Historic win: Albania adopts inclusive Law “On Gender Equality”

article, anti-gender movement, legal gender recognition, self-determination

Update: Despite weeks of moral panic leading to this moment, and fuelled by anti-gender movements and amplified across national media, civil society remained united and unwavering to ensure inclusive provisions in the law were maintained.

The new Law “On Gender Equality” contains explicit references to sexual orientation, gender identity, and gender expression, showing a commitment to protect trans communities from discrimination.

Further, the proposed amendment to the Law “On Civil Registry”, to legally recognise only two genders equal to the biological sex has been withdrawn by the Socialist Party.

This reaffirms that Albania belongs among European democracies that protect their citizens, ensuring a rights-based framework in alignment with the Istanbul Convention that respects the dignity and diversity of all.

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TGEU — Trans Europa and Central Asia is alarmed by two deeply concerning legislative amendments advancing in Albania’s Parliament this week, which fundamentally contradict both EU and international human rights laws, rules, and standards.

Despite championing EU integration, Albania’s ruling Socialist Party has given in to anti-LGBTI disinformation by **removing core terminology from the law on gender equality**, including “diversity,” “intersectional discrimination,” and “gender stereotypes”, falsely claiming the EU recognises only two genders. This claim directly contradicts the January 2025 CJEU ruling in *Mousse* (C-394/23), which affirms legal protections for non-binary people, as well as the EU’s own Equality Bodies Directives and LGBTIQ Equality Strategy II.

Simultaneously, the Democratic Party’s proposed amendment to the Civil Registry Act would define sex as “biologically immutable,” **effectively banning legal gender recognition for trans people and erasing legal protections for intersex people**. This violates the case law of the Court of Justice of the European Union on freedom of movement and data protection (*Mirin*, *Deldits* C-247/23), ECtHR case law under Article 8, and Albania’s international human rights law obligations. EU data protection standards require that individuals must be able to change their name and gender marker, as affirmed in *Deldits*. Since 2002, the European Court of Human Rights has also recognised the right to legal gender recognition.

Albania already lacks established legal gender recognition procedures, forcing trans people into long and difficult court processes to access accurate documents. This amendment would eliminate even that inadequate option.

These developments represent a dangerous regression driven by misinformation. A country seeking EU membership cannot selectively abandon the very standards it claims to embrace. Twelve EU Member States already provide self-determined legal gender recognition; the course of action is clear.

We call on Albania's parliament to reject both amendments when voting on 30 October and align its laws with EU and international human rights standards.

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