



ANALYSIS

OF POLITICIANS' VIEWS ON THE INCLUSION OF LGBTI PERSONS
IN THE POLITICAL LANDSCAPE OF MONTENEGRO



ANALYSIS

**OF POLITICIANS' VIEWS ON THE INCLUSION OF LGBTI PERSONS
IN THE POLITICAL LANDSCAPE OF MONTENEGRO**

ANALYSIS

OF POLITICIANS' VIEWS ON THE INCLUSION OF LGBTI PERSONS IN THE POLITICAL LANDSCAPE OF MONTENEGRO



Publisher:

Centre for Monitoring and Research (CeMI)

Bldv. Josipa Broza 23a, Podgorica

Email: info@cemi.org.me

Web: www.cemi.org.me

Editors:

Teodora Gilić

Staša Baštrica

Authors:

Andrea Rovčanin

Balša Dragojević

Consultant:

Milena Krsmanović

Printing:

Smart Print

Print run:

100 copies

Year of publication:

2025



Ministarstvo ljudskih
i manjinskih prava

This analysis was developed within the framework of the project "A Voice for Diversity and Equality: Political Integration of the LGBTI Community in Montenegro", implemented by CeMI in partnership with the Montenegrin LGBTI association Queer Montenegro, and financially supported by the Ministry of Human and Minority Rights. The opinions and views expressed in this analysis are those of the author and do not necessarily reflect the official positions of the donor.



CONTENT

I INTRODUCTION	7
II METHODOLOGY	9
III OVERVIEW OF THE LEGISLATIVE FRAMEWORK REGARDING LGBTI RIGHTS	10
3.1. GENERAL CONSIDERATIONS	10
3.2. OVERVIEW OF SELECTED UNIVERSAL INSTRUMENTS	11
3.3. COUNCIL OF EUROPE INSTRUMENTS	12
IV NATIONAL LEGISLATION	17
4.1. (LACK OF) POLITICAL WILL FOR LGBTI INCLUSION IN MONTENEGRO'S POLITICAL LIFE	22
V RESULTS OF THE QUALITATIVE RESEARCH ON THE LGBTI COMMUNITY IN MONTENEGRO	23
VI ANALYSIS OF POLITICAL PARTY PROGRAMS AND STATUTES	31
6.1. POLITICAL PARTIES THAT EXPLICITLY SUPPORT LGBTIQ RIGHTS IN THEIR PROGRAMS	32
6.2. PARTIES THAT DO NOT ADDRESS LGBTI ISSUES IN THEIR PROGRAMS	34
6.3. POLITICAL PARTIES WITH A GENERAL NARRATIVE	35
VII MONITORING OF POLITICAL PARTIES AND POLITICIANS POSITIONS	38
7.1. NEGATIVE POSITIONS OF POLITICAL ACTORS TOWARD THE LGBTIQ COMMUNITY	39
7.2. POSITIVE STANCES OF POLITICAL ACTORS TOWARDS THE LGBTIQ COMMUNITY	43
7.3. MONITORING OF PARLIAMENTARY DEBATES AND INITIATIVES RELATED TO LGBTI RIGHTS	45
7.4 THE PRESENCE OF POLITICAL ACTORS AT MONTENEGRO PRIDE	46
VIII RESULTS OF QUANTITATIVE RESEARCH	49
8.1. COMPARATIVE ANALYSIS OF THE RESEARCH	54
IX CONCLUSIONS AND RECOMMENDATIONS	60

I INTRODUCTION

From the early stages of upbringing, LGBTI individuals face numerous challenges, particularly in societies shaped by patriarchal values and rigid gender norms. Research, testimonies and reports from domestic and international organisations confirm that members of the LGBTI population are exposed to various forms of discrimination in almost all areas of life, including direct and indirect discrimination, as well as multiple forms of victimization such as verbal abuse, sexual harassment, workplace bullying and social exclusion.

Legal and institutional shortcomings significantly complicate the everyday lives of LGBTI individuals, especially when it comes to the realisation of fundamental rights such as the right to work, access to healthcare, social benefits, health insurance, freedom of movement, and inclusive education. One of the persistent challenges remains the lack of alignment between legal frameworks and actual practice, which is often hindered by inadequate institutional capacities and political will. As a result, LGBTI individuals continue to face various forms of systemic and structural barriers that deny them full social inclusion. This highlights the need for sustainable solutions that would enable the exercise of guaranteed rights. In this context, DEI (diversity, equity, and inclusion) models and mechanisms that offer systemic solutions under restrictive conditions become one of the key advocacy initiatives in Montenegro.

In addition to systemic and institutional challenges, the position of the LGBTI community is largely shaped by the actions of political actors, particularly political parties. These parties play a significant role in shaping public perceptions of the LGBTI community. The positions they express publicly, whether through their statutes, statements made by party members or political platforms, can have a considerable influence on how citizens perceive LGBTI individuals. When political parties are supportive of LGBTI rights and actively promote inclusivity and diversity, they meaningfully contribute to improving the societal perception and acceptance of LGBTI people. Therefore, political party engagement in promoting LGBTI rights and fostering understanding is crucial for shifting social norms and public attitudes. However, the situation in Montenegro remains far from satisfactory. Political parties are often perceived, at best, as not contributing significantly to the improvement of the status of LGBTI individuals in the country, and at worst as directly responsible for perpetuating negative views.

Although certain political parties recognize the importance of human rights protection in their programs, in practice they still rarely actively advocate for improving the position of LGBTI persons. Moreover, we witness hate speech and discriminatory statements by some political representatives, which contribute to a negative social climate and hinder the process of inclusion. Inconsistency in political positions and the absence of concrete measures further slow down the adoption of legal solutions that would significantly improve the position of LGBTI persons in society.

This analysis contains an evaluation of the positions and actions of political parties regarding issues of importance for the protection and improvement of the status of LGBTI individuals in society, with the aim of formulating specific recommendations for enhancing their policy-making approach through policies that genuinely reflect the needs and interests of the LGBTI community. An analysis of the policies and public statements of political actors can reveal inconsistencies, biases, and potentially discriminatory practices that adversely affect the LGBTI community.

The analysis was developed within the framework of the project “Voice for Diversity and Equality: Political Integration of the LGBTI Community in Montenegro”, implemented by the Centre for Monitoring and Research (CeMI) in partnership with the Montenegrin LGBTI association Queer Montenegro. The project is financially supported by the Ministry of Human and Minority Rights.

II METHODOLOGY

The analysis of the legislative framework and political positions concerning the rights of LGBTI individuals in Montenegro was grounded in both qualitative and quantitative research methodologies. It encompassed a review of the legal and political context for the realisation of LGBTI rights, as well as the mapping of the positions held by political parties and individual politicians.

The primary objective of the research was to provide a comprehensive and evidence-based overview of the attitudes of political parties and their representatives toward the LGBTI community. This included an in-depth analysis of public statements, policy documents and political initiatives, with the aim of identifying key structural barriers and potential avenues for advancing the rights and societal position of LGBTI individuals.

The methodological framework included the following components:

- **Content analysis of political party programs and statutes**, focusing on parties represented in the Parliament of Montenegro, as well as selected parties active at the local level;
- **Systematic monitoring of political actors** across traditional media and digital platforms (including Facebook, Instagram, and X), with particular attention to discourse patterns and the classification of public statements as supportive, neutral, or discriminatory;
- **Semi-structured interviews with relevant experts** in the fields of human rights and LGBTI advocacy, aimed at capturing complementary perspectives on the role of political actors in either advancing or obstructing LGBTI rights;
- **Quantitative indicators**, the number and structure of responses to the questionnaire sent to political parties (candidates for parliamentary positions), with a focus on topics related to LGBTI rights (including marriage, adoption, Pride Parade, perceptions of sexuality, and personal experiences).
- **Qualitative indicators**, including the context of statements, the substance and framing of political messages, policy impact assessments, and presence at relevant public events.

The data were collected through structured monitoring conducted in the post-election period following the 2023 parliamentary elections. The analysis was based on a broad range of sources, including political documents, media content, social media posts, transcripts from public debates, and other publicly accessible materials.

III OVERVIEW OF THE LEGISLATIVE FRAMEWORK REGARDING LGBTI RIGHTS

3.1. GENERAL CONSIDERATIONS

The rights of LGBTI persons are not special or separate rights, but rather form part of the corpus of universal, indivisible, inalienable, and interdependent rights that belong to every human being by virtue of birth. The rights of LGBTIQ persons should be protected in the same manner as the rights of all other individuals, and no right may be denied or restricted to them beyond the limitations permitted by law, provided such restrictions are based on law, pursue a legitimate aim, and are proportionate to the achievement of that aim.

Montenegro has taken certain steps toward the progressive realisation of rights. In this regard, among other measures, it has strengthened the protection of LGBTI persons through the enactment of comprehensive anti-discrimination legislation, the legal recognition of same-sex unions through the **Law on Life Partnership of Same-Sex Persons**, as well as through enhanced protection from hate crimes, notably via the introduction of **Article 42a of the Criminal Code**, which recognizes racist, homophobic, and transphobic motives as aggravating circumstances in the commission of a criminal offence.

Montenegro is a civic, democratic, ecological state of social justice, founded on the rule of law (Article 1, paragraph 2 of the **Constitution of Montenegro**). Pursuant to **Article 17**, the Constitution guarantees that rights and freedoms shall be exercised on the basis of the Constitution and ratified international treaties, and that all persons are equal before the law, regardless of any particular characteristic or personal attribute. Furthermore, under the general provision of **Article 8, paragraph 1**, any direct or indirect discrimination, on any grounds, is prohibited. Finally, the Constitution prescribes that ratified and published international treaties and generally accepted rules of international law form an integral part of the domestic legal order, take precedence over national legislation, and apply directly where they regulate matters differently than domestic laws. Thus, the Constitution affirms that international and domestic legal norms constitute a single legal system, embracing the **monist approach with the primacy of international law**.

3.2. OVERVIEW OF SELECTED UNIVERSAL INSTRUMENTS

The **Universal Declaration of Human Rights**¹ recognises the inherent dignity and equal, inalienable rights of all human beings. **Article 1** emphasises that all human beings are born free and equal in dignity and rights. The Declaration has been substantively embedded in numerous international instruments, constitutions, and national laws.

The **International Covenant on Civil and Political Rights**² (**Article 2**) obliges states to respect the rights of all individuals within their territory, regardless of personal characteristics, including sex and other circumstances. **Article 26** guarantees equality before the law and protection without discrimination, encompassing grounds not explicitly listed.

The **International Covenant on Economic, Social and Cultural Rights**³ extends protection to these three domains and, through **Article 2**, prohibits discrimination, listing sex as a ground, while allowing for the interpretation that includes personal attributes such as sexual orientation, gender identity, and similar, even if not explicitly mentioned.

The first global document to directly address **sexual orientation and gender identity** was adopted by the **UN Human Rights Council** in 2011. Through **Resolution 17/19**⁴, concern was expressed over violence and discrimination against LGBT persons, and the **High Commissioner for Human Rights** was mandated to prepare a report on their situation and to document discriminatory laws and practices.

1 Adopted by a special resolution of the United Nations General Assembly on December 10, 1948.

2 Decree on the Promulgation of the Law on the Ratification of the International Covenant on Economic, Social and Cultural Rights (*Official Gazette of the SFRY – International Treaties*, No. 7/71)

3 Decree on the Promulgation of the Law on the Ratification of the International Covenant on Civil and Political Rights (*Official Gazette of the Socialist Federal Republic of Yugoslavia*, No. 7/71)

4 Human Rights Council Resolution – Human Rights, Sexual Orientation and Gender Identity (adopted on 17 June 2011) – A/HRC/RES/17/19

3.3. COUNCIL OF EUROPE INSTRUMENTS

The **European Convention on Human Rights** (formally: *Convention for the Protection of Human Rights and Fundamental Freedoms*) is the foundational legal instrument of the European human rights system. All member states of the **Council of Europe** are signatories to the Convention. The Convention guarantees the right to life, the right to liberty and security of person, the right to respect for private and family life, the prohibition of torture, slavery and forced labour, the right to a fair trial, as well as freedoms of thought, conscience and religion, expression, assembly, and association.

Article 14 of the Convention prohibits discrimination by stipulating that the enjoyment of the rights and freedoms set forth in the Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status. Thus, similar to other international legal instruments, this Convention also contains an **open-ended non-discrimination clause**. The phrase “*other status*” served as the legal basis for the **first judgments of the European Court of Human Rights** in which violations of the rights of LGBT persons were found on the grounds of sexual orientation and gender identity.

Although **sexual orientation** is not explicitly listed as a prohibited ground of discrimination, the **Court has developed extensive case law** recognising that both sexual orientation and gender identity constitute protected grounds under the Convention. This has been affirmed primarily in cases involving violations of **Article 8** (right to private life) in conjunction with **Article 14** (prohibition of discrimination), but also in connection with **Article 11** (freedom of assembly and association), **Article 12** (right to marry), and **Article 13** (right to an effective remedy).

LGBT RIGHTS WITHIN NEGOTIATION CHAPTER 23 - JUDICIARY AND FUNDAMENTAL RIGHTS

Negotiation Chapter 23 in the EU accession process addresses the establishment of a secure and functional judiciary, with a specific focus on the respect for and protection of **fundamental rights**, including the rights of LGBT persons. Within these obligations, particular emphasis is placed on international and European standards that ensure **protection against discrimination** and promote **equality for all citizens**, regardless of sexual orientation or gender identity.

