



Government of Montenegro
Ministry For Human and Minority Rights

STRATEGY

FOR IMPROVING QUALITY
OF LIFE OF LGBT PERSONS IN
MONTENEGRO 2013-2018

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LGBT



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All references in this Strategy to the physical persons in masculine gender shall be deemed to include the feminine gender.



Dr Suad Numanović, Minister

FOREWORD

The past activities of the Government of Montenegro were aimed at improving the overall status of all vulnerable groups. The affirmation of the values protected by international standards in the field of human rights and freedoms and the fight against discrimination based on sexual orientation and gender identity, are its priority objectives. With a strategic approach and by analysing different forms of homophobic/transphobic behaviour, and in cooperation with civil society and international experts, the Government aims to undertake concrete measures to change the established behaviour pattern.

As a responsible Government of a country aspiring to full-fledged membership in the EU and NATO, the Government initiated a whole set of policies for the promotion and protection of rights and freedoms

of LGBT persons which represent clear guidelines to combat discrimination and increase the visibility of LGBT persons in the society. It is an important social process, whose results can not be achieved through ad hoc activities or overnight, especially in a transitional society, such as Montenegrin.

In the last period, for the purpose of raising the awareness level among the general population on the rights and freedoms of LGBT persons, the training of judges, prosecutors, police officers and human rights defenders was continuously organized; a support was provided and a wide range of consultations with the NGO sector were held. The Government established a Council for protection against discrimination chaired by the Prime Minister. Five line ministers, Adviser to the Prime Minister and the civil soci-

ety representatives participate in the work of the Council. The main task of the Council is to combat any form of discrimination and to promote anti-discrimination policy in Montenegro.

In the region and beyond, Montenegro is recognized by the training initiatives developed for members of judicial authorities, police and other civil servants, in order to improve their knowledge and sensitivity regarding the protection of and respect for LGBT rights. The Government continues to develop a dialogue on the need for the LGBT community to express itself openly, and provide support for greater visibility of LGBT community in the society.

In March 2012, the Government launched the regional initiative at the highest level, in which the representatives of 11 governments of the region took part. This initiative was aimed at discussing LGBT rights and implementing the actions in line with the Recommendation of the Committee of Ministers of the Council of Europe on measures to combat discrimination on grounds of sexual orientation or gender identity. Also, as a result of establishing the institutional cooperation between the Government and the

representatives of civil society committed to the protection of rights of LGBT community, at the end of 2011 the Government formed different teams and expert groups for cooperation with civil society, in drafting strategic documents, analysis of regulations and education programs in this field. The consultation process lasted more than one year and proposals and suggestions of LGBT community were considered and used in developing this document. In particular, it should be underlined that numerous agreements on cooperation and joint actions were signed between the Government and civil society, in the interest of strengthening trust between responsible state institutions and LGBT community.

The Montenegrin Government is recognized as the one which actively contributes to the safety and promotion of LGBT persons globally. Through the structure and functioning of the bodies in the United Nations system, and together with the other partner countries, it provides a full support to the promotion of better international protection of LGBT rights. Furthermore, the Government actively contributes to the work of the Informal Network of Governmental LGBT Focal Points.



Jovan Kojičić, PhD



MA Aleksandar Saša Zeković

INTRODUCTION

The status of LGBT persons in Montenegro is influenced by a dominant social perception that their existence represents a violation of morality and values of desired lifestyle. Due to their actual or perceived sexual orientation or gender identity, individuals are exposed to various forms of exclusion, violence and discrimination, both within their families and in the society at large. Modern development affects the social changes as well as the adaptability of people to new technologies. The new conditions for production, distribution and consumption are being created and the economic cooperation and development are being promoted. The political phase of this process also seeks the adaptation and mutual compatibility. Building of society, which should provide greater possibilities, is

meant to take care of meeting human needs in line with technological, social, economic and political standards.

According to professor Hayden, the prominent Swedish sociologist of law, in transitional societies tensions arise in understanding and communication, because people who are mentally localized in different conceptions of the world have difficulty accepting new possibilities and changes that the process of social development brings about, due to their established habits which remain unchanged over time and different mindset and lifestyle. Besides, the effect of transition is also reflected in the Government control and regulation to support social changes and new patterns for meeting human needs.

This Strategy was created as a systemic response of the Government of Montenegro to resolutely combat all forms of discrimination. Its adoption practically means the mobilization of all social actors for greater unity. A strong message of togetherness is sent to the LGBT community and all LGBT persons, which means a dedicated work on improving their status and safety, protection of rights and greater visibility.

The respect for human rights and freedoms depends not only on basic, high-quality legal and institutional framework, but also on established education, mindset, and culture, minimum economic prosperity and overall achievements of society. Equality before the law and equality of all citizens, regardless of their sexual orientation and gender identity, is understood in the Montenegrin society. Through defining the LGBT policy, the Government confirms the commitment of Montenegro to be based on the principles of liberty, democracy, rule of law and respect for human rights and fundamental freedoms. Fostering such basic social values further affirms the European policy of the country and its commitment to the prin-

ciples underlying the European Union.

