

Towards gender balance in the European elections

Electoral quotas – What can they achieve?

SUMMARY

Gender-balanced representation among the decision-makers of the European Union is an important step towards full realisation of the principle of equality between women and men enshrined in the EU Treaties. The Union has made steady and significant progress, starting from a very low presence of women among EU Commissioners and Members of the European Parliament at the time when those institutions were created.

The European Parliament is today one of the world's most gender-balanced representative assemblies, but there are still significant divergences between EU countries. Several EU countries elect men and women in almost equal numbers, but others are still far away from such a balance. In this context, analysing the tools that have allowed some Member States to fill the gender gap is instrumental for further progress.

One tool stands apart in bringing about change in the most straightforward way: electoral quotas. Quotas can speed up progress significantly, but they are neither an indispensable nor a sufficient instrument for securing balanced political representation. Some countries do well without quotas, while others which do have quotas are still lagging behind. To be effective, quotas must be designed to match the electoral system, and need to be reinforced by rank-order rules. They need to be applied by political parties in a substantive and not merely a formal way, and flanked by other measures to encourage greater participation by women in politics and to induce a change of political culture leading to a more women-friendly environment. Effective sanctions for non-compliance matter, too. Voluntary party quotas are an additional tool and they can also be meaningfully applied in countries with binding quotas. The European Parliament has drafted a legislative proposal to support, among other things, a binding objective of gender balance for European elections, but so far the Council has not endorsed it.

This briefing is one in a series of [publications](#) ahead of the 2024 European elections.



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Context

Equality between women and men is a fundamental principle of the EU (Articles 2 and 3 of the [Treaty on European Union](#)) and an objective to be pursued by the EU through all its policies (Article 8 of the [Treaty on the Functioning of the European Union](#)). Therefore, this principle must be reflected, among other things, in a more equal presence of women among the decision-makers of the Union. More equal representation of women in politics also matters for other reasons, including social justice and better representation of women's needs and interests in policymaking. It gives women the opportunity to prove themselves as talented decision-makers and helps dispel negative stereotypes about women politicians, reinforcing positive voter attitudes and setting examples for younger generations.

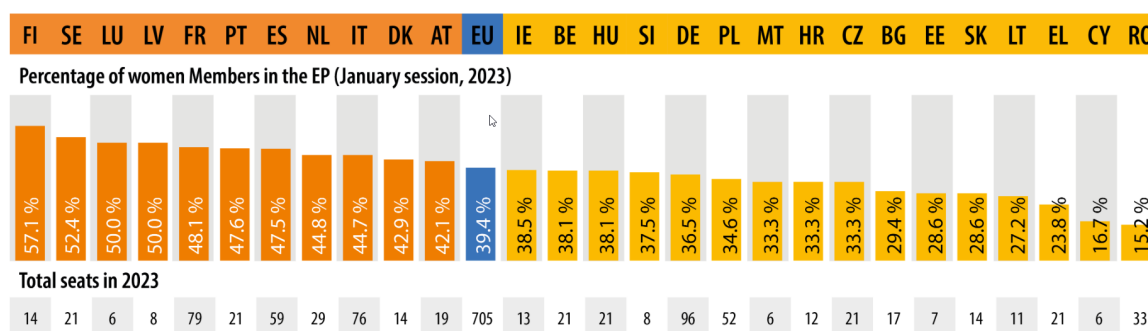
Equal political representation of women is also advocated by international organisations. The UN Sustainable Development Goals proclaim the [objective](#) of 'ensur[ing] women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life'. The Council of Europe has called on governments to achieve balanced participation in political life ([defined](#) as achieving a minimum representation of 40 % of women and men) and has repeatedly expressed [support](#) for legislated gender quotas, encouraging parties to adopt voluntary quotas, and its Members to provide them with financial incentives in this respect.

Achieving gender-equal representation in parliaments is, however, not straightforward. In the end, it is up to European voters, exercising their electoral rights in all freedom, to choose the Members of the European Parliament (MEPs). European elections are based on the principle of proportional electoral representation, which in practice means that voters most often vote for party lists. Hence the need for women to be fairly represented in the political options presented to European voters by parties, and for voters to have the possibility to make balanced choices between male and female politicians. A tool of choice in this respect has been the adoption of legislated gender quotas.

