

**Question for written answer E-004128/2026
to the Commission**

Rule 144

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Subject: Addressing the legal gender recognition reform in the Commission's 2026 report on Montenegro

In 2023 and 2024, the Commission's reports on Montenegro clearly mentioned legal gender recognition under Chapter 23 and noted the lack of implementation. Since then, legal gender recognition has been removed from the text, and the political priority of closing the remaining negotiation chapters risks pushing this important issue aside.

Montenegro's framework still falls short of EU standards. Three recent judgments of the Court of Justice of the European Union (CJEU) establish a clear benchmark:

- Mirin (C-4/23, 4 October 2024): Member States must recognise a legal gender recognition decision made in another Member State.
- Deldits (C-247/23, 13 March 2025): sterilisation and surgery requirements are not permissible.
- Shipova (C-43/24, 12 March 2026): Member States must provide a functioning legal gender recognition procedure for their nationals who have exercised free movement.

Will the Commission's 2026 report on Montenegro clearly address the lack of legal gender recognition reform, and will it assess Montenegro's framework against the standards set by the CJEU in the cases of Mirin (2024), Deldits (2025) and Shipova (2026), including the prohibition of sterilisation requirements?

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