



# MONTENEGRO

## BIAS-MOTIVATED VIOLENCE

The attacker of a trans woman in 2017, was sentenced to four months in prison in February, less than the minimum six months. The High Court later annulled the sentence.

On 28 August, a trans man was attacked in Kolašin. The attackers went to the man's house and when he answered the door, beat, insulted and humiliated him until he lost consciousness. The case was reported and police have arrested three suspects. The Prosecutor labeled it as violent behaviour. The court case is ongoing.

## EDUCATION

The first survey on Discrimination against Transgender and Gender Diverse Students in high schools was conducted by Spectra in 2019. The survey uncovered widespread prejudice and lack of knowledge, but also found that students would support trans peers. For instance, a third think that trans and gay meant the same and a fifth are not sure. 40 per cent think that the existence of men and women will be threatened if society accepts trans people. One in two students think that trans people are mentally ill, and 38 per cent believe that it is not normal for a person to change their gender. However 62 per cent would support trans students, and 60 per cent believe that trans people should have equal rights.

## EQUALITY AND NON-DISCRIMINATION

A new LGBTI Strategy was adopted in April and includes more concrete measures, a clear budget and indicators than the previous one.

On 18 June, the Committee on Social Affairs in the municipality of Kolašin adopted Montenegro's first local LGBT action plan with a large majority of votes. Bijelo Polje was the second town to follow. These positive developments follow continued cooperation between the municipalities and NGO, Juventas and Queer Montenegro. The two organisations are also working with Podgorica and Kotor and hope that others will follow. The action plan was rejected in Mojkovac.

## FAMILY

On 19 July, the Parliament voted on the Law on Life Partnerships of the Persons of the Same Sex, but there was a lack of majority

support and the law was not adopted. NGOs expressed their deep disappointment and stated that this failure is not only a sign of Montenegro's lack of commitment to LGB people, but is also a major setback in the democratic process. Although the law was criticised by civil society for creating a separate institution for same-sex couples, it would have provided legal recognition - something that does not exist under Montenegrin law. A new vote on the proposal had been scheduled for December but was again postponed until 2020.

## FREEDOM OF ASSEMBLY

In 2018, the Constitutional Court established that the 2015 ban on Nikšić Pride violated the right to peaceful assembly of the members of LGBT Forum Progres and Hiperion. On 13 January this year, the Supreme Court examined the case again and accepted last year's ruling. However, instead of simply reversing the original judgment of the Administrative Court, it decided to return the case for a re-trial. Local NGOs warned that this causes further unnecessary delays in the plaintiffs' right to exercise their freedom of assembly and shows that legal protection is inefficient in Montenegro.

Two gatherings held by trans people took place in Podgorica and Kolašin this year. These were the first such events outside the capital.

## HEALTH

On 12 March, the Deputy Ombudsman Siniša Bjeković published an opinion, establishing that two nurses at the Podgorica Health Centre engaged in transphobic and discriminatory behavior when they laughed at Hana Konatar, a trans woman who came for hormone therapy. Konatar is an activist with Association Spektra. She asked the facility to take steps to prevent future discrimination against trans people. The case will now be examined by the Commission for Quality Control.

The lack of hormonal treatment for trans women remained unaddressed by institutions this year, including the Ministry of Health. A Commission for Transgender Health was established in the Clinical Centre in July, and is now in process of developing guidelines on informed consent, a baseline for depathologisation.



## LEGAL GENDER RECOGNITION

The national LGBTI Strategy sets out that Montenegro must put a legal framework in place for gender recognition by the end of 2023, and respect international standards when doing so.

## POLICE AND LAW ENFORCEMENT

On 1 July, the LGBT community Trust Team and the Police Directorate held their first meeting. Last year, the new Chief of Police, Veselin Veljović promised to re-establish the Trust Team between the police and NGOs to facilitate trust-building and cooperation in tackling anti-LGBT hate speech, hate crimes, and discrimination. The attendees agreed that the Team's Action Plan must be renewed. Meetings are now being organised on a monthly basis.

## PUBLIC OPINION

In February, a survey commissioned by the Ministry of Human and Minority Rights revealed a significant change in attitudes regarding the human rights of LGBT people. 47 per cent of citizens believe that the human rights of LGBTI persons are not respected, compared to 30 per cent in 2016. There has also been a drop in anti-LGBTI attitudes. 30 per cent said that LGBT people are harmful and dangerous and need to be “fought” (2016: 50 per cent). 73 per cent show a positive attitude towards their child attending scientific lectures on LGBT people (2016: 45 per cent), but only 27 per cent would be ready to support their child immediately if they were LGB. Support for same-sex couples displaying affection in public decreased from 70 to 50 per cent. However, 64 per cent of Montenegrins would have no problem with a politician being LGB.

*“Attitude towards LGBT people in Montenegro is definitely experiencing significant changes, first and foremost in a positive sense [...]. This research may be the announcement of a new Montenegrin society and [we] hope that the attitudes shown in this research will come to life both in practice and on a daily basis.” - Željka Cetković, Program Associate at the Center for Civic Education to Fosmedia*