Current gender imbalance in the European Commission and the European Parliament

The political representation of women at EU level, whether as members of the European Commission or of the European Parliament, has witnessed gradual and steady progress. The current [European Commission](#) is the most gender-[balanced](#) in the history of the institution, being also led for the first time by a woman president. From a low of 16.6 % in the first directly elected legislature in 1979, the percentage of female MEPs has risen continuously after each election, reaching 41 % following the [2019 election](#). This figure, as of August 2023, stands at [39.5 %](#)¹ – above the world average for national parliaments (26.5 % at the beginning of 2023) and above the European average for national parliaments ([32.8 %](#) as of the second quarter of 2023).

Figure 1 – Share of women Members of the European Parliament, January 2023



Source: [European Parliamentary Research Service](#).

However, there are large disparities between Member States. At one end of the spectrum, a growing number of countries are at or around parity. Two delegations have slightly more women than men (Finland and Sweden) and two are at perfect parity (Luxembourg and Latvia²). At the other end of the spectrum, women make up less than a quarter of MEPs from Romania, Cyprus and Greece. The distribution by gender of MEPs' seats reflects a similar composition at national level, with the caveat that there are more men than women in all EU Member State national parliaments.

The European Parliament does not collect data on whether its Members belong to minority and vulnerable groups, such as people with a migrant background, LGBTIQ+ people, Roma, people with a disability, etc. In terms of age, [research](#) finds that, throughout the Parliament's history, from 1979 to the 2014-2019 session, more young women than middle-aged or older women were elected.

Gender quotas: A tool of choice, but not without controversy

The most straightforward tool for closing the gender gap in political representation consists of gender quotas. [Gender quotas](#) are defined as 'numerical targets' providing for a number or share of women – or candidates of each gender – that must be included in a candidate list, or for a number of seats to be allocated to women or each gender in a legislature. Quotas usually range from 33 % to 40 % or 50 % for each sex, or sometimes only for women.

There are several types of quota that differ according to whether they are binding or not, and the part of the nomination or selection process they target. Based on the way they are established, there are [two main types](#) of gender quota: **legislated quotas** (implemented through reforms to electoral laws or constitutions, requiring that all parties nominate a certain proportion of women candidates on their electoral lists); and **voluntary party quotas** (commitments made by individual political parties to include a certain percentage of women party members among candidates for election). Compulsory and voluntary party quotas may apply to candidates or elected representatives. In the first case, the most frequent in Europe, quotas require either a certain percentage of the candidates included in each electoral list to be women, or a percentage of each gender. The second type of quota applies to the nomination of those elected, requiring a certain percentage of seats in parliament to be reserved for women (or each gender).

Quotas can be supplemented by rank-order rules to ensure that women are placed in winnable positions on electoral lists. If they provide for the alternating of men and women, these rules are known as 'zipping'. They can provide for strict alternating of one man and one woman throughout the list, for alternating only in the top places, or for a certain share of women in a certain section of an electoral list (e.g. at least 40 % women in every batch of several candidates on the list).

Fit for the electoral system?

To be effective, candidate quotas need to be designed to fit the electoral system. Certain electoral systems are, by their structure, more adequate to accommodate quotas. In single-seat constituencies, quotas³ obviously cannot apply to individual constituencies, but they can apply across all constituencies as an outcome target. France, for example, has a system of single constituencies for the election of its National Assembly Members. A gender parity requirement applies by law across all constituencies as an objective for political parties. Parties which do not reach parity are penalised with a reduction in funding from the state. Such sanctions aim to curb the traditionally strong tendency of parties to nominate male candidates in single-seat districts.

Proportional representation, on the other hand, more readily facilitates the introduction of gender quotas. Quotas work best in multiple-seat constituencies with list proportional representation.⁴ In this system, two elements have an important influence on quotas: the [type of list](#) and the [magnitude of the electoral constituency](#) (how many seats are available).

