

(English version)

**Question for written answer E-004914/25
to the Commission**

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(11 December 2025)

Subject: LGBTIQ+ Equality Strategy 2026-2030

On 5 October 2025 the Commission presented the LGBTIQ+ Equality Strategy 2026-2030. One of the commitments declared in this strategy was to facilitating exchanges of best practices among Member States to support the development of legal gender recognition procedures based on self-determination, free from age restriction. On the other hand, the Commission, through its spokesperson, declared that it respects the competences of Member States, including the exclusive competence to decide on the legal age of consent with regard to gender recognition. However, in the strategy, the Commission confirmed that it plans to double down on its commitment to supporting LGBTIQ+ civil society organisations, grassroots activism and advocacy, among others via the AgoraEU programme, which will double the budget under the next multiannual financial framework.

In this context:

1. How does the Commission explain the breach of the principle of subsidiarity when it openly declares it will support the goals of the strategy via doubled funding while gender recognition undoubtedly falls within the exclusive competences of the Member States?
2. How does the Commission explain the discrepancy between the commitments expressed in the strategy and the official statement by its spokesperson, according to which the Commission respects the exclusive competences of the Member States in this matter?

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**Answer given by Mr McGrath on behalf of the European Commission
(20 February 2026)**

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

The new lesbian, gay, bisexual, trans, non-binary, intersex and queer (LGBTIQ+) people equality strategy ⁽²⁾ is about ensuring LGBTIQ+ people are treated equally and are not discriminated against. It fully respects Member States' competences and builds on the previous strategy ⁽³⁾ in place until 2025.

The Commission continues to support civil society organisations and projects combating LGBTIQ+-phobic hatred and discrimination through EU funding, including under the next Multiannual Financial Framework.

The proposed AgoraEU programme will promote shared values, with a proposed indicative budget of EUR 8.582 billion over seven years. Its Democracy, Citizens, Equality, Rights and Values (CERV+) strand will support actions to promote equality, prevent and fight against discrimination on the grounds covered by the Treaty, including sexual orientation.

As outlined in the answers to previous written questions ⁽⁴⁾, it is for Member States 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. In accordance with Article 24 of the Charter, 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, with those views taken into account in accordance with their age and maturity ⁽⁵⁾.

The EU Strategy on the Rights of the Child ⁽⁶⁾ promotes a rights-based, inclusive and participatory approach, ensuring that every child enjoys the same rights and can live free of discrimination.

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

⁽²⁾ https://commission.europa.eu/document/download/b4952371-4308-47ad-b995-02c539b75dda_en?filename=JUST_template_comingsoon_standard.pdf.

⁽³⁾ https://commission.europa.eu/document/download/5100c375-87e8-40e3-85b5-1adc5f556d6d_en?filename=lgbtiq_strategy_2020-2025_en.pdf.

⁽⁴⁾ P-004175/2025, E-004108/2025, E-004172/2025 and E-004040/2025.

⁽⁵⁾ In line with Article 12 of the UN' Convention on the Rights of the Child <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>.

⁽⁶⁾ https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/rights-child/eu-strategy-rights-child-and-european-child-guarantee_en#the-eu-strategy-on-the-rights-of-the-child.