1. EU EXPECTATIONS AND CLOSING BENCHMARKS

In the **closing benchmarks** for Chapter 23⁵ and the accompanying **Action Plan**⁶, the European Union clearly defines the obligations that the candidate country must fulfil, namely:

- **Adoption of a Law on Legal Gender Recognition based on self-determination** – This is a key piece of legislation that enables trans and gender-diverse individuals to legally change their gender identity without unnecessary and discriminatory barriers, in line with EU standards for the protection of fundamental rights.
- **Prohibition of discrimination on the grounds of sexual orientation and gender identity** in all spheres of public and private life, including employment, education, healthcare, and access to services.
- **Strengthening mechanisms for effective protection against hate crimes and hate speech targeting LGBTI persons**, with particular focus on the training of police, prosecutors, and the judiciary.
- **Raising awareness and improving public policies** aimed at promoting tolerance and combating homophobia and transphobia, in accordance with European standards.

2. RIGHT TO FAMILY LIFE AND EQUALITY

- The **EU insists on respect for the right of LGBTI persons to family life**, including the right to form a family, recognition of same-sex partnerships, and **equal parenting rights**.

As part of judicial reforms, it is necessary to **align domestic legislation with European standards** in order to eliminate discriminatory practices and ensure **equality before the law**.

3. CASE LAW OF THE EUROPEAN COURT OF HUMAN RIGHTS

- The **ECtHR has**, in numerous judgments, emphasized that **states have a positive obligation** to protect LGBT individuals from discrimination and violence, as well as to provide them with access to justice and legal certainty.
- The Court has particularly stressed that **legal recognition of gender identity**

⁵ European Union Common Position, Chapter 23: Judiciary and fundamental rights, Brussels, 21 Jun 2024

⁶ Action Plan for Meeting the Closing Benchmarks in Negotiation Chapter 23 – Judiciary and Fundamental Rights (Government of Montenegro, Ministry of European Affairs), April 2025.

based on self-determination is not only a matter of personal identity, but also a matter of **dignity and equality**.

- Furthermore, the ECtHR has underlined that **a state cannot disregard the rights of the LGBT community** and still remain in compliance with the obligations arising from its membership in European institutions.

4. DOMESTIC OBLIGATIONS AND RECOMMENDATIONS

- In accordance with these international and European obligations, it is necessary to adopt and implement **a comprehensive legal framework** ensuring the protection of LGBT rights, including:
 - **A Law on Legal Gender Recognition;**
 - **Anti-discrimination laws** with clear definitions and effective enforcement mechanisms;
 - **Procedural and educational measures** for the effective suppression of discrimination and violence
- In addition to legislative measures, it is essential to implement **systematic education and training** for judges, prosecutors, police officers, and other relevant actors within the judiciary.
- **Public policies and campaigns** must raise awareness of LGBT rights and promote a **culture of inclusion and respect for diversity**.

Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)

The **Istanbul Convention**⁷ obliges states to prevent and combat all forms of violence against women, including **domestic violence**, which disproportionately affects women. The Convention defines violence against women as a **violation of human rights and a form of discrimination**, encompassing all acts of gender-based violence that result in or could result in **physical, sexual, psychological, or economic harm or suffering**, including threats, coercion, and arbitrary deprivation of liberty, whether in public or private life.

⁷ Decree on the Promulgation of the Law on the Ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (*Official Gazette of Montenegro – International Treaties*, No. 4/13)

It also defines the concepts of **domestic violence, gender, gender-based violence, victim, and woman**, whereby *woman* is also defined to include girls under the age of 18.

States are obliged to adopt **legislative and other measures** to implement the Convention's provisions, particularly to ensure the protection of victims' rights **without discrimination** on the grounds of **sex, gender, race, colour, language, religion, political or other opinion, national or social origin, property, birth, sexual orientation, gender identity, age, state of health, disability, marital status, migrant status, or other status**.

Parliamentary Assembly of the Council of Europe – Recommendations on LGBT+ Rights

Since 1981, the **Parliamentary Assembly of the Council of Europe** has adopted several recommendations defining and supporting **LGBT+ rights and protections**, and combating discrimination:

- **Recommendation 924 (1981)**⁸ calls on member states to decriminalise homosexual acts, establish equal age of consent, protect against employment discrimination, and ensure protection from violence in prisons.
- **Recommendation 1117 (1989)**⁹ calls for the recognition of transgender persons' gender in official documents, protection of privacy, and protection from discrimination.
- **Recommendation R(97)20 on hate speech**¹⁰ sets out principles for combating hate speech based on racial, national, ethnic, and other forms of intolerance. Although it does not explicitly recognise homophobia as a form of hate speech, its principles have been applied in such cases.
- **Recommendation R(2010)5 urges member states to take measures against hate speech** and discrimination based on sexual orientation and gender identity, including in media and online content.

8 Recommendation 924 (1981) Discrimination against homosexuals, Parliamentary Assembly, debate on 1 October 1981 (10th Sitting), <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=14958&lang=en>

9 Recommendation 1117 (1989) Condition of transsexuals, Parliamentary Assembly, debate on 29 September 1989 (21st Sitting) <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=15151&lang=en>

10 Available at: [http://www.coe.int/t/dghl/standardsetting/hrpolicy/other_committees/dh-lgbt_docs/CM_Rec\(97\)20_en.pdf](http://www.coe.int/t/dghl/standardsetting/hrpolicy/other_committees/dh-lgbt_docs/CM_Rec(97)20_en.pdf)

ECRI General Policy Recommendation No. 15 (2015) defines hate speech as the use of expressions that promote hatred, defamation, insults, threats, or discrimination based on race, ethnicity, sex, gender, and sexual orientation. It calls on states to adopt a **comprehensive legal framework** to combat such forms of expression.

Given that **Montenegro is a member of the Council of Europe, it is obliged to adopt and implement legislation and policies** that protect victims of violence, promote equality, and prevent discrimination and hate speech on the basis of various personal and social characteristics.

IV NATIONAL LEGISLATION

The **Law on the Prohibition of Discrimination** (*Official Gazette of Montenegro*, Nos. 46/10, 40/11, 18/14, 42/17), as a systemic law, governs the **prohibition and protection against discrimination**, as well as the **promotion of equality**. Pursuant to Article 2, paragraph 1, **any form of discrimination on any grounds is prohibited**, while paragraph 2 defines the legal concept of discrimination.¹¹

The current Law on the Prohibition of Discrimination, among other legally protected grounds, recognises **sex, gender reassignment, gender identity¹², sexual orientation¹³, and/or intersex characteristics¹⁴** as protected categories.

THE LAW ON LIFE PARTNERSHIP OF SAME-SEX PERSONS IN MONTENEGRO: BETWEEN SYMBOLISM AND REAL IMPLEMENTATION

With the adoption of the **Law on Life Partnership of Same-Sex Persons¹⁵** on July 1, 2020, Montenegro became the **first country outside the European Union in the Western Balkans** to legally recognise same-sex unions. This step was historic not only for the **LGBTIQ+ community**, but also for the advancement of **human rights and democratic standards** in the country.

However, **four years after its entry into force**, it is clear that the law is still **not fully implemented in practice**, and many of its provisions have **remained merely symbolic**.

¹¹ **Discrimination** is any legal or factual differentiation or unequal treatment, or failure to act, towards one person or group of persons in comparison to others, as well as exclusion, restriction or giving preference to one person over others, based on race, skin color, national affiliation, social or ethnic origin, association with a minority people or minority national community, language, religion or belief, political or other opinion, sex, gender reassignment, gender identity, sexual orientation and/or intersex characteristics, health status, disability, age, property status, marital or family status, membership or presumed membership in a group, political party or other organization, as well as other personal characteristics.

¹² **Gender identity** refers to one's own sense of gender, which does not necessarily depend on the sex assigned and recorded at birth. Gender identity pertains to every individual and does not imply solely the binary concept of male or female.

¹³ **Sexual orientation** refers to emotional and/or physical attraction or affection toward persons of the same and/or different sex.

¹⁴ **Intersex characteristics** refer to various physical traits of an individual (which may be chromosomal, hormonal, and/or anatomical) that do not conform to strict medical definitions of male or female and may be present to varying degrees.

¹⁵ Law on Life Partnership of Same-Sex Persons (*Official Gazette of Montenegro*, No. 67/20)

The **Government of Montenegro** proposed the law in **December 2018**. The first attempt to adopt it occurred on **July 30, 2019**, when all 38 MPs of the **Democratic Party of Socialists (DPS)** voted in favour. However, the law failed to pass due to a lack of support from minority parties and a **boycott by the Social Democratic Party (SDP)**, which later expressed regret over the procedural outcome. This failure pointed to **deep-rooted divisions**—not only regarding **LGBTIQ+ rights**, but also concerning the **institutional readiness** to assign these rights genuine importance.¹⁶

The law was finally **adopted on July 1, 2020**, with **42 votes in favor, 5 against, and 34 abstentions**. Support came from MPs of DPS, SD, LP, most members of SDP, and one MP from DEMOS. Those voting against included representatives of the **Democratic Front (DF)**, the **Bosniak Party**, **Croatian Civic Initiative (HGI)**, and **FORCA**, while most of the opposition either abstained or were absent.¹⁷

President **Milo Đukanović** signed the law on **July 3, 2020**, and it was published in the *Official Gazette of Montenegro* on **July 7**. It entered into force on July 15, 2021, after the adoption of numerous amendments to existing laws and the enactment of subordinate legislation.¹⁸

WHAT DOES THE LAW ON LIFE PARTNERSHIP OF SAME-SEX LIFE PERSONS PROVIDE?

The law defines a life partnership as a legally recognized union between two persons of the same sex. It regulates the manner of establishing and dissolving a partnership, the maintenance of a registry, as well as the mutual rights and obligations of the partners.

Regarding the scope of partners' rights in a civil partnership, the chapter on partners' rights and obligations regulates: maintenance based on the partnership; maintenance of a partner's child; partners' property; inheritance rights; rights and obligations within the system of mandatory health insurance and healthcare; rights related to social and child protection; and other rights and obligations.

Thus, this law, like all other legal systems that regulate life partnerships between persons of the same sex, provides for the registration of such a union as a condition for the recognition of legal effects, i.e., as a basis for regulating the mutual rights and obligations of the partners. In this context, one of the most significant aspects of civil

¹⁶ Bojan Bugarin, *On the Margins of Montenegrin Legislation: The Law on Life Partnership of Same-Sex Persons* (2023).

¹⁷ Ibid.

¹⁸ Ibid.

partnership regulation concerns the management of personal and property relations between partners.

WHY IS THE LAW NOT BEING IMPLEMENTED IN PRACTICE?

Although the legal framework has been established, its implementation remains **partial, inconsistent, and slow**. The main reasons include:

- **Institutions do not apply the law properly;**
- **A large number of other laws have not been harmonized** to ensure the effective functioning of the law in practice;
- **Administrative staff lack clear guidelines** for its implementation;
- **Same-sex partners are not legally entitled to exercise parental rights.**

Instead of becoming a **tool for equality**, the law has turned into a **playground for bureaucratic procrastination**. Many institutions justify the lack of enforcement by citing **political instability or personnel changes**, which in fact represents a form of **institutional discrimination**—as legal certainty should not depend on the political context.

EUROPEAN LEGAL FRAMEWORK AND MONTENEGRO

The European Court of Human Rights has repeatedly emphasized that **same-sex couples must be granted at least a minimum legal framework of recognition and protection**. Although the **right to marry is not explicitly guaranteed** for same-sex couples, **member states of the Council of Europe** have a duty to ensure **equal treatment and access to rights**—which includes laws such as this one.

However, a law without implementation fails to meet even the minimum European standards.

WHAT IS NEEDED FOR THE LAW TO FUNCTION PROPERLY IN PRACTICE?

For the Law on Life Partnership to become a true instrument of equality, Montenegro must:

- **Harmonize all other relevant laws and regulations** concerning family, social, tax, and healthcare rights;
- **Enable access to parental rights** for same-sex couples;
- **Train civil servants and raise awareness within public institutions;**
- Demonstrate **genuine political will for implementation**, rather than merely symbolic references.

LAW ON LEGAL RECOGNITION OF GENDER IDENTITY BASED ON SELF-DETERMINATION IN MONTENEGRO

The Parliament of Montenegro has not yet adopted the Law on Legal Recognition of Gender Identity Based on Self-Determination, although its adoption is part of the Government's EU accession program for 2024–2027. This law represents an important step towards improving the living conditions and quality of life for transgender people in Montenegro by aligning national legislation with European standards and the practice of the European Court of Human Rights.

By adopting this law, every individual would have the right to independently decide on their gender identity without restrictions, reflecting the core principle of self-determination. The draft law regulates legal recognition of gender identity through gender markers, procedures for exercising this right, maintaining records of gender marker changes, oversight of the law's implementation, and related rights and obligations. It is based on principles of non-discrimination, respect for dignity, free personal development, privacy, free expression, and recognition of gender identity.

Adoption would allow free expression of gender identity and living according to an identity not tied to biological characteristics at birth. Citizens would be able to change their gender marker and personal identification number in registries and documents based on self-determination, **without mandatory medical interventions or sterilisation**, which is considered an outdated and unacceptable practice. The European Court of Human Rights has ruled multiple times that conditioning gender recognition on sterilisation or medical treatment violates rights to privacy and physical integrity.

The first serious attempts to draft this law began in 2016, when the Ministry for Human and Minority Rights announced its preparation as part of the Strategy for Improving the Quality of Life of LGBT Persons 2013–2018. However, although the law was foreseen in strategic documents, its actual drafting and adoption were not carried out during that period. The issue of legal gender recognition remained unresolved and institutionally neglected.