Open versus closed lists

Lists can be closed or open. In closed lists, the ranking on the list, fixed by the party, determines who gets elected, and voters have no possibility to make individual choices. On open lists, there are varying degrees of openness. Voters can express their preference for one or several candidates, cumulate their votes for the same candidates, or in some cases can distribute their votes across party lists. Voters thus have much more freedom to opt for individual candidates, but there is a risk that their gender bias can undermine the effectiveness of quotas. Evidence from European countries on the gender preferences of the electorate shows that such preferences can indeed influence outcomes. For example, case studies of Austria and Germany⁵ have concluded that vote preferences tended to favour men in national and regional elections. On the other hand, an [analysis](#) of the outcome of the 2014 European Parliament elections found that, where voters could express a preference for individual candidates (in mixed or open systems), women were more likely to be elected in some EU countries, but not in others.⁶

In the case of closed lists, it is up to the parties to propose balanced lists. Binding quotas and zipping come into play to oblige them to do so. Even if they are not obliged to do so, closed lists do provide an opportunity for the party to propose more diverse candidates, including women and minority representatives with real chances of being elected, but placement on a closed list is crucial. If women are placed at the bottom of the list, this effectively annuls their electoral chances. Here, zipping comes into play to ensure a ranking on lists that gives fair chances to women.

Large versus small constituencies

In terms of constituency size, in constituencies which elect a higher number of members it is easier for women to be nominated and to be elected. Parties have an incentive to present more diverse lists to attract as many voters as possible. This system ensures that women placed lower on the list also have a chance of being elected. In small districts with proportional representation, quotas are probably less effective, since male incumbents and male local party leaders tend to occupy the top seats to the disadvantage of women.

Pros and cons of binding gender quotas

[Quotas](#) have both strong supporters and vehement opponents. In the EU, countries are almost equally divided between those that have quotas and those which do not have them. In those without quotas, the political culture and possibly constitutional incompatibility have hindered the introduction of quotas. Countries that have done well on gender balance due to their political culture are more wary of quotas. Sweden⁷ – one of the countries with the highest representation of women in parliaments in Europe and the world – has a strong tradition that favours a voluntary bottom-up approach, and strictly upholds the democratic principle that the authorities should not be able to decide on which persons the parties want as candidates. In Germany, the [Länder](#) of [Brandenburg](#) and [Thuringia](#) tried to legislate for gender quotas in regional elections, but their Constitutional Courts struck down the provisions. In France, one of the first EU countries to introduce quotas, a [constitutional revision](#) was necessary and was undertaken in 1999 to pave the way for quotas. Slovenia also [modified](#) its constitution ahead of introducing quotas.

Arguments in favour of quotas

The arguments in favour of quotas refer firstly to their effectiveness. Countries such as Sweden, Finland, the Netherlands, Denmark and Germany have managed to achieve some of the highest shares of women in parliaments and executives in the EU without binding quotas, but in other countries – such as Belgium, France, Ireland, Italy, Portugal and Spain – quotas have proven very effective at driving major advances. Overall, when comparing recent progress in all EU countries, binding quotas appear to speed up significantly progress towards gender equality in political representation. According to a [report](#) by the European Institute for Gender Equality (EIGE), 'if both groups [countries with and without quotas] continue at their respective rates of change, countries

with legislated quotas will achieve gender balance in 5 years (2026), while the "no action" group will take closer to two decades (2038)'.

Arguments against quotas

One major argument against quotas is that several countries with a strong tradition of being opposed to quotas have still made impressive progress on gender equality in politics. The two countries in the European Parliament with the highest share of women, Finland and Sweden, have no quotas, as do several others above the EU average. However, some researchers⁸ point to the need to put this into a historical perspective and to take a more nuanced approach. Austria, Denmark, Finland, Germany, the Netherlands and Sweden – countries without quotas – were all among the top 10 countries in the world in terms of women's representation in national parliaments in 1995, but among them only Sweden has made substantial progress and has remained in the top 10 worldwide. According to the same researchers, the Dutch Second Chamber and the German Bundestag have more or less the same percentage of women as almost three decades ago. Moreover, the rise of populist parties with a strong share of male candidates may again lower women's representation in these countries. This is seen as a reason to advocate binding gender quotas⁹ even in these more egalitarian countries.

The case of Denmark: A no-quota country with a relatively high percentage of women

Denmark is known as a country without quotas, whether binding or voluntary, so what explains the relative success of the Danish model in ensuring broad representation of women? A [study](#) on the matter highlights the importance of 'cultural factors (such as the informal gender equality norm) and political factors (such as the parties' attitudes to gender equality)'. According to the same source, 'the preferences of the electorate for women is reinforcing these party elements'.

Opponents [argue](#) that quotas violate the freedom of political association, as they interfere with the free choice of candidates by political parties; as state interference in the political process, they can undermine democracy more broadly. Another [argument](#) is that it would oblige parties to include a share of women on political lists that does not necessarily reflect the gender structure of the party membership, which is still often predominantly male. A related objection refers to possible discrimination against men and the undermining of the meritocratic principle.

