Trans Rights Index & Map 2026: Movements and courts hold the line despite political threats and inaction

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TGEU' Trans Rights Index and Map 2026 **reveals a year of change on paper across Europe and Central Asia but not sustained political progress. While more developments have been recorded than in recent years, many of these hard-won shifts are driven by activists and courts rather than proactive government action.**

Targeted rollbacks in countries such as Slovakia and Belarus show how attacks on trans people are tied to wider democratic decline. The result is a fragmented landscape: trans people face increasing difficulties in accessing the rights they fought for, while wider society moves further into polarisation and apathy.

Regional and national leaders must now step up, put court rulings and laws into practice, and hold those accountable who treat human rights like an a la carte menu.

Key trends: movement without momentum

The 2026 Trans Rights Index and Map shows more visible legal shifts than in recent years. However, most of these changes do not reflect new political commitment.

The developments mostly stem from the tireless work of activists and court rulings rather than governments taking proactive steps to advance rights. Despite visible public attacks on trans people across much of the region, the lack of political response is alarming.

Across much of the region, many countries remain static. In large parts of Europe and Central Asia, trans people continue to live in highly restricted circumstances without meaningful improvements. This creates a growing disconnect between rights set out in law and how trans people are experiencing them in practice. Moreover, it signals to wider society that backsliding on human rights is acceptable, eroding the foundation of democratic societies.

Courts and activists drive progress

Where progress does occur, it is because human rights activists persist and courts hold the line. While EU law leaves legal gender recognition (LGR) to each member state, recent cases in the Court of Justice of the EU (CJEU) have clarified important guiding principles and limits. Through the outcome of four key rulings (*Deldits*, *Mousse*, *Mirin*, *Shipova*), the CJEU established that individuals must be able to easily correct gendered data in their records; that official documents must reflect lived gender identity rather than assigned sex at birth; and confirmed that sterilisation cannot be required for gender marker changes. In a landmark ruling (*Commission v Hungary*), the Court also clarified that EU values and sex discrimination law include trans people with no exceptions.

In Czechia, a landmark Constitutional Court ruling resulted in new guidelines for LGR without compulsory sterilisation and surgical requirements. These guidelines followed years of advocacy and litigation by trans activists and represent one of the most significant shifts in the region this year. However, as these changes are not fully

enshrined in legislation, they remain vulnerable to rollback.

Similar court-backed dynamics are visible elsewhere. In Austria, a Constitutional Court ruling expanded recognition of non-binary gender markers beyond intersex people. In Poland, a court decision ended the requirement for trans people to sue their parents to access legal gender recognition, which eliminated a deeply oppressive legal barrier.

In other contexts, progress is shaped by external political pressures and incentives. In Albania, new protections covering gender expression and gender identity emerged in the context of the country's ambitions to join the EU.

These developments highlight a clear pattern: progress is driven by international human rights institutions and the EU, which play a decisive role in upholding and advancing the rights of minorities, including trans people, where national governments fail to act.

Rollback as a political strategy

Alongside these gains, TGEU's Trans Rights Index and Map 2026 documents targeted and deliberate regressions, including the growing use of constitutional amendments against trans people. Russia's influence on its neighbours is directly visible in Central Asia and Belarus. In Belarus, the April 2026 anti-propaganda law criminalised the promotion of gender transition and halted legal gender recognition, reinstating compulsory medical requirements. In Slovakia, recent constitutional changes targeting gender identities outside of male and female categories have effectively sought to block legal gender recognition, making it the fifth country in the region with a de facto LGR ban.

In the UK, the ambiguity around Gender Recognition Certificates after the 2025 Supreme Court ruling continues to create unpredictable barriers in practice. Uncertainty around access to single-sex services and spaces pushes trans people out of the job market and public life. The unwillingness of the UK government to create stronger protections for trans people is only deepening the divide between equality legislation and lived realities.

From law to lived reality

Legal developments captured by the 2026 Trans Rights Index & Map do not automatically translate into safety, dignity, or the ability to access human rights for trans people.

Even where laws improve, trans people often do not get to enjoy these rights, as implementation is partial, inconsistent, or inaccessible.

This disconnect highlights a central challenge: without sustained political commitment, legal progress remains fragile and incomplete.

The EU Court of Justice has made it clear that the human dignity of LGBTI individuals is non-negotiable. The European Commission now has all the necessary affirmation to defend trans people's protection under the EU Treaties. It needs to swiftly put its tools at its disposal to work and, as the guardian of the treaties, must start the formal communication with Hungary, Bulgaria and Slovakia over their disrespect for the rule of law and the rights of trans people. Equally, heads of state must take peer-to-peer action and defend these shared values among themselves.

The rights of trans people are increasingly being used to divide and manipulate society, as demonstrated in Russia or Hungary, leading to further erosion of human rights, pluralism and democratic standards. Where rights are advanced, it is often through external pressure and legal intervention. Where they are restricted, this frequently signals deeper democratic backsliding.

Attacks on trans people are never only about trans people. They signal a broader erosion of democratic safeguards: when governments decide whose dignity and rights are negotiable, they weaken the democratic system.

At the same time, rollbacks demonstrate how quickly rights can be restricted or removed.

To ensure lasting positive change, governments across the region must move beyond reactive or symbolic measures and commit to:

- Ensure legal gender recognition procedures that are quick, transparent and accessible based on self-determination and open for minors, non-binary people and regardless of citizenship status
- Hold other governments accountable for failure to uphold the rule of law and push the EU Commission to ensure implementation of existing standards in legal gender recognition and non-discrimination
- Remove abusive medical, judicial, and administrative barriers to recognition and gender-affirming healthcare.

TGEU's Chair, Isa Nico Borrelli, said: "Trans rights are not moving forward because of governments. They are moving forward because trans people, activists and communities are forcing change against all odds. But our rights should never depend on our capacity to resist. Across Europe and Central Asia, governments must uphold democracy and the rights of trans people or be remembered for undermining both."

TGEU's Research Consultant, Linn Julian Koletnik, added: "The Trans Rights Index and Map 2026 reveals a paradox: legal movement without genuine broader political will behind it. This year's gains mask a grim reality, as only a few of the legal changes represent substantive new protections. The rights of trans people remain under coordinated attack by states weaponising traditionalist binary notions of the nuclear family to consolidate power. True progress demands an end to the systemic control of all minorities for the sake of an exclusionary status quo."

TGEU's Expert Advisor, Richard Köhler, commented: "Recent CJEU rulings have made one thing very clear: trans rights are firmly protected under EU law. The Trans Rights Index and Map 2026 data show that governments now rapidly need to catch up on implementation. The Commission must back states that are moving forward and hold to account those still picking which rights they respect."

About Trans Rights Index and Map

TGEU's Trans Rights Index & Map documents the legal situation of trans people in Europe and Central Asia. TGEU's Trans Rights Index & Map is the most comprehensive data collection and analysis of human rights of trans people in Europe and Central Asia to date. Started in 2013, it now illustrates the legal situation of 54 countries in 32 areas of trans-specific legislation. Central Asian countries were added to the map in 2019. It is available in English, Russian, Spanish, French, BCMS, Czech and Italian, with a Polish version added in 2026. The map tracks six legal categories:

- Legal gender recognition
- Asylum
- Hate crime and speech
- Non-discrimination
- Health
- Family

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