Later, responsibility for the law was transferred to the Ministry of Human and Minority Rights, which underwent frequent personnel and political changes. Neither during the tenure of Minister Fatmir Deka, nor during interim and technical governments, was the law placed on the parliamentary agenda. **On multiple occasions it was announced that the law was "in preparation" or that a public debate would be opened, but no concrete steps were taken.**

Although the law was prepared and supported by the Ministry for Human and Minority Rights, the Ministry of Justice, and international institutions, it was formally halted just before consideration at a session of the Government of Montenegro. **At the government session held on 12 December 2024, the draft law was ready for consideration, but Prime Minister Milojko Spajić decided to suspend its inclusion in the procedure, allegedly following the political directive of the President of the Parliament of Montenegro, Andrija Mandić.** This decision caused concern and disappointment among LGBTIQ+ organizations and allies, who assessed that blocking the law was a direct attack on the human rights of transgender persons and an example of institutionalized discrimination. The Spektra Association emphasized that such a move demonstrates how the parliamentary majority is becoming hostage to retrograde policies that oppose European standards and fundamental human rights.

Adopting this law would enable transgender persons to obtain legal recognition of their gender identity without mandatory medical interventions or sterilization, in line with the recommendations of the Council of Europe, the European Commission, and the practice of numerous European countries that have reformed similar laws. Until then, transgender persons in Montenegro continue to face outdated, unjust, and invasive procedures for changing personal data.

LEGAL PROTECTIONS AND GAPS FOR LGBTI PERSONS IN MONTENEGRO

Alongside the **Law on Life Partnership of Same-Sex Persons** (adopted but not fully implemented) and the still unadopted **Law on Legal Recognition of Gender Identity**, Montenegro has a range of laws aimed at protecting LGBTI rights across various life spheres:

- **Health Care Law**¹⁹ guarantees equal access to healthcare regardless of sex, gender identity, or sexual orientation, including gender transition services without discrimination.
- **Patient Rights Law**²⁰ protects dignity, access to information, and communication with healthcare providers.
- **Personal Data Protection Law**²¹ safeguards sensitive personal data, including gender identity and sexual orientation, preventing discrimination.

¹⁹ **Law on Health Care** (*Official Gazette of Montenegro*, Nos. 003/16, 039/16, 002/17, 044/18, 024/19, 024/19, 082/20, 008/21, 003/23, 048/24, 077/24, 084/24)

²⁰ **Law on Patient Rights** (*Official Gazette of Montenegro*, Nos. 040/10, 040/11)

²¹ **Law on Personal Data Protection** (*Official Gazette of Montenegro*, Nos. 079/08, 070/09, 044/12, 022/17)

- **The Mandatory Health Insurance Law**²² recognises the right to gender-affirming treatment as part of mandatory healthcare.
- **The Criminal Code** criminalises hate crimes based on gender, sexual orientation, and gender identity, though protection remains incomplete.
- **Family Law** currently allows adoption only by heterosexual couples, excluding same-sex couples, highlighting the need for reform to meet European Court of Human Rights standards forbidding discrimination in adoption rights.

Assisted Reproductive Technology Law excludes same-sex female partners from access, which requires inclusive reform.

Montenegro has a **positive obligation** to protect high-risk groups from violence and discrimination through effective prevention, investigation, and prosecution.

4.1. (LACK OF) POLITICAL WILL FOR LGBTI INCLUSION IN MONTENEGRO'S POLITICAL LIFE

Despite legal frameworks guaranteeing equal rights, LGBTI persons face **significant challenges in public and political participation**. Their involvement is a key indicator of societal inclusivity and democracy.

Social division and lack of political will create an unsafe environment for LGBTI individuals to be publicly visible and politically active. Fear of discrimination, stigmatization, or violence leads many to refrain from open political engagement, compounded by societal prejudice and insufficient political support.

Montenegrin politicians and public officials bear a special responsibility to actively promote and protect LGBTI rights, removing barriers to political participation and creating safe spaces for candidacy, party membership, and decision-making roles.

The legal framework, including anti-discrimination provisions on sexual orientation and gender identity, mandates officials to defend LGBTI persons against hate speech and discrimination. Unfortunately, much of the hate speech and discrimination often comes from political actors themselves.

For full democracy and human rights respect, Montenegro must treat LGBTI rights as integral political rights and actively work to improve their visibility, equality, and safety in public life.

²² **Law on Compulsory Health Insurance** (*Official Gazette of Montenegro*, Nos. 006/16, 002/17, 022/17, 013/18, 067/19)

V RESULTS OF THE QUALITATIVE RESEARCH ON THE LGBTI COMMUNITY IN MONTENEGRO

The Montenegrin LGBTIQ association *Queer Montenegro* conducted a qualitative study on the LGBTI community in Montenegro as part of a project implemented by the *Center for Monitoring and Research (CeMI)* in partnership with *Queer Montenegro*. The project is titled **“A Voice for Diversity and Equality: Political Integration of the LGBTI Community”**

Number of research participants by type of organization/institution

TYPE OF INSTITUTION/ORGANIZATION	NUMBER OF RESPONDENTS
Institutions	4
Organizations	3
Media	1

A total of eight respondents participated in the study. The majority came from state institutions (four individuals), followed by the non-governmental sector (three individuals), while the remaining respondent was from a media organization. Most participants are currently employed or have previous experience in areas directly relevant to the topic—such as public administration, human rights, media, or civil society—providing them with additional expertise and competence in understanding and analyzing the position of the LGBTI community.

This sample structure allows for a relatively balanced insight from different societal positions—namely institutional, civil society, and media—which contributes to a more nuanced and comprehensive understanding of the challenges faced by the LGBTI community.

All respondents took part in semi-structured interviews conducted based on a pre-prepared set of 17 questions. The questions were thematically oriented toward understanding the respondents’ perceptions, experiences, and attitudes regarding the rights and status of LGBTI persons in society, as well as the institutional and societal barriers this community faces. This approach enabled the collection of high-quality and detailed insights from various perspectives.

During the data collection process, a significantly larger number of individuals from various sectors were contacted, including representatives of the legislative and executive branches, academia, and healthcare and educational institutions. However, many were unable to participate for various reasons, which in itself speaks to the sensitivity of the topic and the potential reluctance of individuals to publicly express their views on issues concerning the rights of LGBTI persons.

When asked what they believed to be the most significant problems faced by LGBTI persons in Montenegro, respondents’ answers primarily referred to the issues listed in Table 1:

Main Challenges Faced by LGBTI Persons (Table 1)

CHALLENGES	DETAILED DESCRIPTION
Discrimination	Most commonly present in workplaces, educational institutions, and public spaces.
Domestic violence	Isolated cases of violence within families as a reaction to the disclosure of sexual orientation or gender identity.
Inadequate Judicial Protection	Violence is often treated as a misdemeanor; penalties are mild and fail to deter perpetrators; aggravating circumstances are not recognized.
Lack of Family Support	A significant number of respondents face rejection and non-acceptance by their closest family members.
Social Exclusion and Unemployment	Discrimination leads to difficulties in employment and social inclusion.
Lack of Adequate Medical Care	Issues with access to services related to mental health and specific healthcare for LGBTI persons.

Discrimination is particularly pronounced in the field of employment, where LGBTI individuals frequently face rejection during hiring processes, workplace bullying, unequal treatment, as well as fear of disclosing their identity, which could lead to job loss or professional demotion. Within families, many individuals experience rejection, emotional abuse, and even physical violence, resulting in serious psychological consequences and, in some cases, forced abandonment of their homes.

Although the judicial system is formally obliged to protect all citizens, it still lacks sufficient sensitivity regarding the specificities of homophobic and transphobic violence. There is frequent failure to recognize hate crime motives, inadequate classification of criminal offenses, and prolonged procedures, which discourage

victims from initiating or continuing legal proceedings. The lack of training among judges, prosecutors, and police officers in working with the LGBTI population contributes to feelings of mistrust and legal insecurity.

Furthermore, access to healthcare and psychological services is often limited. Healthcare professionals frequently lack adequate knowledge and sensitivity toward the specific needs of LGBTI individuals, leading to unpleasant or discriminatory experiences within healthcare institutions. As a result, many community members avoid seeking medical help, thereby jeopardizing their physical and mental health.

All of the above indicates a systemic need for profound change—through education, institutional reform, building trust, and strong intersectoral support—to ensure that LGBTI individuals can enjoy equal and dignified lives within Montenegrin society.

In response to the question about the attitudes of Montenegrin society toward LGBTI individuals, respondents indicated that these attitudes remain largely negative, as evidenced by widespread prejudices, rejection, and social distancing. (see Table 2)

Attitudes of Montenegrin Society Towards LGBTI Individuals (Table 2)

ATTITUDE	DESCRIPTION
Extremely homo/bi/transphobic	Dominant attitudes of non-acceptance towards LGBTI identities within the broader population.
Perception of LGBTI issues as imposed	There is resistance to public advocacy for the rights and visibility of the LGBTI community.
Regression in rights	Following changes in government, support has decreased and pressure on activists and organizations has increased.
Influence of right-wing movements	The rise of conservative views and clerical influences further deepens prejudices.

Although certain progress has been made in recent years regarding raising awareness and visibility of the LGBTI community, deeply rooted stereotypes and conservative norms continue to shape public discourse. Public debates on LGBTI rights are often marked by intolerance, misunderstanding, and rhetoric that frequently escalates into hate speech.

Political changes, combined with the rise of right-wing and ultra-conservative narratives, have further strengthened resistance to any form of inclusivity and equality.

In such an environment, the struggle for equality becomes significantly more difficult, and LGBTI individuals increasingly face institutional passivity, social pressures, and threats that jeopardize their safety and dignity.

According to the respondents, in the period before the change of government, there was a visible tendency towards greater acceptance of the LGBTI community and the advancement of their rights through institutional support and cooperation with the civil sector. However, the subsequent political changes have led to a stagnation, and even regression, in this process. (see Table 3)

Changes in Social Attitudes Over Time (Table 3)

PERIOD	DESCRIPTION OF CHANGES
Period before change of government	Activism was gradually increasing, with growing acceptance and understanding of LGBTI issues.
Period after change of government	Radicalization of attitudes occurred, support for activities decreased, and opposition increased.

The new ruling structures often demonstrated a tendency toward conservative and clerical values, resulting in decreased visibility and institutional support for LGBTI issues, as well as a lack of political will to further improve legislation and practices guaranteeing equality.

This climate further contributed to increased social polarization, stigmatization, and overt hostility towards LGBTI individuals, both in the media and in everyday situations. The absence of clear condemnation of homophobia by political leaders further reinforced feelings of insecurity and marginalization among community members.

The respondents’ opinion is that the judiciary system in Montenegro is still not fully equipped to effectively address the specific needs of the LGBTI community, especially regarding cases of violence, hate speech, and discrimination. (see Table 4)

Legal Protection and Law Enforcement (Table 4)

ASPECT	DESCRIPTION
Law enforcement	Inconsistent, with significant differences in interpretation and application, especially in cases of violence.
Lack of recognition of homophobia and transphobia	Violence is often not adequately recognized and sanctioned according to its nature.
Law on Same - Sex Life Partnership	Misaligned with subordinate legislation and does not function effectively due to procedural obstacles.
Sterilization as a condition for legal gender change	Prescribed in legislation, representing a serious barrier for transgender individuals.

Although the Law on Life Partnership of Same-Sex Persons has been adopted, its implementation is hindered by the lack of necessary secondary legislation, registries, and institutional coordination. This results in a situation where the rights guaranteed by the law remain unfulfilled in practice.

Furthermore, the practice regarding legal gender recognition, which includes sterilization as a prerequisite for changing the gender marker in official documents, constitutes a serious violation of international human rights standards, including judgments of the European Court of Human Rights. This practice further complicates the daily lives of transgender individuals and contributes to a sense of legal and social insecurity.

A comprehensive reform of legislation and practice is needed to align with European and international norms, alongside stronger education of judicial authorities to ensure fair, effective, and sensitive protection of the rights of LGBTI persons.

According to the respondents, the recommendations for improving the status of LGBTI persons in Montenegro aim to enhance the systemic response to the needs of the LGBTI community through targeted education and institutional reforms. (see Table 5)

Recommended Measures for Improving the Status of LGBTI Persons (Table 5)

MEASURE	DETAILS
Training of public officials	Especially police and judiciary staff to understand the specifics of LGBTI cases.
Adoption of by-laws	To enable effective implementation of the Law on Life Partnership.
Raising awareness through education	Targeting the general public and decision-makers to reduce prejudice and stigmatization.
Strengthening international cooperation and support	Utilizing experiences and assistance from international organizations.
More effective sanctions for violence and discrimination	To prevent recurrence and ensure justice.
Adoption of the Law on Legal Gender Recognition	Which will not require sterilization and will comply with international standards.

Continuous professional development of employees in public administration, the judiciary, police, education, and healthcare is essential to ensure sensitivity and competence in working with LGBTI persons.

The adoption of comprehensive legislation, which includes precise mechanisms for protection against discrimination and hate crimes, as well as guaranteed access to rights in the areas of family, health, and social protection, represents a foundation for long-term change.

The civil sector plays a key role in this process by monitoring, advocating, and providing direct support to the community, thereby contributing to the development of inclusive policies. Support from international partners, through expertise, funding, and monitoring of standards implementation, further strengthens the capacities of domestic actors and accelerates harmonization with European practices.

According to the respondents, the key actors in improving the position of the LGBTI community in Montenegro include various institutions and organizations, which through mutual cooperation build a network of support and action. (see Table 6)

Role of Key Actors in Supporting and Improving the Position of the LGBTI Community (Table 6)

ACTOR	ROLE AND CONTRIBUTION
Montenegro Pride	Main platform for visibility and dialogue, organizing events and educational activities.
Office for LGBTIQ persons as part of the Secretariat for Social Welfare (Podgorica city)	Support to NGOs, organizing trainings, and cooperation with institutions.
Ombudsperson for Human Rights	Handling discrimination cases and promoting European standards
Police Department	Establishment of LGBTI contact officers, improving communication and protection.
Ministry of Human and Minority Rights	Cooperation with NGOs, development of strategic documents and legislation
NGOs	Conducting trainings, youth workshops, providing support and advocacy for rights.