The best experiences of the Kingdom of the Netherlands, the Kingdom of Norway, the Kingdom of Sweden, the United Kingdom of Great Britain and Northern Ireland, and Canada as well as non-governmental sector in Montenegro that placed this topic as a social and political agenda, were used in developing this Strategy. Prior to the adoption of the final text of the Strategy, the consultations with the LGBT community, national LGBT groups and non-governmental organizations committed to the protection of human rights had been held. Also, the consultations were held with the leading LGBT organizations in Serbia, Croatia, Bosnia and Herzegovina, Macedonia and Turkey.

The Government of Montenegro confirms its commitment to the policy of continued promotion of human rights and freedoms, and its resolution to actively contribute, along with other social actors, to sustainable establishment of the society which fosters a culture of respect for human rights.

*PhD Jovan Kojičić
MA Aleksandar Saša Zeković*

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1. Promotion and protection of rights and freedoms of LGBT persons

1.1. Purpose and Objectives of the Strategy

With the adoption of this Strategy, the Government of Montenegro is oriented to be guided, in the Montenegrin legislation, policies and practices, by the principles and measures contained in the Recommendation of the Committee of Ministers of the Council of Europe on measures to combat discrimination on the basis of sexual orientation or gender identity. Moreover, by adopting this Strategy, the Government is committed to actively work and to ensure the promotion and effective implementation of legal and other measures, to ensure that the victims of discrimination are aware of and have access to effective legal remedies, and that measures to combat discrimination include appropriate sanctions for infringements and adequate reparation for all victims.

The Government will continually work on a review of dominant social positions being determined to confront the stereotypes and prejudices directed against LGBT persons. With this document, the Government confirms its direct support and full attention to this process.

The purpose and objectives of this Strategy are to eliminate any direct or indirect discrimination on the basis of sexual orientation or gender identity, reduce homophobia and transphobia in the society, continuously promote social acceptance of LGBT persons and improve conditions and quality of life of LGBT persons in Montenegro.

In order to provide impetus and support to desired cultural and social change, initiatives such as public campaigns on harmfulness of homophobia/transphobia, training of officers of relevant authorities on protection of LGBT persons' rights, especially in the police and prosecution, as well as continued cooperation with the LGBT community, will significantly contribute to the process of LGBT equality, in terms of their safety and inclusion in society. In this respect, the Council for Protection against Discrimination will closely cooperate with

concrete ministries which have their own responsibilities, and also with local authorities and partners from civil society, improving past experiences and partnerships and putting an emphasis on active contribution of all actors to the equality of LGBT persons in the Montenegrin society.

1.2. Anti-discrimination legislation

The Government of Montenegro will continue to promote anti-discrimination policy and legislation and to create an environment which will effectively protect the rights of LGBT persons. Furthermore, it will actively stand up against their discrimination at all levels and provide them with the necessary support to enable them to live freely and visibly in accordance with their sexual orientation, gender identity and sexual expression. The Law on Prohibition of Discrimination of 2010 prohibits discrimination based, inter alia, on gender identity and sexual orientation (Article 2 paragraph 2). In Chapter, in which the special forms of discrimination are set out, Article entitled “Discrimination on the basis of gender identity and sexual orientation” (Article 19) provides that “any differentiation, unequal treatment or bringing a person in an unequal position based on gender identity or sexual orientation” is deemed to be discrimination, as well as that everyone has the right to express their gender identity and sexual orientation, but also that no one can be invited to publicly declare its gender identity and sexual orientation. However, this law does not specify the definition of terms “gender identity” and “sexual orientation”. The Ministry for Human and Minority Rights adopted the Rulebook on the contents and manner of keeping records of cases of reported discrimination, which ensures accurate records and submission of information to the Protector of Human Rights and Freedoms of Montenegro. Among other laws, the Labor law (2009), and the Media law (2002) explicitly define sexual orientation as a prohibited basis of discrimination. Also, the Labor law prohibits the sexual harassment (Article 8), while the Media law prohibits publication of information and opinions that instigate discrimination, hatred or violence against persons or group of persons due to their sexual orientation (Article 23). Of particular significance for transgender persons, is recently adopted Law on Amendments to the Law on Health Insurance (2012), according to which insured persons are provided with 80 % of coverage for health service that includes gender reassignment.

The same-sex partners are not legally recognized and do not have possibility to realize property and other rights recognized to heterosexual partners in marriage or common-law marriage. In accordance with binding international legal standards, the need arises for a more clear identification of a basis of discrimination, which would include sexual orientation and gender identity, promote equality and strengthen protection of LGBT persons.

1.3. Institutional framework

The Protector of Human Rights and Freedoms of Montenegro is a central institutional mechanism for protection against discrimination. It is authorized to act upon complaints of the citizens in relation to discrimination not only from state authorities, bodies of local self-government, public services and other public authorities, but also from legal and physical persons which requires a special approach of the Protector in preventive action and in the elimination of all forms of discrimination. The courts, inspection bodies, misdemeanor bodies and other legal and physical persons are obliged to keep a special record on submitted complaints, claims and reports in relation to discrimination and to submit timely information from the records to the Protector. The Protector gives opinions on the draft laws and other regulations, submits the initiatives for amendments to the law with the aim of its harmonization with the internationally recognized standards in the field of human rights and conducts other activities relevant for the protection and promotion of human rights and protection against discrimination. Also, in the special part of the annual report, he informs the Parliament of Montenegro of perceived cases of discrimination and undertaken activities, and proposes the recommendations and measures for the elimination of discrimination.

