



# MONTENEGRO

## BIAS-MOTIVATED SPEECH

Anti-LGBT and misogynistic hate speech and political rhetoric continued to be a serious issue and civil society continued calling for appropriate sanctions.

Psychologist Petar Marković, who wore non-gender conforming clothes on a TV show in May, was targeted by hate comments, threats, and several physical attacks. The Council for Citizen Control of Police Work has monitored the effectiveness of the police's response and civil society called for protection for Marković.

Queer Montenegro, Spektra, Juventas and Stana called on Radio Television Montenegro to cancel the show "The City I Love" for its homophobic and misogynistic content. The same organisations also filed a complaint against a civil servant who used homophobic slurs in emails to the Ministry of Agriculture. LGBT Forum Progress reported over 222 online hate speech cases between January and October.

## BIAS-MOTIVATED VIOLENCE

The European Commission's report on Montenegro highlighted that misdemeanour charges are overused in the justice system and more capacity was necessary to deal with hate crimes and hate speech. The Commission's Delegation expressed concern about the rise in hate crimes against LGBTIQ+ people. Distrust in the authorities and low reporting rates also remained an issue.

Two perpetrators in a 2019 assault against a trans man were sentenced to four and six months in prison. The courts previously gave eight months to both men. Spektra expressed concern about the lengthy procedure and prejudice in the judiciary.

As part of its fourth Universal Periodic Review (UPR), UN States recommended Montenegro to collect data on domestic violence, disaggregated by sexual orientation and gender identity.

## EMPLOYMENT

Economic marginalisation and discrimination in employment continued to be serious issues for the community (see here and here). Companies that have equality policies in place that cover sexual orientation and gender identity, remain the minority. Spektra launched a survey on the socio-economic position of transgender, gender-variant and intersex people, with a special focus on work and employment, housing and health issues.

In April, LGBT Forum Progress published the results of the research "Montenegrin companies and anti-discrimination", which was a groundbreaking study conducted for the first time in Montenegro. Only 28.1% of companies stated that their anti-discrimination policy explicitly mentions sexual orientation and gender identity.

## EQUALITY AND NON-DISCRIMINATION

In May, the government adopted a new Action Plan for the implementation of Montenegro's 2019–2023 LGBTI Strategy. The Action Plan envisions more research and training for the police, judiciary, teachers, medical professionals and civil servants. The government put in place 45,000 euro to accomplish this. In October, civil society started calling for a new strategy as the current one expires at the end of the year. In June, Juventas, Queer Montenegro, Spektra and Stana refused to attend a meeting with the Minister for Human and Minority Rights, Fatmir Đeka for his failure to make progress on LGBTI rights equality. The Minister, for instance, failed to appoint a director for the human rights directorate, which caused the delay in the implementation of the Strategy; slowed down the LGR law reform process; failed to intervene when politicians engaged in hate speech; and did not make progress on family rights.

As part of its fourth Universal Periodic Review (UPR), UN States recommended Montenegro to tackle discrimination and violence against LGBTIQI people. The Ministry of Minority and Human Rights continued the preparation of the anti-discrimination law, with support from the EU.

In June, incoming President Jakov Milatovic convened his first meeting with civil society organisations, including those working on LGBTI rights, and assured them of his support.

## FAMILY

According to Queer Montenegro, more than 100 couples have entered a same-sex partnership since the law entered into force in 2021. Most ceremonies were held in Budva. The amendment process of roughly 20 by-laws that are necessary for the implementation of the 2020 same-sex partnership law remained stalled this year, much to civil society's concern. As part of its fourth Universal Periodic Review (UPR), UN States recommended Montenegro to remedy this gap and adopt the necessary by-laws. The European Commission echoed this concern in May and in November.

Children of same-sex parents, one of whom is a Montenegrin citizen, continue to be unable to access citizenship. The



Ministry of Interior has delayed deciding on the issue over the past six years. This year, the family and Queer Montenegro sued the state to challenge the discrimination, after the ministry rejected the mediation initiative.

