

(English version)

**Question for written answer E-004108/25
to the Commission**

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(17 October 2025)

Subject: Clarifications necessary as regards protection of the best interests of the child and respect for parental rights

The Commission recently published a document on the new Equality Strategy 2026-2030 in which it states that it will ‘facilitate exchanges of best practices among Member States to support the development of legal gender recognition procedures based on self-determination that are free from age restrictions’.

This has raised significant concerns among parents in many Member States, and especially in Romania, as it means that children would be able to choose their own gender at any age. Parents fear that proposals such as this may affect their right to protect their children and ensure their balanced development.

Consequently:

1. How will the Commission ensure that the principle of the best interests of the child is fully respected when practices in the field of the recognition of gender identity in minors are being promoted?
2. How can the Commission guarantee that such practices do not affect the right of parents to protect their children and ensure their emotional stability, well-being and safety by assuring their balanced development?

Submitted: 17.10.2025

Answer given by Ms Lahbib on behalf of the European Commission

(6 January 2026)

Equality and non-discrimination are founding values and fundamental rights enshrined in the EU Treaties, the Charter of Fundamental Rights of the EU ⁽¹⁾ and the European Pillar of Social Rights.

The new lesbian, gay, bisexual, trans, non-binary, intersex and queer (LGBTIQ+) equality strategy is about ensuring that all people, including LGBTIQ+ people, are treated equally and not discriminated against in Europe. It builds on the current Strategy ⁽²⁾ which has been in place since 2020.

The Commission firmly believes there is no contradiction between protecting the fundamental rights of children and those of LGBTIQ+ people and remains fully committed to both.

The Commission fully respects the competences of Member States, and it is for them to determine the conditions under which legal gender recognition is granted.

The protection and promotion of the rights of the child is a core EU objective. Article 24 of the Charter of Fundamental Rights of the EU ⁽³⁾ provides that the child’s best interests must be a primary consideration in all matters concerning them, where children have the right to express their views freely and those views are taken into account in accordance with their age and maturity.

The EU Strategy on the Rights of the Child ⁽⁴⁾ promotes a rights-based, participatory approach, ensuring that every child enjoys the same rights and can live free of discrimination, recrimination or intimidation of any kind.

The Commission Recommendation on integrated child protection systems ⁽⁵⁾ calls on Member States to take measures so that children are treated without discrimination and in a manner which protects their dignity, considering their personality, interests, and special needs, and involving all actors, including children and families.

⁽¹⁾ https://eur-lex.europa.eu/eli/treaty/char_2012/oj/eng.

⁽²⁾ https://commission.europa.eu/document/download/5100c375-87e8-40e3-85b5-1adc5f556d6d_en?filename=lgbtiq_strategy_2020-2025_en.pdf.

⁽³⁾ https://eur-lex.europa.eu/eli/treaty/char_2012/oj/eng.

⁽⁴⁾ <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A52021DC0142>.

⁽⁵⁾ <https://eur-lex.europa.eu/eli/reco/2024/1238/oj/eng>.