A further argument is that quotas risk reducing trust in women politicians, who would be perceived to win seats mostly because of quotas and not personal merit. This is also known as the stigma of 'quota women',¹⁰ which risks undermining the effectiveness of female politicians. However, there is no evidence from countries that use quotas that such effects have materialised. In some instances, resistance in the party may be due to the fact that women candidates are often newcomers who challenge incumbents, rather than because of their gender.¹¹ One of the most commonly invoked arguments for not fulfilling quotas is that there are not enough women candidates. Against this argument, one may argue that parties need to adapt their strategy to attract more women and create a political culture favourable to the presence of women. Moreover, in countries or parties that use quotas, it seems that there is no shortage of women candidates.

Effectiveness of quotas

As explained above, quotas can be highly effective at driving change, but they are not always effective enough to match their own target, i.e. a 40% gender quota on the lists will not necessarily translate into 40% of seats for women in parliament. There is usually a gap between the percentage of women on the list and the percentage of women elected. This also happens partly because parties comply only with the minimum legal requirements and not with the spirit of the quota regulations. The most common cause is that women are placed in unwinnable positions on the list or, if they are put at the top of lists/nominated as single candidates, this happens in hard-to-win districts (where the party is less popular). On the other hand, there is a tendency to over-represent men in top positions on the lists and in safe seats.

There are various obstacles inside parties to the effective implementation of quotas, including male incumbency and the influence of male politicians who play the role of gatekeepers in the party, as well as concerns about losing voters. Women's committees inside parties can play an important role in monitoring lists and promoting more gender equality. There are also cultural hurdles, whether at party or national level. For example, in Poland, which has binding quotas, these are associated with 'forced equality' promoted in the past by state socialism, which, it is argued, undermines their effectiveness.¹²

Even zipping may not be effective enough at ensuring parity, if parties continue to nominate male candidates in the first position on the list. For example,¹³ in Spain regions that have introduced zipping still have more men in their regional parliaments than women (Andalusia, Balears and Castilla-La Mancha), while in some others that do not have zipping women represent over 50 % of parliamentarians (Valencià, Galicia, Navarra, Euskadi y Murcia).

Moreover, where quotas ensure a strong presence of women in legislative assemblies, this does not necessarily ensure equality in practice. For example, once elected, women may remain excluded from the leading positions, and still have to struggle with gender stereotypes.¹⁴

Quotas need to be flanked by other measures

The makeup of electoral lists can only provide balanced choices to voters, but the ultimate decision rests with them, and voter attitudes towards women are a key determinant of how many women are elected. The [Gender Social Norms Index \(GSNI\)](#), last published by the United Nations Development Programme in June 2023, shows big divergences between EU Member States with respect to bias against women in politics. While in some EU countries less than 20 % of people consider women less capable than men to be political leaders, in others half the population show such biases. These attitudes largely correlate with the representation of women in parliaments at national or European level.

An [exchange](#) of good practices among the EU Member States, organised in 2016 by the European Commission, on promoting better participation of women in decision-making, which reflected on the use of quotas, found that these could be a 'door opener' but needed to be flanked by other measures at both national and European level. These should include 'activities to challenge gender stereotyping, encourage a greater presence of women in the media and a better representation of women in the media, and promote an equal sharing of caring and home-making responsibilities'. [Further proposed measures](#) include the provision of **targeted support and training** on political management and communication to run for office, **including equal access to campaign funding**.

Situation as of mid-2023 for the European elections

Legislated quotas

Over time, several EU Member States have introduced quotas for European elections in their legislation, as seen in Table 1. **As of July 2023, 11 Member States (Belgium, Greece, Spain, France, Croatia, Italy, Luxembourg, Poland, Portugal, Romania and Slovenia) have legislated gender quotas for European elections**, compared to 13 countries with quotas for their national elections. These same 11 countries applied quotas in the 2019 elections and none has changed its relevant legislation since. The two EU countries that apply the single transferable vote system (**Ireland and Malta**) **have binding gender quotas for national elections, but not for European ones**. In the case of Malta, the national system is not applicable to the European level, since it presupposes a gender corrective mechanism, which consists of a potential increase in the number of seats in its national parliament to ensure gender balance – this is impossible for the European Parliament, where Malta's number of seats is fixed. In Ireland there has been a debate on the introduction of quotas for European election lists and [women's organisations](#) support the introduction of quotas.