Key actors in supporting and improving the position of the LGBTI community in Montenegro, according to respondents, include various institutions and organizations that, through mutual cooperation, build a network of support and action. (see Table 6)

Montenegro Pride represents the main platform for the visibility of the LGBTI community and open societal dialogue. By organizing annual events, campaigns, and educational activities, it contributes to raising public awareness and empowering the community.

The **Office for LGBTIQ Persons in the Capital City of Podgorica** provides institutional support to civil society organizations, initiates and conducts trainings, and actively cooperates with other institutions to improve the position of LGBTI persons at the local level.

The **Ombudsperson for Human Rights and Freedoms of Montenegro** plays an important role in protection against discrimination by processing citizens' complaints and promoting European human rights and equality standards.

The **Police Department**, through the establishment of a network of **LGBTI contact officers**, works on improving communication with the community and more effective

protection against violence and hate crimes.

The **Ministry of Human and Minority Rights** actively cooperates with the non-governmental sector in the development of strategic documents, improvement of legislation, and implementation of public policies related to LGBTI rights.

Non-governmental organizations (NGOs), through continuous education, organizing youth workshops, providing direct support to LGBTI persons, and public advocacy, represent a key segment in achieving change on the ground.

Together, these institutions and organizations form a functional system essential for realizing fundamental rights and improving the quality of life for LGBTI persons in Montenegro. Each actor has a specific role in building a more tolerant and inclusive society, while synergy between state institutions and civil society remains a key prerequisite for sustainable and substantive change.

Respondents believe that the level of tolerance towards LGBTI rights in Montenegro is higher compared to some countries in the region, but that tolerance and acceptance still need to be strengthened. Members of the **queer community** feel that tolerance is currently at a moderate level, as they remain cautious about openly expressing their identity due to fear of discrimination and violence; in other words, the queer community is once again in a state of stagnation.

VI ANALYSIS OF POLITICAL PARTY PROGRAMS AND STATUTES

Political party documents, such as programs and statutes, represent fundamental sources that reflect their core values, political goals, and stance on key societal issues. By analyzing these documents, it is possible to assess the extent to which the rights of LGBTI individuals are integrated into the political vision of the parties, and whether there is continuity between the formal political framework and the public actions of political entities.

Examining the continuity between the formal political framework and the public engagement of political actors is important as it provides insight into the genuine commitment of political parties to a particular issue. The alignment between what parties proclaim in their official documents and what they actually advocate and implement publicly indicates the level of consistency and political accountability. Conversely, discontinuity may suggest inconsistency in their approach to such issues and imply that certain topics may not be treated as priorities in their political engagement.

As part of this analysis, programmatic documents of a total of 15 political entities that participated in the 2023 parliamentary elections and remain active in the political landscape have been examined.

The analysis includes political parties that currently hold seats in the Parliament of Montenegro and/or manage government departments through ministers appointed from within their ranks. These parties represent key actors capable of directly influencing policymaking, shaping public opinion, and raising awareness of the importance of advancing the rights of the LGBTI community, both through legislative and executive branches of power.

In addition to these, the analysis also includes two political parties that do not currently hold parliamentary seats but have maintained a longstanding presence on the political scene and continue to achieve notable results at the local level. These are the Social Democratic Party (SDP) and the Movement for Changes (PzP). The SDP has been part of several ruling coalitions and has overseen key ministries, while the PzP has played a significant opposition role as part of the Democratic Front. Their long-term presence and engagement in political life justify their inclusion in this analysis, as they still possess the capacity to influence public policies and societal

attitudes, including those related to the LGBTI community.

Based on the outlined criteria, the following political parties were included in the analysis: *Europe Now Movement (PES)*, *Democratic Montenegro (Democrats)*, *Democratic Party of Socialists (DPS)*, *Social Democrats (SD)*, *Social Democratic Party (SDP)*, *United Reform Action (URA)*, *New Serb Democracy (NSD)*, *Bosniak Party (BS)*, *Socialist People's Party (SNP)*, *Democratic People's Party (DNP)*, *Democratic Union of Albanians (DUA)*, *Croatian Civic Initiative (HGI)*, *Albanian Alternative*, *Democratic Party*, and *the Movement for Changes (PzP)*.

The documents were analyzed according to predefined criteria, which included: explicit references to LGBTI individuals, the use of relevant terminology (e.g., sexual orientation, gender identity), the presence of both declarative and concrete political support, proposed protection measures, and the positioning of LGBTI topics within the broader political narrative.

The analysis of political party programs and statutes in Montenegro revealed varying approaches to the representation of LGBTI rights. Based on the positions expressed and the language used in their official documents, parties were categorized into three groups:

1. Parties that support LGBTI rights;
2. Parties that do not address LGBTI issues;
3. Parties that use general formulation regarding human rights.

6.1. POLITICAL PARTIES THAT EXPLICITLY²³ SUPPORT LGBTIQ RIGHTS IN THEIR PROGRAMS

This category includes political parties that clearly and explicitly express support for LGBTI individuals in their electoral programs or statutes, using terms such as "LGBT population," "sexual orientation," and similar language, as well as those that propose concrete measures for the advancement of their rights.

Unfortunately, explicit support for LGBTI rights remains rare, as identified during the course of this analysis. The following political parties are among the few that demonstrate such support:

²³ In this context, "explicitly" refers to the direct, clear, and unambiguous mention of the LGBTIQ community as a subject of political support, as opposed to general formulations about human rights that do not address specific vulnerable groups.

Social Democrats (SD): “The Social Democrats are committed to respecting the dignity, rights, and freedoms of every individual, regardless of their national and religious affiliation, gender, sexual orientation, social status, political beliefs, or any other characteristic.”²⁴

Democratic Party of Socialists (DPS): “Regardless of gender, religion and ethnicity, political orientation, or sexual identity, Montenegro must belong equally to all its citizens.”²⁵

Civic Movement URA: “We will strive to build a society that strongly protects its citizens, regardless of gender, religious, national, or political affiliation, as well as sexual orientation, with particular support for vulnerable social groups, through the following measures...”

Social Democratic Party (SDP): “A strong legacy in the development of modern Montenegro is its anti-fascist heritage, which must remain a foundation even today, in a time when revisionist, populist, and xenophobic movements are gaining traction across the modern, globalized world. That very legacy—together with the fight for equality and equal rights for all citizens, regardless of their ethnic, religious, racial, gender, or sexual identity—constitutes a response to the challenges currently faced by many countries in the region and throughout Europe.”²⁶

On its official website, in the section titled “Program Declaration,” the SDP emphasizes the following on the very first page: “Based on the program of the Social Democratic Party of Montenegro, which unequivocally and clearly offers a vision of Montenegro as a modern, democratic state of equal rights and opportunities for all its citizens—regardless of their social status, ethnic and religious affiliation, sexual orientation, race, gender, or any other characteristic or personal attribute.”²⁷

Apart from these examples, there is almost no other instance of explicit support for LGBTI rights, indicating a lack of significant progress in this area, as well as an absence of political will to advance the rights of the LGBTI community.

24 20 Social Democrats, FOR A NEW ERA, Programme, p. 2., available at: <https://sdcg.me/dokumentu/>

25 Democratic Party of Socialists, A NEW PLATFORM FOR POLITICAL ACTION, Programme from 2021, p. 15., available at: <https://dps.me/program/>

26 SDP je za svoju izbornu platformu za parlamentarne izbore 2020. godine, imao ovu poruku, dok su za izbore 2023. godine ovo izostavili. Međutim, na sajtu još uvijek stoje program i programska deklaracija sa ovim porukama navedenim u tekstu.

27 Social Democratic Party of Montenegro, Programme, p. 10., available at: <https://sdp.co.me/>

6.2. PARTIES THAT DO NOT ADDRESS LGBTI ISSUES IN THEIR PROGRAMS

The majority of political parties in Montenegro, including those with parliamentary status, do not address LGBTIQ issues in their programs or statutes. These parties often identify as guardians of traditional and patriarchal values, promote conservative policies concerning human rights, and/or maintain strong alignment with religious communities. Their lack of engagement in the active advocacy for the recognition of LGBTIQ rights is often justified by voter expectations, entrenched party ideologies, or alignment with the views of the electorate that supports them.

As of 2023, both ruling and opposition parties that do not incorporate LGBTIQ issues into their platforms include:

- New Serb Democracy (NOVA/NSD)²⁸
- Bosniak Party (BS)²⁹
- Socialist People's Party (SNP)³⁰
- Democratic People's Party (DNP)³¹
- Democratic Union of Albanians (DUA)³²
- Croatian Civic Initiative (HGI)³³
- Movement for Changes (PzP)³⁴
- Albanian Alternative³⁵
- Democratic Party³⁶

28 On the official website of New Serbian Democracy, their programme includes a statement emphasizing, among other things, the commitment to the protection of human rights and the "permanent implementation of the principle of general prohibition of discrimination." However, LGBTI issues are not mentioned. Available at: <https://www.nova.org.me/stranica.php?id=2&tip=stranice>

29 On the official website of the Bosniak Party, their programme highlights the importance of human rights, primarily in the domain of minority rights. However, LGBTI issues are not mentioned. Available at: <https://www.bscg.me/dokumenti-bosnjacke-stranke/program-bosnjacke-stranke/>

30 The Socialist People's Party (SNP) has an official website that is functional; however, no publicly accessible programme or statute is available on it.

31 The party does not have a functional official website, nor is there a publicly accessible programme or statute available.

32 Ibid.

33 On the official website of the Croatian Civic Initiative (HGI), there is a dedicated programme outlining general principles and a commitment to the respect of universal human rights; however, LGBTI issues are not mentioned. Available at: <https://www.hgi.co.me/index.php/content/politi%C4%8Dki-program>

34 The programme "Montenegro First – Reforms to Save the Country" of the Movement for Changes does not contain a message advocating for LGBTI rights. Available on the official website of the party: <https://promjene.org/>

35 The party lacks a functional official website as well as any publicly accessible programme or statute.

36 Ibid.

Out of the 13 political parties represented in the Montenegrin Parliament, 9 do not have a publicly available program or other party document that provides any form of political support for the LGBTI community.

This practice not only indicates a lack of political interest, but also highlights a serious issue of non-transparency regarding party positions on human rights. Such a lack of transparency further complicates the ability of LGBTI individuals to identify potential allies in the political sphere, which negatively affects opportunities for advocacy and protection of their rights.

We emphasize that email inquiries requesting access to updated political programs were sent to the following parties: Democratic People's Party (DNP), Socialist People's Party (SNP), New Serbian Democracy (NOVA/NSD), Croatian Civic Initiative (HGI), and Democratic Montenegro (Democrats). However, no responses were received.

6.3. POLITICAL PARTIES WITH A GENERAL NARRATIVE

In Montenegro, political parties that publicly advocate for the promotion of human rights and freedoms generally express support for LGBTI rights within broader sections dedicated to human rights. These references are often general in nature—for example: "Montenegro must equally belong to all its citizens, regardless of gender, religion, nationality, or political belief." However, terms such as "sexual orientation" or "sexual identity" are typically omitted, which reflects a more reserved approach to LGBTI rights.

Wider formulations such as "the rights of all citizens," "non-discrimination on any grounds," or "the right to self-determination" are commonly used, without explicitly mentioning sexual orientation, gender identity, or the LGBTI community itself.

In the case of parties like Democratic Montenegro (Democrats) and Europe Now Movement (PES), general statements advocating for non-discrimination and an inclusive society can be found, but without specific reference to the LGBTI community.

PES: "Europe Now!" advocates for a fair relationship between the state and the individual and, in that sense, affirms the constitutional definition of Montenegro as a state of social justice, promoting a society that protects the most vulnerable and provides adequate support to those in need."³⁷

³⁷ Available on the website of the political party "Europe Now Movement": <https://evropasad.com/solidarno->

Democrats: “We guarantee every individual the right to be who they are and to freely express their identities and specific characteristics. We also support guaranteeing each person the right to personal self-determination and self-identification regarding their identity markers.”³⁸

In addition to these general statements about the right to self-determination and expression of identity, the Democrats’ program also includes a concrete proposal for the adoption of a Law on Equality Protection and the Right to Personal Self-Determination, which would establish the institution of the Commissioner for Equality Protection and develop mechanisms to prevent violations of equality.³⁹

Although the LGBTI community is not explicitly mentioned in this proposal, such an institutional measure could create a foundation for broader protection of marginalized groups, including LGBTI individuals. Despite the potential of such general commitments, the absence of specific provisions points to a limited willingness to openly advocate for LGBTI rights in Montenegro.

In the **statutes** of Montenegrin political parties, principles and values such as the protection and promotion of human and minority rights and freedoms, social justice, social solidarity, and protection of vulnerable groups are commonly listed. However, these are general in nature and lack concrete references to the LGBTI community. As such, they do not constitute **genuine political support**, but rather serve as broad value guidelines which are rarely elaborated on or implemented in practice in favor of this community.

The analysis shows that political support for LGBTI rights in Montenegro remains mostly declarative, limited to general human rights formulations without concrete measures or strategies aimed at improving the status of the LGBTI community. This is particularly significant given that these parties play a key role in forming governments, making decisions, and shaping public policy. Their silence on this issue reflects a serious lack of political will to actively engage in the protection and advancement of LGBTI rights.

