

(English version)

**Question for written answer E-000232/26
to the Commission
Nela Riehl (Verts/ALE), Anna Strolenberg (Verts/ALE)
(21 January 2026)**

Subject: Implementation of Article 16 of Directive 2010/41/EU on maternity protection for self-employed women

Directive 2010/41/EU ⁽¹⁾ requires Member States to ensure that self-employed women have access to maternity benefits comparable to those granted to employees. Civil society organisations report, however, that major gaps persist in several Member States. In Germany, for example, self-employed women receive no maternity allowance during the 14 week protection period granted to employees and civil servants. Many are forced to resume work immediately after childbirth because of ongoing business costs and the absence of any income support. Business-interruption insurance policies reportedly continue to exclude pregnancy and childbirth-related claims, and public health insurance does not provide adequate compensation. This consequently discourages women from pursuing self-employment and may influence their family-planning decisions.

In this context, we ask the Commission:

1. Can it indicate whether it considers all Member States to be compliant with Directive 2010/41/EU, and which have been contacted regarding incomplete or incorrect transposition.
2. Can it outline any further measures it intends to take to ensure adequate and comparable maternity protection for self-employed women across the EU.

Submitted: 21.1.2026

**Answer given by Ms Lahbib on behalf of the European Commission
(13 July 2026)**

The Commission continuously monitors the transposition and application of Directive 2010/41/EU ⁽¹⁾ in Member States. Based on the available information, the Commission does not have evidence indicating systemic non-compliance across the EU.

At the same time, the situation in the Member States is evolving as national frameworks develop. Where questions arise regarding the completeness or correctness of transposition, the Commission may engage in bilateral exchanges with the Member States concerned, including through dialogues or formal procedures, to clarify national measures and ensure full compliance with EU law, both in the substance of relevant legislation and in its practical application.

At present, the Commission is engaged in an ongoing informal exchange with one Member State and continues to monitor implementation across all Member States.

Furthermore, as announced in the Gender Equality Strategy 2026-2030 ⁽²⁾, the Commission will conduct a stress test ⁽³⁾ of Directive 2010/41/EU with the aim of identifying why the directive is currently under-used even though gender equality challenges persist in that area.

In addition, the Commission will carry out a study on the rights to family-related leave that are granted to self-employed persons to accompany the implementation report on the Work-Life Balance Directive ⁽⁴⁾.

¹ Directive 2010/41/EU of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity (OJ L 180, 15.7.2010, p. 1, ELI: <http://data.europa.eu/eli/dir/2010/41/oj>).

⁽¹⁾ Directive 2010/41/EU of the European Parliament and of the Council of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Council Directive 86/613/EEC, <http://data.europa.eu/eli/dir/2010/41/oj>.

⁽²⁾ https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/gender-equality/gender-equality-strategy_en#gender-equality-strategy-2026-2030.

⁽³⁾ A stress test is a structured screening of legislation to ensure that it remains relevant, proportionate, and fit to achieve its objectives.

⁽⁴⁾ Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU, <http://data.europa.eu/eli/dir/2019/1158/oj>.