In 10 of the 11 countries with legislated quotas, the law requires political parties to ensure gender balance on electoral lists for European elections. In one country - Luxembourg, parties are not obliged

to do so, but are subject to a reduction in their [state funding](#), which is proportional to their failure to ensure parity on electoral lists (between 25% and 75%). **Belgium, France and Italy** also apply the **parity principle** (50 % for each gender), but in a binding way. **Greece, Spain, Croatia, Portugal and Slovenia have a 40 % gender quota for European elections**, while **in Poland the minimal presence of each gender is set at 35 %**. **Romania** is a special case, as the only country that has a vague legal obligation for lists of candidates to ensure the representation of both sexes, and for parties to ensure *balanced* representation of both sexes on lists without further specification; in practice, this has proven ineffective, as the gender composition of the country's delegation in the European Parliament shows (see Figure 1).

Rank-order rules apply in countries (France, Spain and Portugal) where the voters cannot express preferences for individual candidates on the list (except again in Romania, which uses closed lists without any binding rank-order rules). France is the only country that applies strict alternation of both sexes throughout the lists, while Spain and Portugal apply it to certain sections of the lists (see Table 1). In countries that use preference voting, zipping is relevant where the voters have a choice between voting for the entire list or individual candidates (as is the case in Belgium, Croatia and Luxembourg), but only Belgium applies it.

To encourage **voters to make gender-balanced choices**, Italy has established a system of preference voting that obliges voters to choose candidates of both sexes. If voters express more than two preferences in the European elections, they are obliged to select candidates of both sexes, otherwise only their first preference is valid and the other(s) are cancelled.

With regard to **sanctions**, in Belgium, Greece, Spain, France, Italy, Poland, Portugal and Slovenia lists are invalidated if they do not comply with the quota requirements for European elections, usually after parties are given the chance to rectify them, and in the case of Italy after the electoral authority modifies them in line with quota requirements (if this is not possible, then lists are invalidated). Luxembourg's law provides for a reduction in funding, while Croatia and Romania can apply financial sanctions. In Romania, the National Council for Fighting Discrimination [established](#) that electoral lists for the 2019 European elections did not comply with legal obligations on gender balance in the case of all but one party that won seats, but it only issued a warning with no financial penalties. In Croatia, according to a researcher on the matter,¹⁵ 'the existent quota legislation is far from draconian. Parties were eased into quotas, left with enough time to adjust, were granted exceptions, and prescribed rare and mild penalties.'

Table 1: EU Member States with legislated quotas as of June 2023

Country	EU: quotas	EU: zipping/position on the list (applicable in 2019 and still in force)	History of legislative measures	First use in EP elections
Belgium	Parity (difference cannot be bigger than one place)	First two places (also for substitutes)	1994: first gender quota law adopted (at least 25 % of candidates of each sex) 2002 law providing for parity (difference in number of candidates not greater than 1)	1999
Croatia	At least 40 % of each sex or gender	None	2000 constitutional amendment 2008 organic act providing for quotas (at least 40 % of candidates of each sex)	2019 ¹⁶
France	Parity (50 %): difference cannot be bigger than one	List is composed alternating one candidate of each sex	1999 constitutional amendment to introduce the principle of parity	2004

			2000 law on equal access of men and women to elected offices and functions	
Greece	At least 40 % for each gender	Not applicable (preferential voting on alphabetically ordered lists)	2014 law on the elections of the Members of European Parliament: 30 % quota 2019 law on gender equality: increase from 30 % to 40 %	2014
Italy	No more than half (rounded to the next integer)	Ziping for first two places on the list Voters must choose at least one woman and one man if they vote for more than one candidate, otherwise their vote is partly annulled	Law 65/2014 amended Law 18/1979 to ensure gender balance in the electoral lists	2019
Luxembourg	50 %	None	2016 law providing for a proportional reduction in funding for parties that do not respect the parity principle for European elections lists	2019
Poland	At least 35 % for each gender	Not applicable (preferential voting, no list vote)	Law of 5 January 2011 Electoral Code providing for at least 35 % of all candidates on the party lists to be women/men	2014
Portugal	At least 40 % of each sex	Not more than two consecutive candidates of same sex	2006 parity law providing for a 33.3 % minimum representation of each sex on candidate lists, amended to 40 % in 2019 law	2009
Romania	Balanced representation of both sexes on the lists	None	Law 33/2007 on European elections: candidate lists must include both female and male candidates Law 202/2002 on equality of opportunity and treatment between women and men requires political parties to ensure balanced representation of women and men in the nomination of candidates at all elections	2009
Slovenia	No less than 40 % for each gender	At least one candidate of each gender is placed in the upper half of the list	2004 constitutional amendment 2004 amendment to the Law on Elections to the European Parliament introduced a 40 % gender quota for candidate lists, including rank-order rules (alternating by gender in the first half of the list)	2004
Spain	At least 40 % for each gender	40 % in each batch of 5 places on the list (as close as possible)	2007 organic law on the effective equality of women and men provides for a minimum of 40 % and a	2009

