps to that end; whereas the

⁵ OJ C 465, 6.12.2022, p. 171.

⁶ OJ L 178, 16.7.2018, p. 1, ELI:
<http://data.europa.eu/eli/dec/2018/994/oj>.

possibility to lay down ‘common principles’ instead of a harmonised procedure was introduced only at a later stage as a pragmatic response to the persistent difficulties in achieving unanimous agreement on a unified electoral procedure; whereas this shift in approach has led to a persistent, uneven implementation of electoral reforms, thereby undermining the original spirit of the Treaties and the 1976 European Electoral Act, and delaying the establishment of a European electoral framework;

- F. whereas the reform of Parliament’s electoral procedure should aim to enhance the democratic dimension of European elections and the legitimacy of the EU’s decision-making process by ensuring equal participation for all EU citizens, thus aligning the electoral framework with Parliament’s role as co-legislator directly elected by EU citizens; whereas such reform should serve to reinforce the concept of EU citizenship, improve the functioning of Parliament and EU governance, and strengthen the principles of electoral equality, equal opportunities and inclusion; whereas it should enhance transparency, accessibility and youth engagement;
- G. whereas a comprehensive agreement on a truly uniform electoral procedure has not yet been reached, and the current framework remains heavily fragmented; whereas gradual convergence has taken place in certain aspects, but current national rules continue to produce significant disparities in key areas across Member States, undermining electoral equality and weakening both the perception of a single, shared European election and citizens’ trust in the European democratic process;
- H. whereas despite several reforms, European elections are still mostly governed by national laws, electoral campaigning remains to a large extent national, and European political parties are unable to sufficiently fulfil their constitutional mandates and ‘contribute to forming European political awareness and to expressing the will of citizens of the Union’, as required by Article 10(4) TEU; whereas the recast of the regulation on the statute and funding of European political parties and European political foundations⁷ has brought a level of clarity in that respect;
- I. whereas an electoral threshold for the allocation of seats is the minimum percentage of votes that a political party or coalition is required to secure in order to gain a seat in the legislative assembly;

⁷ Regulation (EU, Euratom) No 1141/2014 of the European Parliament and of the Council of 22 October 2014 on the statute and funding of European political parties and European political foundations, (OJ L 317, 4.11.2014, p. 1, ELI: <http://data.europa.eu/eli/reg/2014/1141/oj>).

- J. whereas Council Decision (EU, Euratom) 2018/994⁸ establishes a threshold of between 2 % and 5 % for Member States with constituencies of more than 35 seats; whereas electoral thresholds must strike a balance between governability and political plurality;
- K. whereas the ratification process of the 2018 reform has experienced delays, with a few Member States not having completed the necessary ratification procedures in time ahead of the 2024 European elections;
- L. whereas every EU citizen has an equal opportunity to participate in the democratic process to guarantee a more inclusive electoral process; whereas only a few Members of the European Parliament (MEPs) belong to national and ethnic minorities officially recognised as minorities in their respective Member States, in accordance with their respective constitutional or legal frameworks and relevant Council of Europe instruments; whereas the Venice Commission and Council for Democratic Elections report of 15 March 2005 on electoral rules and affirmative action for national minorities' participation in decision-making process in European countries recommended a number of measures to ensure the fair representation of minorities;
- M. whereas the reform of the electoral procedure on the basis of Article 223(1) TFEU must fully respect the principles of subsidiarity and proportionality, and the scrutiny and ratification prerogatives of national parliaments;

Main conclusions

1. Recalls that the path towards the Europeanisation of national electoral rules concerning the elections to the European Parliament would benefit from further strengthening, namely regarding accessibility for disadvantaged groups, common deadlines for the finalisation of electoral lists, the prevention of double voting and the enhancement of the visibility and role of European political parties in electoral processes; recalls, however, that many existing provisions in the current European Electoral Act have been implemented in all Member States, namely a proportional representation system, a maximum electoral threshold of 5 % and a ban on MEPs holding a dual mandate in national parliaments and the European Parliament; considers, nevertheless, that the completion of a European 'demos' is far from done and that policy efforts must be intensified to make the EU less bureaucratic and more democratic;

⁸ Council Decision (EU, Euratom) 2018/994 of 13 July 2018 amending the Act concerning the election of the members of the European Parliament by direct universal suffrage, annexed to Council Decision 76/787/EEC, Euratom of 20 September 1976 (OJ L 178, 16.7.2018, p. 1, ELI: <http://data.europa.eu/eli/dec/2018/994/oj>).

2. Reiterates that European elections continue to be conducted largely under national legal and institutional frameworks, which were conceived in a markedly different phase of European integration; stresses that these rules no longer correspond to the enhanced role and legislative powers of the European Parliament, particularly since the entry into force of the Treaty of Lisbon;
3. Recalls that Council Decision (EU, Euratom) 2018/994 contains a number of provisions that Member States are either obliged or invited to implement; points out that optional measures have not been implemented by some Member States and that some mandatory measures have been implemented differently by some Member States, such as those concerning the prevention of double voting; notes that most provisions laid down in Council Decision (EU, Euratom) 2018/994 remain optional; considers that the limited transposition of these non-binding provisions reveals a lack of political will to overcome national resistance and commit to a democratic process that better reflects the European dimension;
4. Recalls that the deadlines for finalising electoral lists ahead of European elections vary greatly among Member States, currently ranging from 21 days to 90 days, placing candidates and voters across the EU in an unequal position when it comes to the time available to campaign or to reflect on their voting choice;
5. Points out that the creation of a European public sphere and a political debate that goes beyond national borders, particularly in the context of European elections, is essential to strengthening EU democracy; underlines that European political parties are a key instrument in fostering such a debate; considers that all ballot papers must include the names of candidates and the logo of the European political party to which each national party is affiliated, and that the candidates should have proper visibility on online, television and radio campaign broadcasts, posters and other material used in European election campaigns; considers these measures to be a minimum requirement for informing voters about the European dimension of their vote and enabling European political parties to fulfil their role under Article 10(4) TEU; believes that these measures would render European elections more transparent, prevent any distortion of the right of voters to be informed about the existence of alliance agreements between political parties in European elections, and enable citizens to consciously cast their vote for a political party that belongs to their preferred political group in the European Parliament; deplores the fact that this is only an optional measure under Council Decision (EU, Euratom) 2018/994 and has not yet been transposed into any national legislation to date;
6. Recalls the need to continue progressing in making the electoral process more inclusive to ensure that every citizen, regardless of their circumstances, has an equal opportunity to participate in the