The Committee on Human Rights and Freedoms of the Parliament of Montenegro is envisaged as the permanent committee responsible to consider the proposals for the law, other regulations and general acts and other issues related to: freedoms and rights of man and citizen, with a special reference to the minority rights, implementation of ratified international acts concerning the realization, protection and promotion of these rights; to monitor the implementation of documents, measures and activities for the promotion of national, ethnic and other equality, particularly in the field of education, health, information, social policy, employment, entrepreneurship, decision-making processes etc; to take part in preparation of documents and harmonization of legislation in this field with standards of the European legislation; cooperate with relevant work bodies of other parliaments and non-governmental organizations in this field.

The Committee on Gender Equality of the Parliament of Montenegro considers proposals for laws, other regulations and general acts related to the implementation of the principle of gender equality; monitors the application of these rights through the implementation of the law and promotion of the principle of gender equality, particularly in the area of the right of child, family relations, employment, entrepreneurship, decision-making processes, education, health, social policy and information; takes part in the preparation and harmonization of laws and other acts with the standards of the EU legislation

and programs of the European Union related to gender equality; promotes signing of international documents dealing with this issue and monitors their application; cooperates with relevant working bodies of other parliaments and non-governmental organizations in this field.

The Ministry for Human and Minority Rights is responsible for implementation of regulations, strategic planning and monitoring of the situation in the field of human rights (within the competence of the Ministry), including the rights of the LGBT persons and persons belonging to minority nations and other minority national communities, as well as relations with religious communities in Montenegro, improvement and protection of rights of Roma, Ashkali and Egyptians and tasks of gender equality.

The Council for Protection against Discrimination of the Government of Montenegro was established in July 2011 (hereinafter referred to as the “Council”). The Council is composed of the President and 11 members. The Prime Minister of Montenegro is the President of the Council. The task of the Council is to: monitor and coordinate the activities of state authorities, state administration bodies and other competent institutions in applying the legally prescribed mechanisms for protection against all forms of discrimination; analyze the existing legislation from the aspect of their compliance with international standards in the area of protection against all forms of discrimination, and where appropriate, initiate amendments to these pieces of legislation; analyze administrative measures that the competent authorities apply in provision of protection against all forms of discrimination, problems which arise in practice in the procedure of protection against discrimination, and propose measures for their elimination; propose and undertake appropriate measures in order to promote the prohibition of discrimination, as one of the basic and general principles of human rights protection; realize necessary cooperation with national and international authorities and organizations dealing with the protection of human rights and freedoms; suggest undertaking other measures of importance for protection of human rights and freedoms.

1.4 Non-governmental organisations (NGOs)

The non-governmental organisations (NGOs) in Montenegro for almost two decades represent a key element of democratic processes at all levels. All social groups, especially those that still face challenges of marginalisation and poverty are organised and they act, among others, through civil society organisations. The legal framework for establishment and operation of NGOs is very favourable. Public tenders for financing of the work of NGOs are developed at the governmental and local level, which makes the donor base and support

stronger and more diverse. Due to their limited capacities, minority groups still do not have the access to the European funds. The Government of Montenegro fosters intensive and constructive consultations with NGOs. There is a set of laws that enables NGOs to participate in the work of independent and other bodies that significantly deal with the issues of public policies and law implementation, as well as in working groups for drafting normative acts and policies. Contribution of NGOs to the development and achievement of democracy and human rights, especially through promotion of public awareness, participation in public life and ensuring transparency and responsibility of public authorities, was affirmatively recognised by the Government and local governments. NGOs and the experts engaged in civil society provided crucially important contribution to the protection and promotion of human rights of LGBT persons.

1.5 Monitoring

The Government of Montenegro will pay additional attention to continuous representation and promotion of the Strategy in Montenegrin society. The Government will make this program document available and understandable to all social actors.

Coordination of monitoring the implementation of the Strategy and the preparation of appropriate information and reports is entrusted to the Government’s Council for Protection against Discrimination.

A clear responsibility of competent institutions dealing with implementation of the measures of this Strategy will be laid down in a one-year Action Plan. The Council will give full professional attention to establishment of high-quality and effective monitoring. In this regard, for the purpose of monitoring the implementation of the Strategy, the Council will establish a permanent body that will collect relevant information on the implementation of commitments quarterly.

The task of monitoring is to follow the implementation of prescribed measures and activities of this Strategy, achievement of projected results and evaluation of the implementation, with the application of necessary corrections. On the basis of the conducted monitoring, the periodic and special thematic reports and information will be created, as well as mandatory Annual Report on implementation of the Strategy. The Annual Report on implementation of the Strategy, as well as Annual Action Plans that follow the implementation of the Strategy, is adopted by the Government of Montenegro. Additionally, the monitoring body will, within the scope of its work, follow the development of the dialogue and advisory role of the organisations of civil society, through consultations envisaged by the Action Plan.

The Council will consider the reports on achieved results and challenges in the implementation of the Strategy and in this regard, coordinate further work of the state institutions. On the basis of conducted monitoring and evaluation, the Council will prepare further annual measures and activities, assess the quality and initiate the improvement of solutions from this Strategy.

2. Human rights of LGBT persons

The respect for differences and tolerance according to the convictions of all social groups represents a leading value of multi-ethnic and multi-cultural Montenegrin society. Equality of LGBT people is understood before the law. The Government will fight decisively against the discrimination of LGBT persons at all levels, including a stricter penal policy implementation.