As a result, LGBTI individuals remain without adequate political representation and concrete institutional protection. In practice, this means their rights are often overlooked in decision-making processes, while their needs are ignored or

38 Democrats of Montenegro, Programme “Victories, Not Divisions”, p. 8, available at: https://demokrate.me/uploads/Program_DCG_02f4e1fe48.pdf

39 Democrats of Montenegro, Programme “Victories, Not Divisions”, 29 pages, available at: https://demokrate.me/uploads/Program_DCG_02f4e1fe48.pdf

marginalized. The absence of LGBTI-related topics in pre-election documents of key political actors further deepens their sense of exclusion and contributes to the normalization of institutional invisibility of this community.

VII MONITORING OF POLITICAL PARTIES AND POLITICIANS POSITIONS

From the 2023 parliamentary elections until the present, continuous monitoring was conducted of public statements, political appearances, social media activity, and the participation of political actors in events relevant to the LGBTI community. The aim of this monitoring was to identify patterns of support, neutrality, or open discrimination in the positions that politicians and political parties in Montenegro adopt toward LGBTI individuals and their rights.

Such an approach was necessary because political discourse significantly influences public perception and helps shape the environment in which public policies are developed. Politicians have the power to define societal values through their statements, legislative initiatives, and their presence—or absence—in processes that either affirm or restrict the rights of vulnerable groups in Montenegro. Therefore, it is important to map not only party platforms, but also specific statements made by their representatives, which often reflect deeper ideological and social attitudes.

The monitoring covered a range of sources, including *television appearances, parliamentary debates, official social media profiles of political entities, as well as news articles and online portals*. Special attention was paid to identifying hate speech, homophobic narratives, and attempts to politically instrumentalize LGBTI issues especially during pre-election periods. At the same time, affirmative statements, support for legislative initiatives benefiting the LGBTI community, and the participation of government representatives in events such as Montenegro Pride were also recorded.

The following sections present the most significant examples and patterns identified during the monitoring process, categorized by the type of stance—negative, neutral, and positive—along with references and the context in which the statements were made.

7.1. NEGATIVE POSITIONS OF POLITICAL ACTORS TOWARD THE LGBTIQ COMMUNITY

The monitoring recorded a significant number of negative and discriminatory statements by political actors directed toward the LGBTI community. Such positions are largely based on conservative and religious narratives and often include elements of hate speech.

Examples:

1. Andrija Mandić (New Serb Democracy): On multiple occasions, Mandić expressed opposition to same-sex marriages, stating that he would not “promote something that is contrary to the Constitution.” He opposes any promotion of marriages not defined by the Constitution as a union between a man and a woman. His messages often contain ambiguous allusions that demean LGBTI individuals through the lens of traditional values.⁴⁰

It is important to note that Mandić has demonstrated a long-standing pattern of negative views toward the LGBTI community. As early as 2019, he publicly initiated homophobic statements in political disputes with the Democrats and Crnogorska parties, using offensive insinuations linked to his opponents’ sexual orientation.⁴¹ This practice of instrumentalizing homophobia in political communication further affirms a long-term and systemic negative stance toward LGBTIQ individuals.

Another relevant example of ideologically charged discrimination was recorded in a 2024 statement in which Mandić commented on the political messages of U.S. President Donald Trump (see Photo 1).⁴² On that occasion, Mandić stated that “there are only two genders” and that thanks to Trump, “the United States is returning to common sense and to God,” adding that “the NGO sector is now silent.” Such a statement represents a clear attempt to delegitimize the rights of trans individuals and identities that do not conform to the binary gender model, using political instrumentalization of religious and conservative narratives to justify discrimination and marginalization of the LGBTIQ community.

40 Source: Kodex.me, 2023. Available at: <https://arhiva.kodex.me/clanak/271399/mandic-mar-ko-kovacevic-politicka-buducnost-crne-gore>

41 Source: Vijesti, 2019. Available at: <https://www.vijesti.me/vijesti/politika/397253/mandic-inici-rao-homofobne-poruke-na-racun-demokrata-i-crnogorske>

42 Statement available on the official Instagram profile of Andrija Mandić, as well as on his official profile on the X platform, 2025. Available at: <https://www.instagram.com/reel/DFGgjauoU4G/>, <https://x.com/AndrijaMandicDF/status/1881803473836298607>

Photo 1: Screenshot from Andrija Mandić’s official Instagram and X profiles.



2. Nebojša Medojević (Movement for Changes): In May 2025, he posted a comment on the X platform containing offensive and sexually suggestive language aimed at the LGBTIQ community. This statement reinforces stereotypes and politically exploits a vulnerable group in a way that further marginalizes and humiliates them. Medojević is known for a persistent pattern of expressing intolerant views toward the LGBTIQ population, clearly confirming a consistent trend of spreading animosity.

Photo 2 and Photo 3: Screenshots of the post in question from Nebojša Medojević’s X account.



3. Mitar Šušić (New Serb Democracy): An incident involving Assembly member Mitar Šušić of the New Serb Democracy occurred during a session of the City Assembly of Podgorica held on 26 February 2025. Šušić proposed eliminating budget support for organizations working on LGBTIQ rights, referring to such support as “an absurd ideology” and “violence against common sense.”⁴³

This case represents yet another example of institutionalized homophobia and attempts to challenge LGBTIQ rights through political rhetoric, contrary to Montenegro's obligations to protect human rights and ensure equality for all citizens.

4. Vladislav Dajković- One of the most striking examples of negative public discourse targeting LGBTIQ individuals occurred in July 2024, after a same-sex couple from abroad publicly marked their engagement on Mount Lovćen. Instead of being recognized as a personal expression of love and freedom, the act was met with homophobic and nationalist-tinged reactions.

Particularly prominent was Vladislav Dajković, a political activist and former election candidate, who, during an appearance on ALO TV (Serbia), openly expressed homophobia and disdain. He described the engagement as a “provocation” and “an insult to sacred sites,” implying that LGBTIQ individuals do not have the right to express themselves publicly if such expressions “offend the feelings of the majority.” During a verbal confrontation with LGBTI activist Marko Mihailović, Dajković voiced a series of offensive and intolerant views that further polarized public discourse and encouraged hate speech in social media comments.⁴⁴

5. Milojko Spajić - *The Law on Legal Gender Recognition Based on Self-Determination* represents one of the key legislative measures aimed at improving the status of trans individuals in Montenegro. Its adoption would allow individuals to have their gender identity legally recognized without the requirement to undergo invasive medical procedures, such as sterilization or gender-affirming surgery. This approach aligns with European standards and the jurisprudence of the European Court of Human Rights. Consequently, this law holds profound significance for the protection of trans persons' rights to privacy, identity, and bodily integrity, as well as for combating institutional discrimination.

In this context, it is particularly concerning that Prime Minister Milojko Spajić decided in December 2024 to halt the adoption of the draft law, despite it being fully prepared for parliamentary procedure and harmonized with the relevant ministries. According to

43 Source: Radio Free Europe/Radio Liberty. Available at: <https://www.slobodnaevropa.org/a/crna-gora-lgbt-mitar-susic-podgorica/33329286.html>

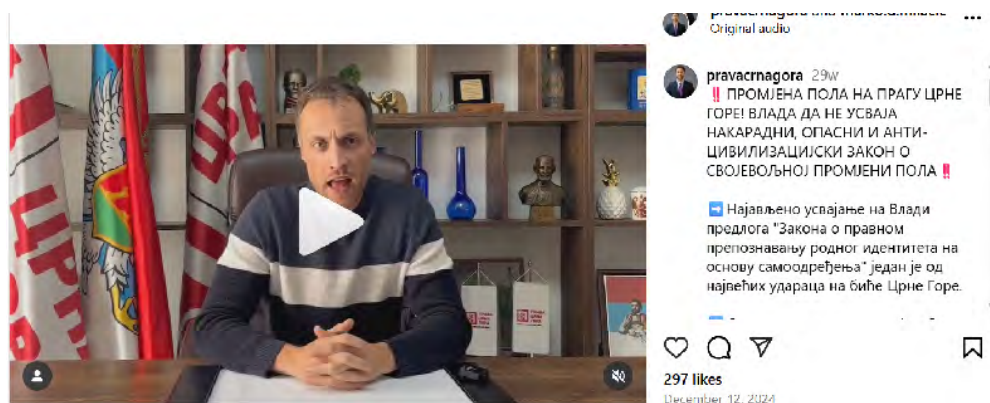
44 ALO. “Fierce Argument During Live Broadcast: LGBT Member and Dajković ‘Exchanged Opinions’ on the Proposal of Two Gay Men on Lovćen (VIDEO).” Alo.rs. Available at: <https://www.alo.rs>

statements from the organization Association Spektra, the law was excluded from the agenda of the 61st session of the Government of Montenegro, thereby preventing its adoption within the calendar year. Unofficial sources suggest that the decision to block the law came directly from the Prime Minister, at the request of the President of the Parliament, Andrija Mandić, which further indicates political bargaining and concessions to regressive elements within the government.

This case further confirms the findings of the analysis, which point to a disconnect between public declarations of support for LGBTI rights by certain politicians and their actual political conduct. It is important to note that representatives of the Europe Now Movement (PES) had previously publicly expressed their support for the adoption of the Law on Legal Gender Recognition Based on Self-Determination, emphasizing their commitment to doing everything possible including working with the opposition to secure the majority needed for its passage.⁴⁵

6. Marko Milačić – In a video posted on the social media platform Instagram, Marko Milačić stated that the potential adoption of the Law on Legal Gender Recognition Based on Self-Determination would represent one of the “greatest blows to the very essence of Montenegro.” He described the proposal as an obscure and dangerous idea for the state and society, claiming it strikes at the foundations of both society and the family as the most important social unit. He further asserted that, under this “distorted proposal,” the roles of men and women are being erased.⁴⁶

Photo 4: Screenshot of the post in question from Marko's Milačić Instagram account



⁴⁵ Pobjeda. "The Ruling Majority Lacks the Courage to Ensure the Promised Human Rights." Available at: <https://www.pobjeda.me/clanak/vladajuca-vecina-nema-hrabrosti-da-obezbijedi-obecana-ljudska-prava>.

⁴⁶ Instagram, True Montenegro (Prava Crna Gora) and Marko Milačić. "One of the greatest blows to the essence of Montenegro..." Available at: <https://www.instagram.com/p/DDee3HNoRyD/>

7.2. POSITIVE STANCES OF POLITICAL ACTORS TOWARDS THE LGBTIQ COMMUNITY

Although expressions of explicit political support for the LGBTI community remain limited within Montenegrin public and political discourse, certain political figures have nonetheless demonstrated solidarity and publicly condemned acts of violence against members of this community.

In response to the assault on psychologist Petar Marković in June 2023, **the Vice President of the Social Democrats of Montenegro (SD), Danilo Orlandić**, issued a public statement expressing grave concern and urging the competent institutions to take immediate action. In his address to the media, Orlandić stated: *"With outrage and profound concern, we condemn the recent attacks against psychologist Petar Marković, which took place in Podgorica and Bar. These violent and unacceptable incidents are a stark reflection of the precarious status of LGBT individuals in Montenegro."*⁴⁷

Aleksandra Vuković Kuč: One of the rare examples of consistent and public support for LGBTI rights comes from MP Aleksandra Vuković Kuč from the Democratic Party of Socialists (DPS). Throughout 2023 and 2024, Vuković Kuč increasingly spoke out in favor of the LGBTI community, advocating for legislative and social reforms. In one of her posts on the social media platform X (formerly Twitter), Vuković Kuč stated: "Fascism is everywhere except in NGOs and LGBTI friends!" (see photograph 5), explicitly linking anti-fascist values with the protection of human rights and expressing solidarity with the LGBTI community. This statement demonstrates not only her political stance but also a symbolic association of LGBTI rights with the broader democratization of Montenegrin society and resistance to discrimination.⁴⁸

The most concrete example of political support was her statement to the media in April 2024, where she announced that DPS would vote in favor of the **Law on the Recognition of Gender Identity Based on Self-Determination**, an institution that "restores dignity to every human being."⁴⁹ Additionally, in June 2023, she publicly supported a trans man and psychologist, Petar Marković, via her X account, emphasizing the importance of prosecuting the hate crime following the attack on

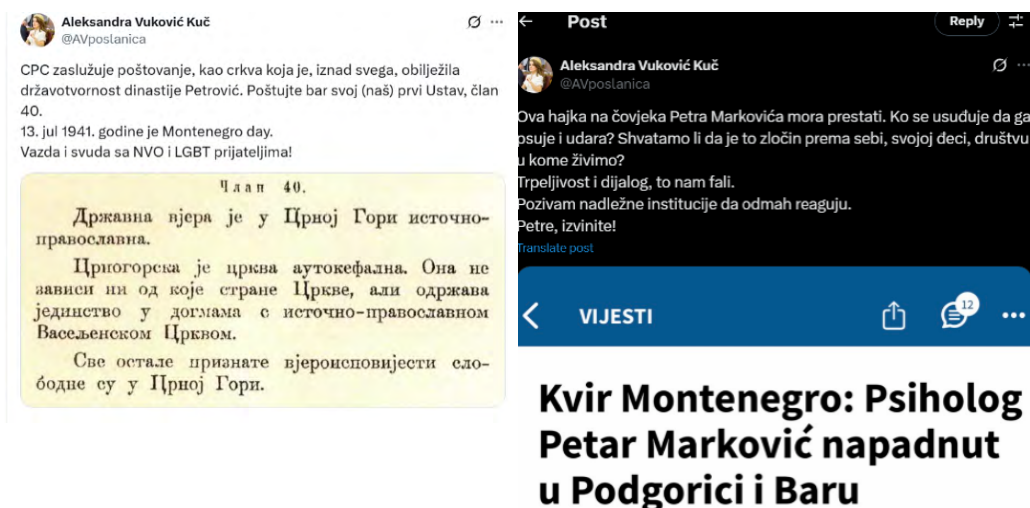
47 Vijesti. "Orlandić: I Am Deeply Concerned About the Attack on Marković – Authorities Must Respond Urgently." Available at: <https://www.vijesti.me/vijesti/politika/661260/orlandic-du-boko-sam-zabrinut-zbog-napada-na-markovica-nadlezni-da-hitno-reaguju>.