democratic process; points out that some Member States' national rules do not allow voters with disabilities to change their assigned polling station to another that better accommodates their needs or to access electoral information in accessible formats; emphasises that any barriers to the right to vote and to stand as a candidate for persons with disabilities are incompatible with the obligations arising from the UN Convention on the Rights of Persons with Disabilities and should be removed in order to guarantee accessibility for all throughout the electoral process;

7. Notes that postal voting and its complementary means are presented in Council Decision (EU, Euratom) 2018/994 as an optional measure aimed at facilitating accessibility for persons with disabilities; underlines that, while this objective is essential, postal voting also plays a broader role in making electoral participation more flexible and inclusive; stresses that offering postal voting as a guaranteed option in all Member States would benefit not only persons with disabilities but also citizens who are unable to vote in person owing to extraordinary circumstances; considers that ensuring wider access to postal voting would enhance participation, especially among mobile EU citizens and younger voters, and contribute to increasing overall voter turnout;
8. Recalls that the situation of dual EU citizens has not yet been resolved, as it is still possible for a dual EU citizen to be automatically included on the electoral rolls of more than one Member State, with no available means of deregistering; notes that a dual EU citizen who is automatically registered on more than one electoral roll, but votes only in one Member State, as required, may nevertheless be considered not to have voted in the other Member State and could face a penalty as a result;
9. Welcomes Parliament's initiative to introduce proxy voting arrangements for cases of maternity leave through an amendment to the European Electoral Act, as a balanced and practical solution to support MEPs while ensuring the continuity of representation;
10. Emphasises that Council Decision (EU, Euratom) 2018/994 is not yet in force as the ratification process is still ongoing in one remaining Member State; notes that, while Germany has ratified Council Decision (EU, Euratom) 2018/994, the German electoral law for the European elections has not been amended because as long as the 2 % threshold is not mandatory under EU law, it cannot be introduced in German law;
11. Notes the Commission's role as facilitator in the institutional talks between Parliament and the Council on the new proposal to reform the European Electoral Act; considers it essential to engage in a constructive dialogue with the Council to evaluate Parliament's 2022 proposal and make progress; underlines that the lack of progress is

not due to technical or legal obstacles but to a lack of political will among Member States to engage with Parliament's proposals; is convinced that this report should provide new impetus to start interinstitutional negotiations on the 2022 proposal without delay and urges upcoming Council presidencies to comply with their obligations under the principle of mutual and sincere cooperation;

Recommendations

12. Considers the transparency of the electoral process and access to reliable information to be essential factors in raising European political awareness and securing an election turnout that is high enough to constitute a mandate from the electorate; highlights that candidates should have the same opportunities to campaign and that citizens should be informed well in advance about the candidates standing in the European elections; stresses, therefore, the importance of harmonising the deadlines for the submission of electoral lists across the Member States, as requested by Parliament on several occasions;
13. Emphasises that it is essential to facilitate access to voting in European elections and to guarantee that all those entitled to vote are able to exercise this right through postal voting or other complementary means; calls on the Member States to ensure equal access to information and the electoral process for all citizens, including persons with disabilities, especially when public structures are not fully accessible; calls, furthermore, on the Member States to guarantee the right to vote and stand for election for persons with disabilities by establishing provisions that harmonise the accessibility of voting facilities, polling stations, electoral procedures and electoral materials for persons with disabilities, and that enable them to vote independently and in secret; notes that the responsibility for regulating accessibility remains entirely with the Member States and invites them to cooperate with organisations of persons with disabilities to assess and address the legal and practical barriers that prevent their participation in elections, both as voters and as candidates;
14. Calls on all Member States to implement all the optional measures included in Council Decision (EU, Euratom) 2018/994 and, in particular, to enhance the visibility of electoral alliances in European elections, the affiliation of national political parties to European political parties, European associations of voters and other European electoral entities, through media campaigns, the distribution of uniform ballot papers that clearly indicate European alliances throughout each Member State, and indications on all other electoral materials; considers that national parties and associations of voters should indicate, where applicable, their affiliation to European political parties or other European electoral entities during the electoral campaign, including on ballot papers;

15. Calls on all Member States to take concrete steps to harmonise candidacy requirements in order to ensure fair and equal access to the electoral process for all political actors, in line with the principle of fair competition and democratic pluralism;

16. Underlines that the ratification of Council Decision (EU, Euratom) 2018/994 by all Member States remains mandatory to allow it to enter into force; calls, therefore, on the remaining Member State to start the ratification procedure;

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17. Instructs its President to forward this resolution to the Council and the Commission.