Criminal liability will be expanded in a way that when determining sanctions, a bias motivated crime related to sexual orientation or gender identity will be taken into account as an aggravating circumstance. Efficient, fast and impartial investigation will be provided and the victims and witnesses of hate-motivated crimes against LGBT persons will be encouraged to report these crimes and they will be offered necessary assistance and support. It is of special importance to provide the full implementation of legal solutions at all levels and institutional capacities in terms of knowledge and skills to recognise incidents and hate crimes.

Also, in order to ensure harsher punishment of offenders motivated by racism or other discriminatory motives, Article 443 of the Criminal Code, which relates to racial hatred or racial discrimination will be amended, in a way that propagating racial hatred and intolerance, i.e. incitement of racial and other discrimination based on sex, disability, sexual orientation, gender identity or other personal characteristics will be prohibited.

The state guarantees to all of its citizens the respect of the right to freedom of assembly and expression, and this also refers to the LGBT persons. The Government will offer concrete support that LGBT manifestations, such as Pride Parade, Queer Festivals and other social gatherings of the LGBT community, are held in tolerant atmosphere and without violence.

The Government will work on creating socially positive environment for the acceptance of LGBT persons and their (same-sex) unions. It is of utmost importance to provide a quality approach to knowledge, in terms of learning about the standards in this area, and the support of heterosexual public and important political factors.

Strategic objectives:

- Improve legislative framework and penal policy for the fight against discrimination of the LGBT persons.
- Improve capacities of the institutions which implement anti-discrimination legislation.
- Increase level of information about international standards in relation to the LGBT issues.
- Promote social environment for acceptance of the LGBT persons.

Program measures:

- Initiate amendments to the relevant laws for the purpose of improvement of equality and fight against discrimination, transphobia and homophobia.
- Initiate programs of support to the LGBT community, including training programs for the activists and human rights defenders, police and prosecutorial organization, civil servants, representatives of judicial authorities, representatives of local authorities, inspection services and others responsible to provide protection against discrimination, and legal and psychological assistance to the victims and witnesses of violence and hate crimes.
- Learn about the standards of three different models of the Law on Registered Partnership (group of countries: Danish, French, Dutch models) as a prerequisite for defining the political criteria in the selection of the model that best fits the Montenegrin conditions.
- Strengthen capacities of the relevant institutions, professionals and the most general public through the specific trainings which include the content of the judgments of the European Court for Human Rights in relation to the discrimination on the basis of gender identity or sexual orientation.
- Publish material on judgments of the European Court for Human Rights in relation to the discrimination on the basis of gender identity or sexual orientation.
- Provide the access to the HELP programme of the Council of Europe.

INDICATORS OF SUCCESS

The proposal for the Law on Amendments to the Law on the Prohibition of Discrimination adopted.

The proposal for the Law on Amendments to the Law on the Protector of Human Rights and Freedoms of Montenegro adopted.

The proposal for the Law on Amendments to the Criminal Code adopted, in a way that when determining sanctions, a bias motivated crime related to sexual orientation or gender identity will be taken into account as an aggravating circumstance.

The proposal for the Law on Registered Partnership, which will recognize the rights of same-sex unions in accordance with ratified international treaties and generally accepted rules of international law, adopted.

(The meaning of the term “registered partnership” herein does not imply automatic identification of same-sex unions with marriage in the traditional understanding or the status of marriage enshrined in our legislation and the legislation of many other states).

Civil servants, representatives of judicial authorities, representatives of local government, regional units, police offices, inspection services and others responsible to provide protection against discrimination educated, including the education concerning viewpoints and the practice of European Court of Human Rights in relation to the discrimination on the basis of sexual orientation or gender identity.

Access to the HELP programme of the Council of Europe provided.

Material contained the judgments of European Court of Human Rights in relation to the discrimination on the basis of sexual orientation or gender identity published.

3. Sexual orientation and gender identity in education

Education is essential for the development and progress of each society. In political and economic environment of Montenegro, education dominates as a key source of overall development. In the last decade, intensive efforts were invested, including also significant personnel and other potentials, in order to improve and modernize the national education system. The permanent intention of education is to support further development of Montenegro, as a civic, democratic and state of social justice, based on the rule of law and to accelerate economic and social development, which means both respect and further promotion of human rights and fundamental freedoms.

In Montenegro, everyone is equal in enjoying the right to education, regardless of one's personal characteristics. Physical, mental and social violence, bullying and negligence, insulting the person, or any other form of discrimination is prohibited. These are starting values promoted also by this Strategy.

In education system of Montenegro, no means will be used in the education process that incite discrimination, including those on grounds of gender identity and sexual orientation. The process of education will develop in a way to promote understanding, tolerance, social inclusion and social cohesion.

In creating educational environment, education and school authorities will start from the legal provisions and key values of the constitutional law as leading prerequisites. Also, it will take care that the issue of LGBT be treated in a purposeful and fact-based way. The school authorities should be aware of the presence of non-acceptance of homosexuality to which the findings of public opinion survey on homophobia refer, and accordingly, they need to avoid risks arising from it.

The Government is determined in an intention to make schools in Montenegro safe for all pupils, regardless of their differences. The safe school environment is a necessary condition for quality education. Therefore, the Government will develop concept which means safe and supportive environment for pupils and employees where homophobic/transphobic violence is identified and resolved

in all its types. LGBT adolescents and teachers should feel safe in coming out of the closet, and all pupils should feel that they are protected against sexual harassment and violence.