48 Source: Official profile of Aleksandra V.K on the X platform, <https://x.com/AVposlanica/status/1796238788009803913> (accessed June 30, 2025).

49 Pobjeda, "Vuković Kuč: DPS will support the Law on the Recognition of Gender Identity," available at: <https://www.pobjeda.me/clanak/vukovic-kuc-dps-ce-podrzati-zakon-o-prepoznavanju-rodnog-identiteta> (accessed June 30, 2025).

him (see photograph 6).⁵⁰

Photographs (5 and 6), Source: Platform X



It is important to note that several members of parliament have publicly expressed support for the advancement of LGBTI rights, including the adoption of the **Law on Legal Gender Recognition Based on Self-Determination**.

During the panel “The Personal is Political”, held in December 2024 and organized by the NGO Association Spektra, supportive positions were expressed by: **Aleksandra Vuković-Kuč (DPS)**, **Ana Novaković Đurović (URA)**, **Boris Mugoša (SD)**, and **Jelenka Andrić (PES)**.

During this public event, the members of parliament described the law as an important step toward equality and an example of inclusive public policy-making. This represents a significant example of political will to advance the rights of the LGBTI community in Montenegro, especially considering the political context and the resistance coming from parts of the political spectrum.

⁵⁰ Source: Official profile of Aleksandra V.K. on the X platform, <https://x.com/AVposlanica/status/1669327005953687554> (accessed June 30, 2025).

Photograph 7, Source: NGO Asocijacija Spektra



Source: Association Spektra

7.3. MONITORING OF PARLIAMENTARY DEBATES AND INITIATIVES RELATED TO LGBTI RIGHTS

As part of the analysis of political actions and the public narrative of political actors, a monitoring of the parliamentary sessions of the Parliament of Montenegro was conducted with the aim of identifying initiatives and debates concerning the LGBTIQ community. Sessions of the Parliament of Montenegro held from the beginning of 2023 until February 2025 were reviewed, including all extraordinary sessions held in 2023.

The monitoring included the agendas of all sessions, as well as a chronological overview of debates from January 19, 2024, to the present.⁵¹ Particular attention was paid to potential discussions, legislative proposals, reports, and other agenda items related to the rights and position of LGBTI persons.

During the observed period, a clear lack of institutional attention to LGBTI community issues was noted. The only recorded item that directly relates to this topic was a debate held during:

⁵¹ In the "Debate Chronology" section on the official website of the Parliament of Montenegro, the discussions have been available starting from January 19, 2024.

- **The 12th session of the Committee on Gender Equality⁵²**, held on October 28, 2024, during which the Strategy for Improving the Quality of Life of LGBTIQ Persons in Montenegro for the period 2024–2028, along with the accompanying Action Plan for the period 2024–2025, was discussed as the fourth item on the agenda.

This agenda item represents a formal attempt to address the position of LGBTI persons at the parliamentary level during the analyzed period. Although the consideration of such a strategy within the framework of the Committee on Gender Equality is significant, the absence of debate on this issue during plenary sessions of the Parliament indicates a concerning level of marginalization of LGBTI topics within the institutional framework.

This finding reflects the broader pattern of political passivity regarding active advocacy for the rights of LGBTI persons in Montenegro, aligning with the results of previous analyses of political party programmes and public statements by political actors.

7.4 THE PRESENCE OF POLITICAL ACTORS AT MONTENEGRO PRIDE

The role of political leaders and institutional representatives in advancing the rights of LGBTI individuals is reflected not only through legislative initiatives and public policy, but also through their visible presence at events that symbolize solidarity with the community. Montenegro Pride, as the country's central annual event dedicated to the LGBTI community, serves as a key indicator of both institutional and political commitment to equality. For LGBTI individuals, Montenegro Pride represents more than a celebration - it is a symbol of resistance, a platform for advocating equal rights, and a space for publicly expressing identity, solidarity, and the core values of inclusion and dignity.

Every year, an increasing number of participants and institutional representatives gather, sending a strong message of solidarity and the fight against discrimination and violence. However, while the presence of political representatives at Pride is an important symbolic act, it must be accompanied by concrete commitment—through public policies, legislative initiatives, and continuous advocacy for human rights—to ensure substantial, not merely formal, support for the LGBTI community.

⁵² Source: Official website of the Parliament of Montenegro, <https://www.skupstina.me/me/sjednice-radnih-tijela/odbor-za-rodnu-ravnopravnost> (accessed June 30, 2025).

2022: The 10th edition of Montenegro Pride was held under the slogan “No More Buts” and was attended by several prominent political figures. Among them were Ana Novaković Đurović, then Minister of Ecology, Spatial Planning and Urbanism; Goran Đurović, then Minister of Economic Development and Tourism; Luka Rakčević; and MP Božena Jelušić, all representing the Civic Movement URA. Also in attendance were Ivan Vuković, then Mayor of Podgorica and Vice President of the Democratic Party of Socialists (DPS), as well as Nada Drobnjak. From the Social Democrats, MP Boris Mugoša and Marija Blagojević were present. The Europe Now movement was represented by former State Secretary Janko Odović and Maida Šukurica-Gorčević, a member of the party’s Presidency. Additionally, Fatmir Gjeka, Minister of Human and Minority Rights, attended the event.⁵³

Photographs (8, 9 and 10) Source: Dnevno.me and Platform X



2023: The 11th edition of Montenegro Pride was held under the slogan “Self-Determination” and was attended by several notable political figures. Among them were Ana Novaković Đurović, Minister of Ecology, Spatial Planning and Urbanism; Milena Vuković Sekulić, Assistant Secretary General of the Parliament and Vice President of the Civic Movement URA; Ivan Vuković, former Mayor of Podgorica and current DPS councillor; and his former deputy, Slađana Vujačić. Also in attendance were Vasilije Čarapić, a councillor from the Europe Now Movement in the Capital City Assembly; Aleksandar Saša Zeković, an independent councillor in the same assembly; and Fatmir Gjeka, Minister of Human and Minority Rights.⁵⁴

⁵³ Source: Vijesti, “Veliki put se prešao, ali je kraj još daleko,” available at: <https://www.vijesti.me/vijesti/drustvo/625141/veliki-put-se-presao-ali-je-kraj-jos-daleko> (accessed June 30, 2025).

⁵⁴ Source: Vijesti, “Održan Montenegro Prajd: Bez prihvatanja nema promjene,” available at: https://www.vijesti.me/vijesti/drustvo/678611/odrzan-montenegro-prajd-bez-prihvatanja-nema-promjene?utm_source=.com (accessed June 30, 2025).

Photographs (11,12 and 13) Source: Vijesti



2024: The 12th Montenegro Pride was held under the slogan “Where Are Our Rights?” and was attended by key political figures, including Fatmir Gjeka, Minister of Human and Minority Rights; Maida Gorčević, Minister for European Affairs; and Predrag Zenović, Chief Negotiator with the EU.

Photographs (14 and 15) Source: Radio Free Europe



VIII RESULTS OF QUANTITATIVE RESEARCH

During the period May–June 2025, CeMI conducted quantitative research under the title *“My Rights Are Your Rights Too.”* The research applied a methodology developed in 2016, which enables a detailed mapping of the attitudes of decision-makers regarding the rights of LGBTI persons, including issues of same-sex partnership, child adoption, public expression of sexuality, general acceptance, as well as protection against discrimination and violence.

This research is the second of its kind on this topic, following a similar research carried out by CeMI in 2017 among candidates for parliamentary positions who ran in the 2016 Parliamentary Elections, thereby allowing for comparison with the previous analysis.

The CeMI research team distributed the questionnaire to as many candidates as possible who were included on the electoral lists for the 2023 Parliamentary Elections. For the purposes of the research, a quota sample of 100 candidates was created, out of a total of 1,113 candidates on all electoral lists for the 2023 Parliamentary Elections, with the aim of proportionally representing all electoral lists based on the election results.

When selecting candidates, attention was also given to gender representation, in order to ensure gender balance within the sample. In the final sample of 80 respondents, 37.3% were women, while 62.6% were men. However, it is important to note that representatives of several political parties **refused to participate in the research**—precisely those that are publicly recognized as conservative and that advocate positions opposed to the rights and status of LGBTI persons. For this reason, out of the planned 100, a total of 80 interviews were conducted.

The systematic absence of representatives from certain political parties introduces potential sample bias, as those actors who would most likely express more negative attitudes towards the LGBTI population are underrepresented. Consequently, while the research findings provide valuable insight into dominant trends and potential shifts in political attitudes towards LGBTI persons, they are more indicative than fully representative of the entire political spectrum. The limitations of the study are particularly evident in the analysis of attitude distribution, which may not necessarily reflect the actual political landscape.

Furthermore, given that the research addresses a sensitive topic, there is a possibility of socially desirable responding among participants, which may also affect the reliability of the reported attitudes. Therefore, the research findings should be understood as directional indicators of the potential development of political discourse on LGBTI issues, with full consideration of the mentioned methodological limitations.

The research sections covered:

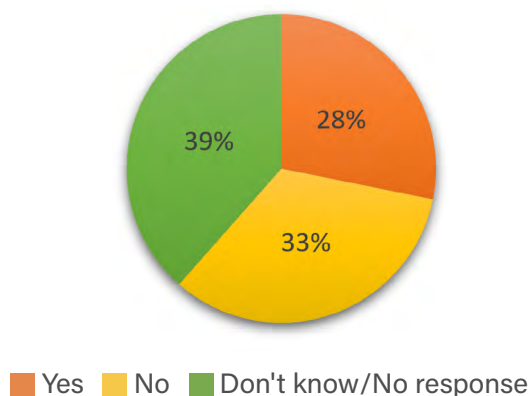
1. The rights of LGBTI persons and their relationship with state institutions
2. General attitudes towards sexual orientation and gender identity
3. Personal experiences with LGBTI persons

The following sections present the key research findings through charts, along with an interpretation of dominant trends and relevant implications for the political narrative on LGBTI rights in Montenegro. The full research report is available on the CeMI website.

The research findings reveal certain contradictions in the attitudes of political actors towards the legislative framework on LGBTI rights. In response to the question, **“Are the current laws in Montenegro sufficient to protect the rights of LGBTI persons?”**, only 28% of respondents considered them sufficient, 33% believed they were insufficient, and as many as 39% either did not know or declined to answer (Chart 1). This finding indicates a significant level of lack of information among candidates for parliamentary positions, as well as the existence of divided opinions regarding the adequacy of existing protections.

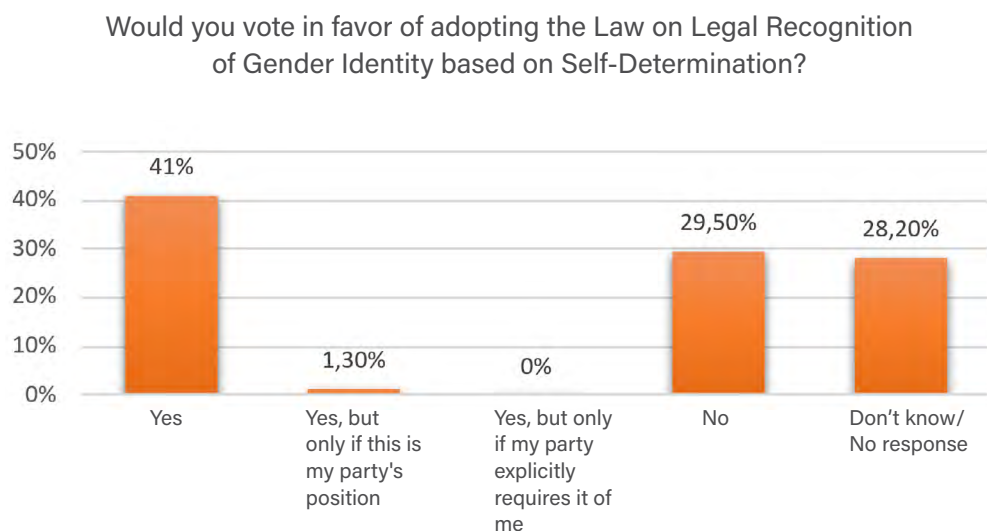
Chart 1:

Do you consider the current laws in Montenegro sufficient to protect the rights of LGBTI persons?