		to parity if the last batch has fewer than 5 places)	maximum of 60 % candidates of either sex throughout the ballots and in every batch of 5 candidates (if less, whatever is close to parity)	
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Source: Table compiled on the basis of information provided in June 2023 by country specialists from EPRS.

Voluntary quotas

In countries that have not adopted any legislated quotas, the institutional culture of political parties can play a crucial role in promoting women politicians. One of the mechanisms applied by political parties consists of internal gender quotas for their electoral lists. Of course, such quotas are of utmost relevance in countries where there are no binding quotas, but, even in countries with quotas, in certain cases there may be room for more ambitious party-level objectives. For example, they can aim for higher quotas, such as 50 % instead of 40 %, or be more ambitious by placing more women at the top and in winnable places. In EU countries, voluntary quotas remain largely confined to parties on the left

Examples of parties represented after the 2019 election in the European Parliament that have established internal rules on gender quotas

Austria: Austrian People's Party ([ÖVP](#)): 40 % + zipper system; Social Democratic Party of Austria (SPÖ): 40 % + zipper system; The Greens (Grüne): at least 50 % women + zipper system (see [report](#))

Cyprus: [Democratic Rally of Cyprus \(DISY\)](#): 30 % gender quota among its candidates for the parliamentary, municipal and European elections

Germany: Alliance 90/The Greens ([Bündnis 90/Die Grünen](#)): +50 % women + zipping (uneven places for women); The Left (Die Linke): 50 % women, one of the top two places and all uneven places afterwards reserved for women if candidates available; Social Democratic Party of Germany ([SPD](#)): zipping (alternating through the list); Christian Democratic Union of Germany (CDU): [rule adopted](#) in September 2022 for women to fill 50 % of the top 10 positions on their list by 2025

Denmark: [Alternativet](#): the top two places on the list must be [occupied](#) by candidates of different genders (for national and European elections); [Enhedslisten](#) (The Red-Green Alliance): broad composition of the list of candidates

Spain: PSOE: [at least 40 %](#) for each gender, alternating men/women; Podemos: [full parity](#), understood as at least 50 % women, deviation from strict zipping possible only if it benefits women

Croatia: [SDP](#) (Social Democrat Party): principle of alternating the order of candidates of different sexes or genders ([Statute](#))

Lithuania: [Lithuanian Social Democratic Party](#) (LSDP): representatives of one sex in all elected party bodies and lists of candidates participating in elections may not exceed 60 % ([LSDP Statute](#), Article 58); zipping of candidates women/men, every 5th place can be of both genders

Malta: Labour Party: concrete target of increasing its female candidates to 50 % for the 2024 European elections

Netherlands: Labour Party ([PvdA](#)): its committee was asked to put at least 50 % women candidates on the list, with 'at least three women per cohort of six places'

Slovenia: the Social Democrats have a quota (40 %) for the electoral lists, written in their internal statute

Sweden: Social Democrats: ([Statutes, adopted by the 2021 Party Congress](#)) the party's ballot papers must be drawn up in such a way as to ensure gender balance within the party group in the constituency

This list does not pretend to be exhaustive. It provides examples of parties which apply voluntary quotas across the EU. Depending on the type of electoral system and the legislative quotas implemented in some countries, internal gender balance rules may be less relevant or even irrelevant in certain countries; hence, they are not used.

of the political spectrum,¹⁷ but there are also cases where they have been adopted by major centre-right parties. The Austrian People's Party (ÖVP) applies a 40% gender quota with a zipper system and the German Christian Democratic Union ([CDU](#)) has adopted a gradual approach for women candidates to fill 50% of the top 10 places on their list by 2025.