The Government will invest its efforts in order to increase the knowledge of all in school network on violence related to sexual orientation and gender identity and its expression, including social networks as new communication tools. Taking a long-term view, this will contribute to the society to become more tolerant.

Strategic objectives:

- Improve the human rights dimension in the education system.
- Improve the quality and practice of teaching process in relation to the LGBT issues.
- Improve school democratic culture, respect and acceptance of differences.

Program measures:

- Provide support to the teaching staff for the integration of LGBT issues in the education process with the aim of strengthening of gradual maturation of the society to accept differences.
- Encourage cooperation between schools and parents, local authorities, police, social services and non-governmental sector.
- Develop a dialogue between professional public and civil society organizations in the field of human rights of the LGBT community.
- Analyze the legal and strategic documents in line with the vision of the Strategy, as well as curricula and textbooks in the context of the representation of the LGBT issues; with development of the dialogue at all levels, to propose measures and ways of innovations of new editions of textbooks, with text and illustrative content that will bring young people closer to the human rights of LGBT persons.
- Strengthen the capacities of professional services in high schools to help and support LGBT persons, and therefore create a manual on LGBT perspective, prevention and combating the violence based on sexual orientation and gender identity.
- Develop the school initiatives of non-violence at all levels, through campaigns related to the new social networks, provide information about LGBT perspective and prevention of violence of any kind.

- Explore the needs, rights and the position of young people, including LGBT youth.
- Promote the optional subjects which are of more importance for the democratic and civic education in primary and secondary schools and which support the elimination of traditionalism and stereotypes and appreciate the European perspective of Montenegro.

INDICATORS OF SUCCESS	
	School initiatives of non-violence at all levels through campaigns related to the new social networks including information about LGBT perspective and prevention of violence of any kind established.
	Support provided and training programs organized for teaching staff for integration of LGBT topics in the education process with the aim of strengthening of gradual maturation of the society to accept differences.
	Capacities of professional services in high schools to help and support LGBT persons built.
	Manual on LGBT perspective, prevention and combating the violence based on sexual orientation and gender identity created and published, on the basis of the work with professional services in school.
	Legal and strategic documents in line with the vision of the Strategy analyzed, as well as curricula and textbooks in the context of the representation of the LGBT issues.
	The Analysis published.
	Measures and ways of innovations of new editions of textbooks, with text and illustrative content that will bring young people closer to the human rights of LGBT persons, proposed.
	Needs, rights and the position of young people in society, including LGBT youth explored.
	Optional subjects, which are of more importance for the democratic and civic education and which support the elimination of traditionalism and stereotypes and appreciate the European perspective of Montenegro, promoted in primary and secondary schools.
	Principles and measures of the Strategy promoted in community of students and parents structures in schools, professional and general public at all levels.

4. Cultural changes, safety and social acceptance of LGBT persons

The acceptance and understanding of LGBT persons, in terms of their equal rights and possibilities, represent a serious problem for a great majority of citizens, which points to the fear and difficulties to express one's own identity, even to the immediate family and friends.

The dominant majority of citizens consider homosexuality an illness, unnatural and immoral phenomenon. In many societies homosexuality is seen as transgression of men and women's traditional gender roles. Also, informal social control represents an important mechanism of negative influence on LGBT persons.

Through LGBT policy, the Government will work on increasing the safety of LGBT persons and broadening and deepening their social acceptance and inclusion. The Government stands up for LGBT persons to have equal treatment and opportunities in all life segments just like any other person. LGBT persons should be able to safely express their sexual orientation and gender identity, to have access to all institutions and services, to feel and know they are safe and protected from any form of discrimination, harassment, intimidation and violence.

The Government makes an effort for LGBT persons to live equal inclusive social life like all other citizens. In cooperation with police, multidisciplinary operational teams of centers for social work and other services, the Government will promote social acceptance and create safe environment by preventing violence in immediate living environment, in the streets or objects of service industry, in places of meeting or in nightlife areas for LGBT persons. The Government is determined to confront prejudices against LGBT persons, starting from institutions to individuals, not just for the fulfillment of commitments arising from the membership in international organisations, but because of truthful aspiration for cultural change and better life.

At the same time, the Government will encourage greater unity of all actors and together contribute to the improvement and creation of cultural values

and conditions that will support the acceptance and protection of LGBT persons and encourage their visibility. The Government will continue to support the work of the LGBT shelter for residence of persons whose families denied them support because of their sexual orientation and gender identity.

In order to support cultural change and improve acceptance of LGBT persons in society, the Government will, under the auspice of the Council for Protection against Discrimination, develop an intersector cooperation and work with local self-governments, unions, employers and partners from the civil society as unavoidable factors in promotion of the policy of equal treatment and protection against discrimination.

In terms of protection against discrimination at work, the Government will continue the dialogue with union organisations and employers, and ensure full equality of LGBT persons in their workplaces. The Government will work continuously and act preventively to combat discrimination at work, regardless of the grounds. In cooperation with local authorities, the Government will particularly contribute to ensure LGBT persons have dignified and safe life and work in local communities.

Through support to cultural activities of the LGBT community, the Government confirms the connection of Montenegro with modern cultural scenes. Therefore, it will continue to make sure that the dimension of the culture of human rights and LGBT perspectives remains present in the program contents of public cultural institutions. The Government will support the dialogue and cooperation of cultural actors and LGBT community when it comes to issues of culture and identity and their artistic and social dimension.