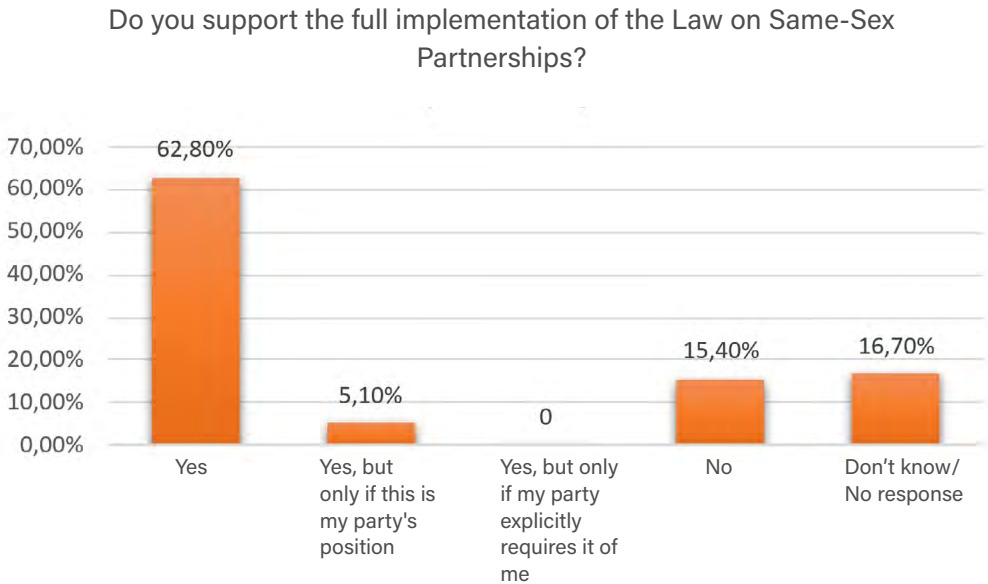
On the other hand, regarding the **adoption of the Law on Legal Recognition of Gender Identity based on self-determination**, support is somewhat higher – 41% would vote in favor of such a law, while 29.5% are opposed, and a significant 28.2% of respondents did not have a stance. Interestingly, a very small number of respondents (1.3%) conditioned their response on their party's position, indicating that there is room for personal decision-making by candidates, even when their political organization does not have a clearly defined stance on these issues (Chart 2).

Chart 2:



The highest level of support was recorded regarding the full implementation of the Law on Same-Sex Partnerships – 62.8% of respondents expressed support for this, while only 15.4% were opposed, and 16.7% were undecided (Chart 3). This result suggests that political actors, although divided on certain new legislative measures, recognize the importance of consistent application of existing regulations that guarantee the rights of LGBTI persons.

Chart 3:

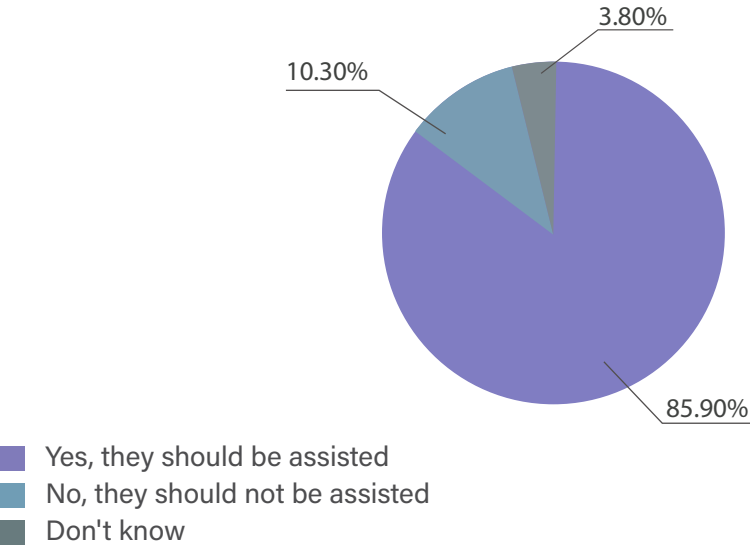


Taken together, these findings indicate that support for specific legislative measures is higher when they concern already adopted or concrete regulations (such as the Law on Same-Sex Partnerships), while issues of new legislative initiatives remain burdened by indecision and lack of information.

The research results show that, although political actors are divided regarding the assessment of the existing legislative framework, there is a strong consensus on the **need to help LGBTI persons exercise their rights**. As many as 85.9% of respondents indicated that such support is necessary (Chart 4).

Chapter 4:

Do you believe that LGBTI persons should be assisted in exercising their rights?



When the results are examined through the lens of party affiliation, clear differences between the ruling party and the opposition emerge. Among respondents from the ruling party, only 31.9% would support the adoption of the Law on Legal Recognition of Gender Identity based on Self-Determination, while 42.6% are opposed and 25.5% have no stance. On the other hand, the opposition demonstrated significantly greater willingness to support the law: 64.5% would vote in favor, 22.6% are opposed, and 9.7% did not take a stance (Table 1).

Table 1: Cross-tabulation – Party Affiliation and Support for the Adoption of the Law

Cross-Tabulation- Party Affiliation and Support for the Adoption of the Law on Legal Recognition of Gender Identity Based on Self-Determination

	Yes	Yes, but only if this is my party's position	No	Don't know / No response
Ruling party	31,9%	0%	42,6%	25,5%
Opposition	64,5%	3,2%	22,6%	9,7%
x2= 10.48; p<0.05				

These data indicate that among political actors there is an almost unanimous recognition of the responsibility to assist the LGBTI community in exercising equal rights, as shown in Chart 4. However, when this general support is tested through specific policies and legislative initiatives, limitations and resistance emerge. For example, while 85.9% of respondents state that LGBTI persons should be helped to exercise their rights, there is simultaneously significant opposition to certain laws that represent key instruments for realizing these rights. The most illustrative example is the question of support for the adoption of the Law on Legal Recognition of Gender Identity based on Self-Determination by the ruling party and the opposition, as shown in Table 1. The data indicate a gap between declarative support and concrete actions, which calls the strength of their support into question.

It is important to note, however, that these results should be interpreted with a degree of caution. As previously mentioned, the systematic absence of certain political party representatives - those publicly recognized as often holding more negative views toward the LGBTI population- may have influenced the findings. Consequently, the results likely present a more optimistic picture regarding the willingness of political actors to support legislative measures that advance the rights of the LGBTI community.

Therefore, the findings should be regarded as indicative of the direction in which the political narrative may evolve. They serve as a signal of dominant trends and potential shifts in political attitudes, rather than as a precise measure of the overall political spectrum's stance on LGBTI rights.

8.1. COMPARATIVE ANALYSIS OF THE RESEARCH

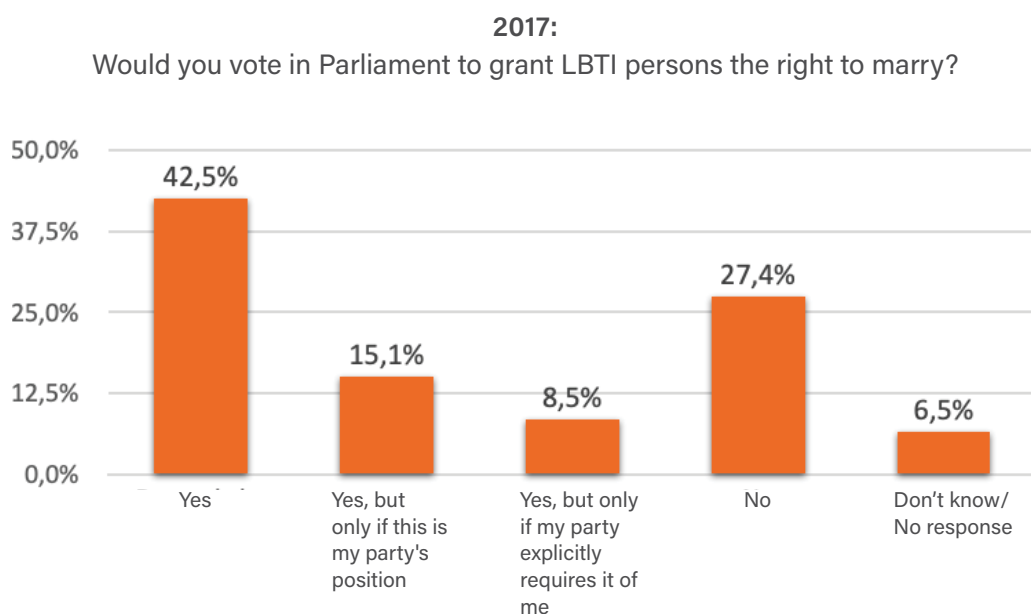
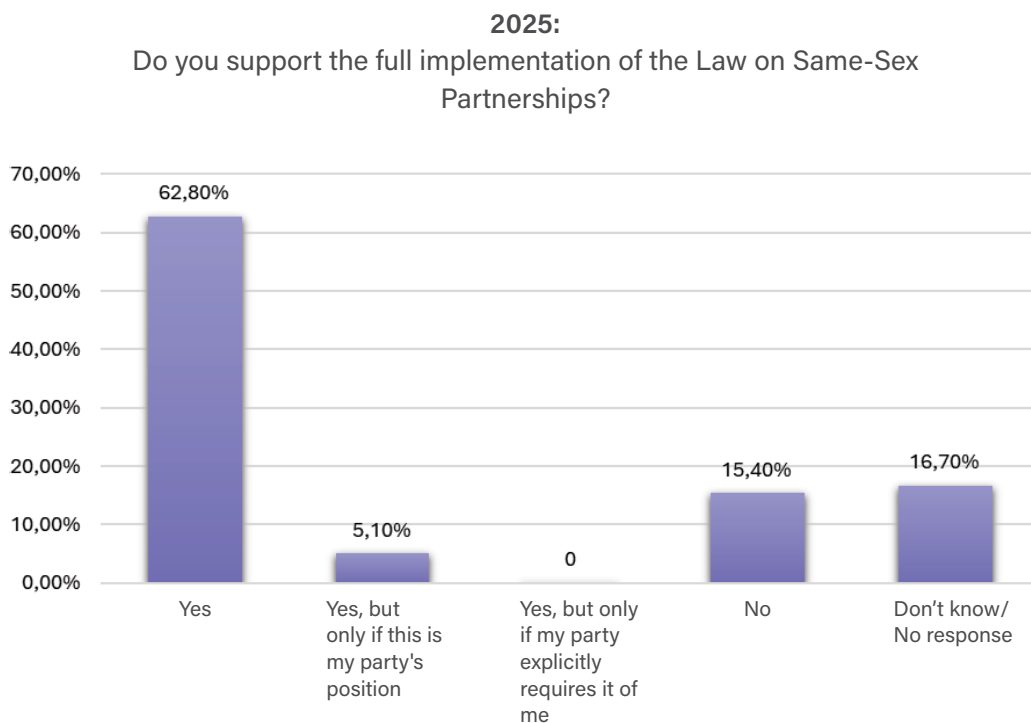
In the period from February to May 2017, CeMI conducted a similar research among candidates for parliamentary positions who ran in the October 2016 parliamentary elections, with a sample of 106 respondents.

This section presents comparative data from the 2017 and 2025 studies on selected questions related to the theme of this analysis.

One of the strongest indicators of positive progress relates to the **implementation of the Law on Same-Sex Partnerships**. While in 2017 only 42.5% of candidates supported the right to marriage for LGBTI persons, the 2025 study shows that 62.8% of respondents support the full implementation of the Law on Same-Sex Partnerships (Charts 5 and 6).

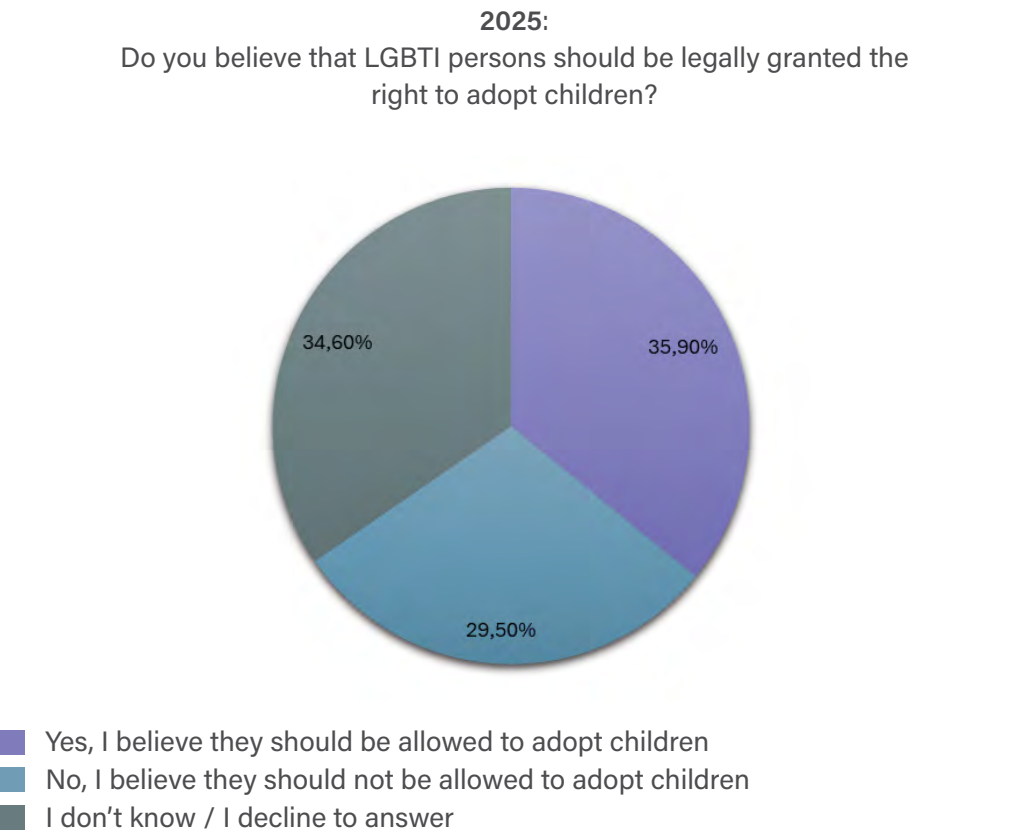
This increase clearly indicates a growing willingness to accept and implement already adopted legislative solutions in practice.