EU and European Parliament initiatives

Introducing mandatory gender quotas in the European elections is an idea that has been considered for some time and was included in a legislative proposal by the European Parliament to amend the EU law on the organisation of European elections.

[Research](#) commissioned by the Committee on Women's Rights and Gender Equality (FEMM) following the 2014 elections concluded that findings on the impact of quotas were nuanced, but their use appeared to have had a positive effect on women's chances of being elected. It recommended that European political parties use their influence to encourage member parties to adopt quotas or zipping, and that women's NGOs and other advocates of quotas and zipping should demonstrate the benefits of using these systems.

Another [study](#) commissioned by the FEMM committee ahead of the 2019 elections stressed that, since there are fewer seats available in European than national elections, political parties play a particularly key role in promoting candidates, urging them to consider quotas on lists of at least 40%, with zipping throughout the list. It encouraged parties to deliver 'capacity-building initiatives targeted at women that focus not only on training and mentoring, but also on building networks and providing direct experience of political processes and activities', and called on Member States with low levels of representation of women to introduce binding parity quotas with zipping.

EU law on the election of Members of the European Parliament

The conduct of elections for the European Parliament is currently regulated by national laws, subject to common European principles. According to [Article 223](#) of the Treaty on the Functioning of the European Union (TFEU), the European Parliament puts forward a legislative proposal for the election of MEPs in accordance with a uniform electoral procedure applicable in all Member States, or in accordance with principles common to all Member States. This proposal requires unanimity in the Council and approval by all Member States in line with their constitutional procedure. 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, with subsequent amendments) is the EU legislation currently in force for the election of MEPs. Article 1 of the Act provides that Members of the European Parliament shall be elected through direct universal suffrage 'on the basis of proportional representation, using the list system or the single transferable vote'. It also allows Member States to use voting based on a preferential list system.

With regard to the imposition of gender quotas, there is currently no harmonisation across Member States through EU legislation. In recent years, the European Parliament has launched two proposals to modify the rules and to introduce provisions on gender equality. Following the lowest-ever turnout ([42.6%](#)) in the 2014 elections, Parliament initiated a debate on electoral law reform. A report ([2015/2035\(INL\)](#)) was drafted in Parliament's Committee on Constitutional Affairs (AFCO). The committee added a provision requiring Member States to ensure that the lists of candidates for European elections are gender-equal, either by means of zipped lists or other equivalent methods. The final report adopted in plenary maintained the requirement, but removed the reference to zipped lists or other methods to ensure gender equality; however, the Council deleted the provision concerning gender equality on the lists for European elections. In any case, [Council Decision \(EU\) 2018/994](#) is still not in force, as a few Member States have not yet approved it as required by Article 223 TFEU.

Given this situation, Parliament decided during the present legislative term to propose a far-reaching change of the rules for European Parliament elections. The AFCO committee drafted a

[report](#) proposing to repeal the 1976 Act and adopt a Council regulation establishing a common electoral procedure for the election of 28 MEPs in a Union-wide constituency, and a common set of principles that would apply to all Member States in the elections in the national constituencies. From the outset, the [draft legislative report](#) proposed to introduce a new provision aiming to ensure gender parity in the European Parliament through zipped candidate lists. The proposal was, however, modified by the AFCO committee and in plenary, and the [final draft legislative act](#) adopted by Parliament includes a provision obliging Member States to achieve gender equality making use of the model that best fits their electoral system for European elections, and imposing an obligation on political entities to ensure gender equality when presenting their candidatures in the EU-wide constituency, either by using a zipped system or quotas. The Council has to approve this proposal unanimously, after obtaining Parliament's consent. The General Affairs configuration of the Council held a first policy debate on the proposal on 18 October 2022. During the [debate](#), some Member States expressed reservations as to the creation of a Union-wide constituency and the elements of the proposal that imply harmonisation of the electoral system used in European elections. The new act also requires the approval of all Member States in line with their constitutional procedures, which in some may involve a constitutional [amendment](#).

EU legislation on the statute and financing of European political parties

Another avenue for encouraging more gender balance among the candidates for the European Parliament is represented by the EU rules on European political parties. European political parties are transnational federations of national political parties, from several Member States, that share a political affiliation. They are currently regulated by [Regulation \(EU, Euratom\) No 1141/2014](#) on the statute and funding of European political parties and European political foundations. This legislation does not include a specific provision on gender balance.