Strategic objectives:

- Enhance safety and social life of LGBT persons.
- Improve social acceptance and inclusion of LGBT persons.
- Improve policy of equal treatment and protection against discrimination.

Program measures:

- Strengthen capacities and knowledge of LGBT community, including financial support.
- Develop dialogue with competent bodies, local authorities, police services, trade unions and employers' organizations and civil society towards the social acceptance of LGBT persons, including the working environment.

- Provide understanding and support to the family and LGBT person and intervene in the individual cases through multidisciplinary operational team centers for social work.
- Encourage the development of a culture of tolerance and openness for LGBT individuals which includes the support to the cultural events, queer festivals and film festivals on human rights and other cultural and artistic events.
- Contribute to higher cultural visibility of the LGBT community and social promotion of inclusive concept of the queer term and culture.
- Support the building of new cultural platforms which promote values of a free society, constitutional values, European identity of Montenegro, but also higher visibility of human rights and LGBT community (film festivals on human rights, queer festivals etc.)
- Support the creation of cultural spaces and scenes of the LGBT community as a long-term vision.

INDICATORS OF SUCCESS

	Functioning of the LGBT shelter and related services including financial assistance provided.
	Memorandum of understanding on measures in the fight against discrimination on the basis of sexual orientation or gender identity and promotion of tolerance towards the LGBT persons signed with local authorities, police services, trade unions and employers' organizations and civil society.
	The number of unsettled family relations in families that for a member have LGBT person reduced.
	Sensibility of family and environment towards the LGBT persons enhanced.
	Cultural and social life of the LGBT community initiated (programs under the auspices of the LGBT social center, development of social networks, queer festivals etc.).

5. Law Enforcement

The agreements on cooperation signed between the Police Directorate and NGOs that work with LGBT community represent a positive model of cooperation that should be further supported and developed, to which a significant contribution made by Council for Civilian Control of Police Operations and Institution of the Protector of Human Rights and Freedoms of Montenegro. Guided by the experiences of police organisations in Europe, United States of America and Canada, the Police Directorate appointed a special police officer responsible for a more direct communication with LGBT community. In all regional units of the Police Directorate, the Government will apply the same model of work and cooperation with LGBT community, with the aim of the intensification of dialogue and strengthening the trust of LGBT community in police as well provision of adequate assistance in evidence collection and completion of concrete cases for judiciary.

In contact with LGBT persons, the police officers will be professional and they will not be guided by stereotype convictions and traditional notions. The Police's approach to LGBT persons will be constantly improved. The Government will continue to create a tolerant and stimulating environment in a mere police organisation, in which none of the police officers will suffer negative consequences on the basis of his/her sexual orientation and gender identity.

Strategic objectives:

- Enhance sensibility of the police for the work with the LGBT community.
- Promote and foster trust between the Police and the LGBT community
- Enhance the safety of the LGBT persons, social gatherings and social life of the LGBT community.

Program measures:

- Support the LGBT community for a more effective communication and access to the Police.

- Establish the cooperation between the LGBT community and the Police on the preparation of joint periodical reports, research and analysis.
- Promote the joint work of the LGBT community and the police services, including national and international performances.
- Develop constant dialogue between the Police Directorate and the LGBT community.
- Strengthen capacities and sensibility of the police officers for the work with LGBT community.
- Form teams of trust that bring together representatives of the Police and the LGBT community, in the interest of more quality monitoring, communication and discussion on the application of police powers and cases of discrimination of the LGBT persons.
- Appoint the liaison police officers for the work with the LGBT community in all regional units of the police.
- Develop continuously the cooperation of the Police Directorate with the Council for Civilian Control of Police Operations and Protector of Human Rights and Freedoms of Montenegro with the aim of promotion of application of police powers to the sensitive social groups.

INDICATORS OF SUCCESS	
	LGBT community supported for a more effective communication and access to the Police.
	The cooperation between the LGBT community and the Police on preparation of joint periodical reports, research and analysis established.
	The joint work of the LGBT community and the Police services promoted.
	The capacities and the sensibility of the police officers for the work with the LGBT community enhanced.
	Teams of trust which bring together representatives of the Police and the LGBT community formed.
	The liaison police officers for the work with the LGBT community appointed in all regional units of the Police.
	The cooperation of the Police Directorate with the Council for Civilian Control of Police Operations and Protector of Human Rights and Freedoms of Montenegro improved with the aim of promotion of the application of police powers to the sensitive social groups.

6. Health Care

The national health system provides everyone with the access to and health care without discrimination. In the last years, Montenegro achieved continuous progress in the area of health care and cooperation with civil society organisations. The National HIV/AIDS Strategy recognises special measures aimed at health care of LGBT population. All health documents, medical textbooks and other educational materials that in an earlier period were, according to the implementation of international classification, treating homosexuality as an illness, are today revised. In addition, the system and the status of all users of health services are additionally protected and improved by adopting a special Law on Patient Rights.

The Government is determined to improve the approach to health system and treatment of all citizens, regardless of their sexual orientation and gender identity. The Government will continue to develop mechanisms for the protection of privacy, dignity and rights of all users of health services. Moreover, outreach programs for the purpose of promoting safe sexual behaviour, awareness and protection of LGBT persons regarding sexually transmitted diseases, will continue with their work.