## FREEDOM OF ASSEMBLY

Transpozijum IX / Transposium 9, a rich cultural, educational, and social event bringing together trans activists from the region, was held in Petrovac in September, in cooperation with Trans Mreza Balkan.

The 11th Montenegro Pride was held in October, organised by Queer Montenegro, featuring a range of events. The Pride march in Podgorica was held on 21 October and was attended by almost 3,000 people and several government representatives, Ministers, and the Ombudsman. No incidents were recorded. With this year's motto 'Self-determination', Pride organisers called for a legal gender recognition law that is based on self-determination (see here and here).

## HEALTH

CSOs continued responding to the growing need for mental health support in the community and called for targeted funding. A research study published by Spektra about necessary psychosocial support programmes for transgender, gender-variant and intersex survivors of violence was presented in July. A discussion on the mental health burden of LBQ women was held during Pride week in October.

PrEP became available for free through a CSO-sponsored programme by Queer Montenegro, Juventas and partner NGOs in October.

An analysis and research by LGBTIQ Social Centre, published in September, found that 77% of LGBTIQ persons fear that they will be rejected and/or discriminated against if others found out about their sexual orientation and/or gender identity (SOGI). This fear is predominantly caused by perceived hatred of others towards the LGBTIQ community (56%). The data also shows that 69% of LGBTIQ persons would not seek specialised support or mental health counselling, while 37% have no trust in the public healthcare system.

## HUMAN RIGHTS DEFENDERS

LGBTIQ activists were again targeted by hate speech throughout the year.

Death threats to the LGBTIQ activist Danijel Kalezić happened

over the past two years have not been adequately investigated, and there is no available information on the actions of the relevant authorities, nor any person prosecuted.

LGBTIQ civil society faced huge issues with the continuation of their work due to lack of funding.

## LEGAL GENDER RECOGNITION

Legal gender recognition reform continued this year and civil society kept calling for a procedure that is based on self-determination, including as the main theme of this year's Pride (see under Freedom of assembly). The Working Group, which included Spektra and Juventas, prepared the draft law in late 2022, and continued meeting this year. The draft is endorsed by the government and the LGBTIQ Strategy sets out that it should have been adopted in 2023. However, the draft had not yet been sent to Parliament by the end of the year.

As part of its fourth Universal Periodic Review (UPR), UN States recommended Montenegro to introduce legal gender recognition procedures that uphold the dignity, self-identification, and autonomy of trans people.

## PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Montenegro held its general elections in June. Civil society analysed the list of candidates and party programs, finding a serious gender gap; a complete lack of candidates who are openly LGBTIQ+ and very little coverage of gender equality and LGBTIQ+ issues by parties.

## POLICE AND LAW ENFORCEMENT

LGBT Forum Progress, Queer Montenegro, Spektra and CeMI trained police officers, judges and prosecutors.

## PUBLIC OPINION

Public opinion regarding the LGBTIQ community remains negative. A survey conducted by LGBTIQ Social Centre in 2023, published in September, found that 80% of citizens of Montenegro believe that "homosexuality is deviant, unnatural, and not normal".

## SEXUAL AND REPRODUCTIVE RIGHTS

In March, the Ministry of Health adopted regulations related to the Law on Medically Assisted Fertilisation. The regulations ban anyone who had engaged in same-sex relations in the past five years from donating gametes. They also exclude women in



a same-sex partnership from undergoing medically assisted reproduction. 20 NGOs launched a joint call for the withdrawal of the regulations, which are explicitly discriminatory. The Ombudsperson started investigating the regulations.

## **SOCIAL SECURITY AND SOCIAL PROTECTION**

The LGBTIQ Shelter remains closed, due to continuous lack of systemic support. The Shelter had to temporarily be closed in January 2022 and remained so throughout 2023.



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