The Commission published a [proposal](#) to recast Regulation 1141/2014 on 25 November 2021, accompanied by an impact assessment. The proposal contains amendments that seek to improve gender balance in European elections. Under an amendment to Article 4, the Commission proposal asks European parties to include internal rules on gender equality in their statutes. Article 21 of the Regulation as amended by the Commission proposal provides that European parties should provide evidence when applying for funding that their member parties have published on their website information on gender balance among their candidates at the last European elections and on the evolution of their gender representation in the European Parliament over time. The AFCO committee is considering some [technical changes](#) to these proposals, disconnecting the publishing requirement from funding. The [legislative proposal](#) is in trilogue, but the Council and the Parliament have not yet been able yet to find a compromise.

EU non-legislative measures

The current Commission has made promoting better participation of women in decision-making one of its priorities. The EU [gender equality strategy 2020-2025](#) includes a commitment for the Commission to 'promote the participation of women as voters and candidates in the 2024 European Parliament elections, in collaboration with the European Parliament, national parliaments, Member States and civil society, including through funding and promoting best practices'.

MAIN REFERENCES

Lang S., Meier P. and Sauer B. (eds.), [Party Politics and the Implementation of Gender Quotas: Resisting Institutions](#), December 2022.

Larserud S. and Taphorn R., [Designing for Equality: Best-fit, medium-fit and non-favourable combinations of electoral systems and gender quotas](#), IDEA International, 2007.

ENDNOTES

- ¹ According to the [annual report](#) on gender equality in the European Parliament, 2023.
- ² Several other EU countries that have an odd number of seats are as close as mathematically possible to parity (the difference between their number of male and female MEPs is not greater than one). As of August 2023, this is the case for Spain, the Netherlands, Portugal and Sweden.
- ³ In uninominal electoral systems, gender quotas remain possible, but they require a more complicated design. See, for example, Christensen S. and Bardall G., [Gender Quotas in Single-Member District Electoral Systems](#), RSCAS 2014/104.
- ⁴ As demonstrated by an analysis of possible combinations of types of quotas and electoral systems: Larserud S. and Taphorn R., [Designing for Equality: Best-fit, medium-fit and non-favourable combinations of electoral systems and gender quotas](#), IDEA International, 2007.
- ⁵ [Gender Equality in Politics: Implementing Party Quotas in Germany and Austria](#), pp. 105-107.
- ⁶ According to the study: 'In mixed systems, the probability of women and men being elected varied between Member States. In Austria, Greece, Slovenia and Sweden, the probability was near equal for both men and women. In Denmark, women were more likely to be elected than men, but in the remaining countries in these systems, they were far less likely to be elected. In open systems [Croatia, Cyprus, Czech[ia], Finland, Latvia, Malta, Netherlands], women were either equally or more likely to be elected than men. The two exceptions to this were Bulgaria and Italy.'
- ⁷ According to an answer received from the Swedish Electoral Authority.
- ⁸ According to IPU, as quoted in Lang S., Meier P. and Sauer B. (eds.), [Party Politics and the Implementation of Gender Quotas: Resisting Institutions](#), 2023.
- ⁹ See [Party Politics and the Implementation of Gender Quotas: Resisting Institutions](#), p. 114.
- ¹⁰ A study has, however, disproved this effect of negative perceptions about 'quota women': [The Subjective Effects of Gender Quotas: Party Elites Do Not Consider 'Quota Women' to Be Less Competent](#), 2022.
- ¹¹ This was the case in Portugal: see [Party Politics and the Implementation of Gender Quotas: Resisting Institutions](#), p. 295.
- ¹² [Party Politics and the Implementation of Gender Quotas: Resisting Institutions](#), p. 276.
- ¹³ According to this newspaper article, [Las listas cremallera no son suficiente para llegar a la igualdad efectiva: el caso de los parlamentos autonómicos](#), Público, May 2023.
- ¹⁴ [Party Politics and the Implementation of Gender Quotas: Resisting Institutions](#), p. 211.
- ¹⁵ [Party Politics and the Implementation of Gender Quotas: Resisting Institutions](#), p. 189.
- ¹⁶ The Croatian law provided for full entry into force of the quotas at the third regular European elections. There was some controversy as to whether the 2013 elections organised when Croatia joined the EU were regular European elections.
- ¹⁷ Based on research carried out by EPRS into voluntary quotas adopted by the main parties represented in parliaments in 25 EU countries (Estonia and Latvia were not covered).

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