In particular, attention will be paid to the needs of specific groups and solutions for reception and treatment of transgender persons will continue to improve. On the initiative of the LGBT community, the Government adopted amendments to the Law on Health Insurance, which enabled triad process of gender confirmation.

In the interest of achieving the highest quality of services, the Government will develop a continuous consultation process with the LGBT community in planning of health policy and the development of institutional and program guidelines at all levels of health care.

Strategic objectives:

- Promote the access of the LGBT persons to national health system and care.

- Promote the sensibility of the health system for the work and cooperation with the LGBT community.
- Promote and foster trust of the health authorities and the LGBT community.

Program measures:

- Institutionalize the relations of the health authorities with the LGBT community through signing of an agreement on cooperation and through developing joint initiatives.
- Strengthen capacities of health care workers and medical personnel and continuously improve the service working with the LGBT community.
- Increase awareness of the LGBT persons, particularly of transgender persons, about the functioning of the health system, administrative and medical procedures.

INDICATORS OF SUCCESS	
	The safe sexual behavior promoted; sterile equipment, condoms and information related to the prevention and protection distributed.
	The contact person in the Ministry of Health /medical institutions appointed for transgender community in the interest of enhancing the institutional care and program cooperation.
	The capacities of health care workers and medical personnel strengthened and the working service with the LGBT community promoted.
	The LGBT representatives involved in the consultation and decision making process regarding all matters of interest for the LGBT community.
	The Protocol on admission and treatment of transgender persons in relation to the process of their gender confirmation (in cooperation with the LGBT community) adopted.
	The agreement on cooperation and development of joint initiatives with the LGBT community signed.

7. Media

In the promotion of culture of tolerance and significance of social inclusion of all vulnerable groups, including LGBT persons, the Government stresses the importance of positive and professional role of media and their responsibility to protect different groups from negative stereotypes. The civil society constantly points out to the fact that inappropriate contents with elements of hate speech and invasion of privacy on the basis of actual or perceived sexual orientation and gender identity are being published on the Internet and electronic editions of print media. In the interest of creating socially acceptable environment for LGBT persons, the Government will help media and other social partners to combat the dissemination of hate speech and bigotry over the Internet and media. Therefore, the Government will encourage media organizations, Internet and other media to promote the culture of respect, tolerance and differences in the aim of avoiding negative and stereotype comments/reporting/writings about LGBT persons that are humiliating or sexist.

Strategic objectives:

- Improve social tolerance and respect for human rights.
- Promote the media capacities for following the LGBT issues.

Program measures:

- Strengthen capacities of journalists and editors and staff working on the Internet portals (media) to answer the standards of human and LGBT rights in a professional manner.
- Improve the knowledge on standards and understanding of the issues of LGBT rights.
- Conduct the campaign for raising awareness in the media which promote human rights standards for the LGBT persons (public campaigns, promotional audiovisual spots and radio jingles).

INDICATORS OF SUCCESS

The capacities strengthened and the knowledge of the journalists and editors and staff of the Internet portals (media) improved to answer the standards of human and LGBT rights in a professional manner.

The campaign conducted and the awareness level of citizens raised on LGBT human rights.

8. Sports

Sports represent one of the key ways to achieving and promoting human rights. Olympism, as a philosophy of life that connects culture, education and sports, aims to create a peaceful society that strives to preserve human dignity. Through this Policy, the Government of Montenegro additionally promotes Olympic values, and doing sports is treated as one of human rights. Doing sports should be enabled for all without differences and discrimination on any basis. Discrimination on the basis of sexual orientation and gender identity in sports is unacceptable and incompatible with national sports policy. The Government will encourage the dialogue of LGBT community with sports associations and joint efforts in fight against homophobia, transphobia and discrimination in sports will be fostered. Partnership approach will be developed towards sports federations, fan clubs and LGBT community in order to prevent and combat the use of insults on the account of LGBT persons during and in relation to sports events. Sports facilities and activities will be open to all, regardless of their sexual orientation or gender identity.

Strategic objectives:

- Promote the fight against discrimination of the LGBT persons in sports and society.
- Enhance the understanding of the LGBT perspective in development of sports policy and concept of financing sports from the public sources.
- Promote sports life and activities in the LGBT community.

Program measures:

- Support the LGBT perspective in development of the strategic program documents and concept of financing of sports from the public sources.
- Encourage the dialogue and cooperation of the LGBT community, Montenegrin Olympic Committee and national sports organizations and fan clubs.

- Promote the fight against discrimination of the LGBT persons in sports and society.
- Support the sports associations, clubs and fan groups in development of activities to raise the awareness on discrimination against LGBT persons and condemnation of expression of intolerance and violence towards them.
- Develop sports programs of the LGBT persons and organizations, both at national and international level.

INDICATORS OF SUCCESS	
	The dialogue and cooperation between the LGBT community, Montenegrin Olympic Committee and national sports organizations and fan clubs established.
	The research on homophobia and transphobia in sports carried out.
	The research on impact of the sports environment on individuals and minority groups in relation with their sexual orientation and gender identity carried out.
	The research on positive effects of strengthening the LGBT persons in the LGBT sports clubs/teams carried out.
	The guidelines and the support in developing the fight against discrimination defined.
	The guidelines and support to the sports programs and activities of the LGBT persons, organizations and clubs defined.

