



Annual Review

of the Human Rights Situation of Lesbian, Gay, Bisexual, Trans, and Intersex
People in Montenegro covering the period of January to December 2018

Montenegro

Bias-motivated speech

Between January-October, LGBT Forum Progress filed over 120 charges for online hate speech, more than in the same period last year.

In August, a charge was filed against the Metropolitan of the Serbian Orthodox Church in Montenegro, Risto (Amfilohije) Radović, for calling homosexual people sick, and homosexuality a disease that needs to be eliminated from Montenegrin society. Following this statement, online hate speech further increased.

Enlargement

According to the European Commission's Western Balkans strategy, released in February, Montenegro is expected to become an EU member by 2025, if it continues to show political will and real reforms.

Equality and non-discrimination

The National LGBT Strategy (2013-2018) expired in December, with a significant portion of the planned activities uncompleted. A working group was set up by the Ministry of Human and Minority Rights (MHMR) early this year to draft the new LGBTI Strategy. The group included members of civil society. After two meetings in April, NGOs were not involved in the drafting process and only presented with the draft in October. NGOs at this stage criticised the plan for being insufficient in some parts and unrealistic in others. One shortcoming was that the Strategy fails to set out the provision of social services to LGBTI people.

The MHMR signed a memoranda of understanding with 14 municipalities regarding activities against homophobia. NGOs Juventas and Queer Montenegro continued their work with municipalities in Podgorica, Kolašin, Mojkovac, Bijelo Polje and Kotor, with a special focus on drafting and implementing local LGBTI Action Plans.

The LGBTIQ Shelter in Podgorica, the oldest of its kind in the region, was on the verge of shutdown due to lack of state funding. Temporarily, MEP Terry Reintke provided financial aid to prevent the closing. Finally, the MHMR granted 12 months' worth of funding in December.

Family

On 16 June, the draft Law on Life Partnerships of Persons of the Same Sex was presented by a working group established by the MHMR. Public discussions on the draft law were held in three cities. The discussion in Podgorica was attended by religious leaders and right-wing parties, who criticised the draft. Civil society also criticised the law for creating a separate institution for same-sex couples, which will inevitably out people against their will. Further, partnership records will be available to the public. Although the LGBT Strategy mandated the parliament to vote on the law this year, the vote was postponed to spring 2019.

Freedom of assembly

July marked the sixth anniversary of the first Pride march in Montenegro, the SeaSide Pride in 2013.

The sixth Pride march in Montenegro took place on 27 November in Podgorica, under the motto "Break the chains". Cooperation with police was, as in previous years, very successful. Police presence was less visible than before, far more people from the LGBT community marched openly, and no incidents were recorded.

In October, the Constitutional Court of Montenegro issued a decision overruling the previous judgement of the Supreme Court of Montenegro, regarding the triple ban of Niksic Pride in 2015 rejected the reasoning given by the government regarding the ban and upheld rights guaranteed by the Constitution.

Legal gender recognition

In July, a meeting took place between NGOs Spectra, Queer Montenegro and Juventas and relevant ministries to discuss a draft law regarding LGR, prepared by the NGOs with the Institute of Legal Studies. A follow-up meeting will take place in early 2019, focusing on increasing the knowledge of institutions on LGR.

A trans man changed his first name without any obstacles in April. However, in 2017, a trans woman was denied a name change by the Ministry of Internal Affairs, despite the recommendations of the Ombudsperson.

Participation in public, cultural and political life

The first Montenegrin lesbian novel “In your own four walls” (U svoja četiri zida) by Ketí Radošević, a prominent journalist and activist, was published in June.

Police and law enforcement

In September, representatives of 5 NGOs met with the newly elected Chief of Police, Veselin Veljović. Veljović stated his full support to the LGBTIQ community in Montenegro, and expressed support to re-establish a “Team of Trust” between the police and LGBTI organisations to facilitate trust-building and cooperation in tackling anti-LGBT hate speech, hate crimes, and discrimination (the previous mandate expired in spring 2018).

NGO Juventas, Queer Montenegro and Center for Monitoring carried out research projects about the situation of LGBTIQ prisoners in 2017 and 2018, finding that trans inmates are placed in facilities in accordance with the gender stated on the ID, rather than their gender identity. This practice leads to abuse and discrimination of trans individuals. The relevant ministries did not express willingness to discuss the finding and propose necessary changes.

Public opinion

The World Bank study, “Life on the Margins. Experiences of LGBTI people in Southeastern Europe”, published in September, found that acceptance of LGBTI people in Montenegro is higher than in other accession countries and that a slightly higher proportion of LGBTI people feel they can be open about their SOGI. LGBTI people enjoy the greatest visibility in Montenegro in the region, with 14% of respondents saying it is common for same-sex partners to hold hands in public, and 17% that public figures are generally open about being LGBTI.

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