9. Economic growth and LGBT tourism

Montenegro is an internationally recognised tourist destination. The image constantly improves, parallel with the country's accession to the European Union. Tourism product records constant growth. During last years, special attention has been dedicated to the creation of conditions for the development of nature-oriented tourism, as well as adventure tourism. The goal is to create the conditions for the tourism valorisation of hinterland and mountain part of Montenegro. The potential in the area of nature-based tourism is considerable. This segment of tourism became one of the fastest growing sectors in world tourism industry, with the growth of 10% to 15% annually. Montenegro has values that create its identity in relation to other competitive destinations. The Government is determined in its intention to, with constant security increase, and raising the level of quality in all segments of tourism supply, make Montenegro one of top tourist destinations at a global level. The goal is to create a supply that will meet the needs of the ever demanding tourist clientele. The LGBT tourists are considered important tourist clientele. Numerous tourist destinations in Europe and world are specialised to attract LGBT persons.

For Montenegro, tourism represents one of main sources of foreign exchange income and an important export category that creates new employment opportunities. In addition to the opportunities that are defined by strategic documents in the tourism area, the possibilities for the economic growth exist in the framework of LGBT tourism industry. Such experience is confirmed by numerous countries. Greater understanding for the interest of LGBT market can create economic benefit of the tourism industry, offering a welcoming experience to all visitors. Montenegro possesses and promotes welcoming approach for all visitors, and that is why it is important to develop the knowledge of LGBT market. Also, it is of special importance that Montenegrin tourism economy recognises the relation between social acceptance of LGBT persons, state policy and legislation in this area, like it was presented in the Strategy, and the effects of all this on their business activity.

The Government is dedicated to the creation of a positive environment for all tourists that come to Montenegro and as a branch of industry tourism recognises no boundaries and respects differences. Therefore, the Government

will support the dialogue and cooperation between governmental institutions, tourism organisations, tourism economy and the organisation of civil society that all actors get involved in the improvement of Montenegrin position, and besides other things as an LGBT friendly destination on European and global markets. Preconditions for the creation and promotion of one of their new products that will respond to the interests of LGBT tourism market are gradually created through the models of cooperation.

Strategic goals:

- Promote Montenegro as a safe and open destination.
- Promote understanding of LGBT perspective in tourism industry.
- Contribute to the recognition of Montenegro on LGBT market.

Program measures:

- Develop the knowledge of LGBT tourism market and define national possibilities.
- Build program capacities of tourism industry and organisation of civil society in relation to LGBT tourism product.
- Strengthen intersector correlation of tourism industry and organisations of the civil sector for the purpose of analysis and development of LGBT tourism.
- Develop better understanding of the values of LGBT tourism market, through the analysis of the market and needs assessments.

INDICATORS OF SUCCESS	
	The national possibilities in the context of the LGBT tourism market are defined.
	The specific program capacities of the tourism industry in relation to the LGBT tourism product developed.
	The capacities of the civil society in relation to the LGBT tourism product developed.
	The analysis made and the intersector correlation with the tourism industry and organization of civil society for the purpose of the development of the LGBT tourism strengthened.
	The market analysis and the assessment of the needs in the context of the LGBT tourism market made.
	The needs and the values of the LGBT tourism market promoted.

10. International LGBT policy

Montenegro restored its independence in a democratically held referendum in 2006. It is being developed as a civic, multiethnic and multicultural state with a significant share of ethnic, linguistic and religious minorities in total structure. It is recognized as a country that within the framework of multilateral organizations (UN, OSCE, Council of Europe, etc.), in whose work it participates, provides a clear political support to a number of initiatives in the field of human rights. Full-fledged membership in the European Union and NATO, as a strategic priority of Montenegrin foreign policy, includes the enforcement of appropriate policies and standards in the area of protection against all forms of discrimination and respect of human rights and freedoms, with the aim of enhancing awareness of the society in which differences represent the basis for social cohesion.

In Montenegro there is unequivocal orientation towards the respect for universal human rights, and Montenegro is a signatory of international instruments governing this issue. The Government expresses full commitment to the implementation of international standards and recommendations, and wants to promote greater unity of all actors of society in creation of joint actions, in order to improve human rights of LGBT persons. Therefore, through its foreign policy, Montenegro will continue to contribute to the promotion and protection of fundamental human rights and freedoms at international level, while maintaining special sensibility towards activities that are aimed at improving the status of LGBT persons.

Strategic objectives:

- Promote internationally adopted and ratified standards of the human rights protection.
- Promote the Yogyakarta Principles on the Application of International Human Rights Law in relation to sexual orientation and gender identity.

Program measures:

- Promote international standards of the human rights protection in line with the international documents (conventions, treaties, charters, etc.), of which Montenegro is signatory.
- Conduct active policy in the international scene about the respect for fundamental human rights of LGBT persons.
- Promote the Yogyakarta Principles towards the national and international instances, such as the Organization of the United Nations and its specialised agencies, inter-governmental regional and sub-regional organizations, non-governmental organizations which are active in the field of human rights, economic and professional organizations, media, etc.
- Develop and foster relations with the LGBT movements by the diplomatic-consular representations.

INDICATORS OF SUCCESS

The active policy in the international scene established, in the interest of improvement of equality and fight against discrimination, transphobia and homophobia.

The Yogyakarta Principles promoted and published.

The informal, temporary contacts with the LGBT movements by the diplomatic-consular representations established.