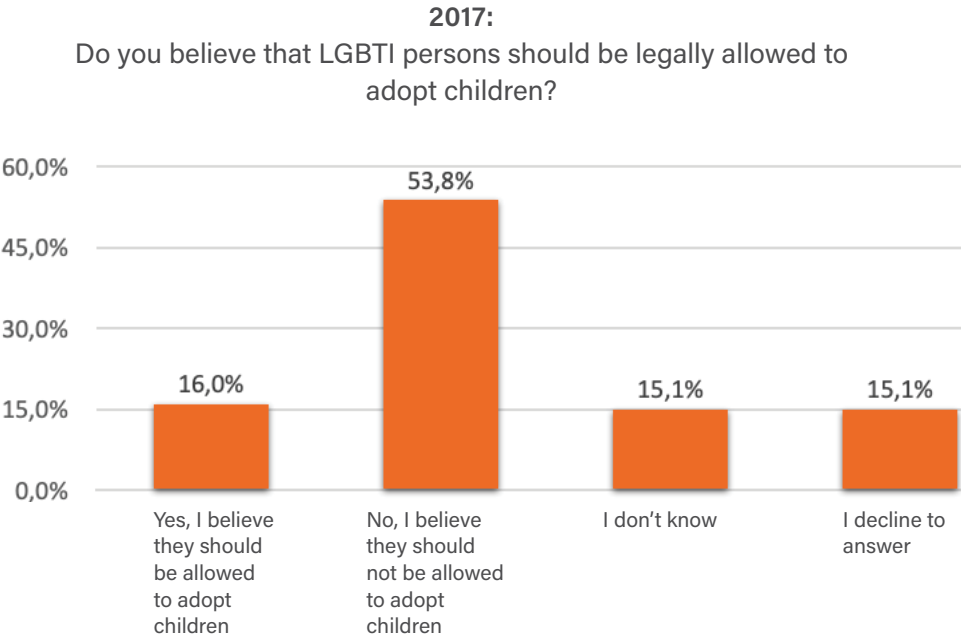
Charts 5 and 6:



On the other hand, issues such as **adoption by LGBTI couples** continue to encounter significant resistance. While this question received moderate support from politicians, the 2017 data painted a drastically different picture. In 2017, only 16% of respondents supported this possibility, whereas in 2025 the figure increased to 35.9%. Although this represents more than a twofold increase in support, it is important to note that a substantial portion of political actors still oppose it (around 29.5% in 2025; 53.9% in 2017), while nearly 30% of respondents declined to answer in 2025 (Charts 7 and 8). This distribution indicates that the topic of adoption remains politically sensitive and polarizing.

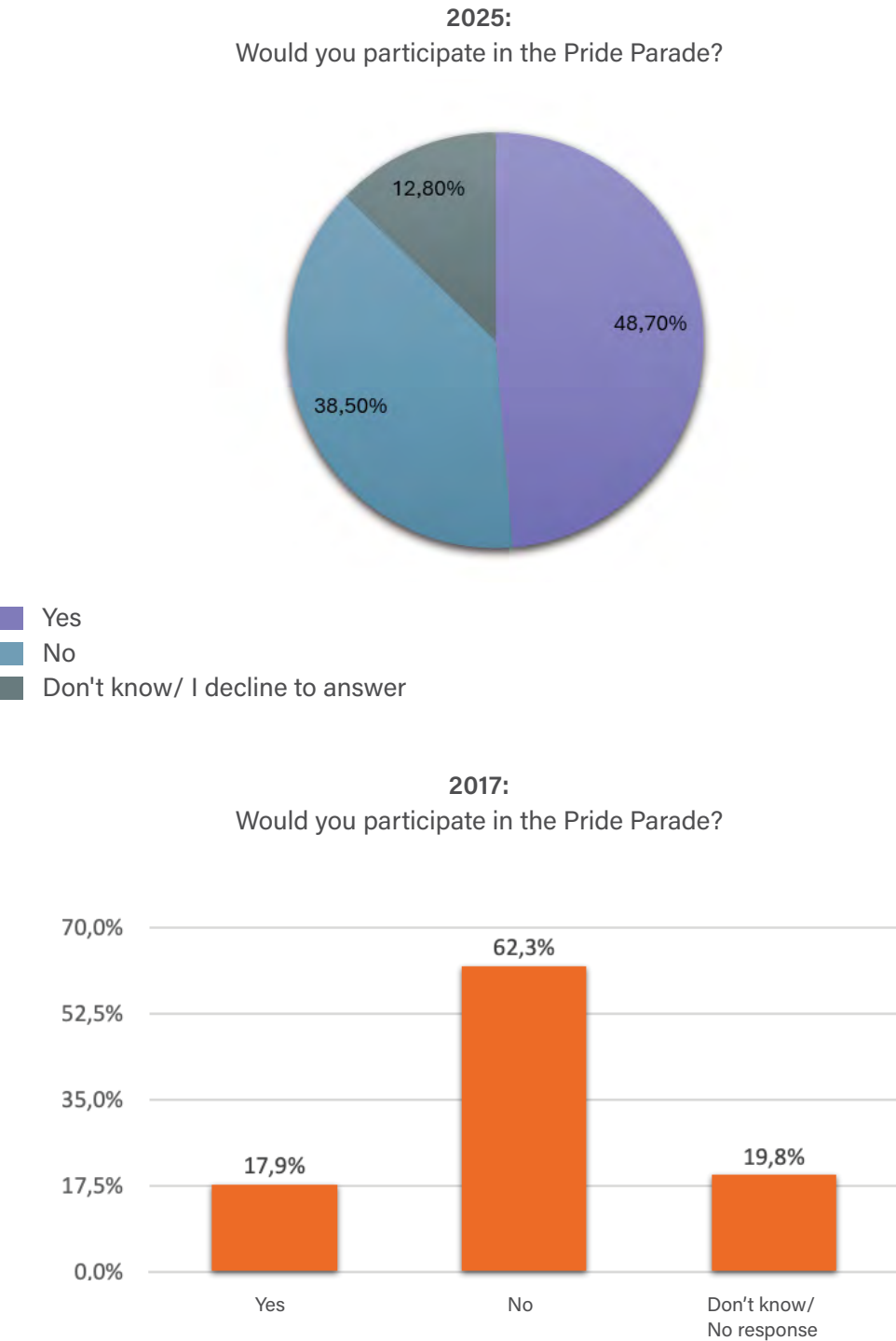
Chapter 7 and 8:





Although there has been an increase over the eight-year period in the willingness of political actors to **participate in Pride Parade**—from 17.9% in 2017 to 48.7% in 2025—this still represents a limited shift. Nearly 40% of respondents in the 2025 survey continue to refuse participation, which, compared to 62.3% in 2017, indicates only a partial reduction in resistance (Charts 9 and 10). Considering that the Pride Parade is a strong symbol of the struggle for LGBTI rights and solidarity with the community, this high level of reservation suggests that political actors’ support still does not fully align with the values of equality and inclusion that are most often formally and declaratively endorsed.

Chart 9 and 10:



A comparative analysis of the 2017 and 2025 results shows that political actors' attitudes toward LGBTI rights have improved, but changes are occurring slowly and selectively. The greatest progress is observed regarding the acceptance of already adopted legal frameworks - particularly the Law on Life Partnership of Persons of the Same Sex, where support increased from 42.5% to 62.8%. Similarly, issues such as adoption by LGBTI couples show double the support compared to 2017, although they remain highly polarizing and politically sensitive. At the same time, events such as participation in the Pride Parade reveal that significant resistance persists - almost two-fifths of candidates still refuse to publicly associate themselves with this event.

As previously noted in this analysis, political statements of support for LGBTI rights often remain declarative, lacking institutional consistency and visible practice. Therefore, it is important to emphasize that political support should not be merely symbolic: it builds legitimacy, creates space for social visibility, and ensures the implementation of existing legal provisions. While the results indicate some progress, the slow and selective acceptance of LGBTI rights confirms that inclusion is still not fully integrated into Montenegro's political spectrum.

IX CONCLUSIONS AND RECOMMENDATIONS

International universal and European human rights instruments clearly establish the foundations for the prohibition of discrimination and the protection of the rights of LGBTIQ+ persons, even though they often do not explicitly mention sexual orientation or gender identity. However, interpretations by United Nations bodies and the case law of the European Court of Human Rights have allowed for the broad inclusion of LGBTIQ+ issues within existing norms on equality and non-discrimination.

As part of the European integration process, particularly through Chapter 23, Montenegro has committed to aligning its legal system with European standards. This includes legal recognition of gender identity, the prohibition of discrimination in all areas of life, and systematic protection against violence and hate speech.

Although Montenegro has a legal framework that formally recognizes and protects the rights of LGBTI individuals, especially through the Law on the Prohibition of Discrimination and the Law on Life Partnership of Same-Sex Persons, the implementation of these laws remains insufficient and inconsistent in practice. The Law on Life Partnership represents a historically significant step forward, but it is poorly implemented. At the same time, the absence of a law that allows for legal gender recognition based on self-determination leaves transgender persons subjected to outdated and discriminatory procedures.

The lack of clear guidelines, political will, and full legislative harmonization further hinders the realisation of the rights of the LGBTI community. Recommendations from the Council of Europe and the European Commission against Racism and Intolerance underline the need for a comprehensive approach that includes legislative reform, institutional strengthening, and educational efforts.

In order for Montenegro to achieve genuine equality and social inclusion, it is essential to establish an effective and coherent legal framework, empower institutions responsible for the protection of rights, and raise public awareness, relying on European standards and best practices.

RECOMMENDATIONS:

1. Montenegro should urgently adopt Law on the Recognition of Gender Identity Based on Self-Determination without requiring medical procedures as a precondition.
2. Anti-discrimination legislation should be strengthened through clear definitions and effective protection mechanisms.
3. All relevant by-laws should be harmonized with existing legislation in order to ensure that the Law on Life Partnership of Same-Sex Persons is applicable and fully implemented in practice.
4. Institutional efforts to combat hate speech and hate crimes should be reinforced, including mandatory training for the police, prosecution, and judiciary.
5. Laws and regulations related to family, social, tax, and health rights must be aligned with the Law on Life Partnership of Same-Sex Persons.
6. Continuous education and awareness-raising campaigns on LGBTI rights should be implemented across state institutions.
7. It is essential to ensure political will and accountability for the implementation of existing laws, going beyond symbolic measures.
8. The LGBTI community should be actively involved in decision-making processes and political participation, free from discrimination.
9. Public policies should promote inclusion, tolerance, and respect for diversity, drawing on the case law of the European Court of Human Rights and the recommendations of the Council of Europe.

MENTAL HEALTH AND SUPPORT FOR LGBTI PERSONS

LGBTI individuals in Montenegro often face serious mental health challenges stemming from persistent discrimination, social stigmatization, rejection by family members, and fear of violence. These factors contribute to elevated rates of anxiety, depression, and even suicidality within the community. Despite the evident need for psychological support, systemic assistance remains limited and mental health services are often inaccessible or underdeveloped, and existing professionals are not always adequately trained to address the specific needs of the LGBTI population.

RECOMMENDATIONS:

- Organize continuous training for psychologists, psychiatrists, and other mental health professionals to enhance their sensitivity and understanding of the specific needs of the LGBTI community.
- Develop support networks and safe spaces, while simultaneously empowering

LGBTI individuals to recognize the importance of mental health and seek professional help without fear of stigma.

Media Representation of LGBTI Issues

The **media in Montenegro** still pay insufficient attention to LGBTI issues, with cases of stereotypical portrayals, selective reporting, and even complete neglect of matters significant to the community. Media coverage most often intensifies during notable dates such as **Pride** or the **International Day Against Homophobia, Biphobia, and Transphobia**, while during the rest of the year there is a clear deficit of content addressing the everyday challenges and rights of LGBTI persons.

Recommendations for media reporting on the LGBTI community:

- Education of journalists on LGBTI rights and issues.
- Promotion of positive portrayals and inclusive content.
- Media support for LGBTI community activities and events.

Most political parties in Montenegro fail to address the specific issues facing the LGBTI community in their official programs. Human rights are generally mentioned only at a broad and abstract level, without clearly defined positions or concrete solutions to the challenges this community encounters. Only a small number of parties explicitly recognise the rights of LGBTI persons and allocate visible space to these issues in their political documents, while the majority rely on general formulations such as “prohibition of discrimination,” without further explanation or actionable measures.

When political parties do include LGBTI issues in their statutes and programs, they move beyond mere declarations and begin to meaningfully respond to the needs of the community—providing authentic support and demonstrating a genuine commitment to improving the status of LGBTI persons. However, the reality remains different. Most political programs still do not reflect this level of engagement, indicating a lack of political will and limited sensitivity to the needs of LGBTI individuals. This significantly hinders their ability to exercise rights and access protection in practice.

On the other hand, monitoring of public statements made by political leaders reveals significant variation in approaches to LGBTI topics, ranging from occasional supportive messages to openly homophobic and transphobic remarks. Negative narratives, including hate speech and public discourse that fosters prejudice and intolerance, are most frequently observed among far-right and traditionalist political actors. These narratives contribute to deepening societal polarisation and obstruct

progress in the protection of LGBTI rights.

Political figures who express support for the LGBTI community tend to do so symbolically and reactively, rarely advocating for or initiating concrete policies aimed at ensuring protection and equality. Attendance of political representatives at events such as Montenegro Pride remains low and highly selective, with support often being declarative and symbolic. It tends to vary significantly from individual to individual, while genuine and systemic support continues to be absent.

This situation reveals a lack of strategic and consistent engagement by political forces capable of recognising and advocating for the LGBTI community. The gap between “commitments on paper” and actual actions demonstrates the need for greater consistency and accountability among political actors in order to meaningfully improve the rights and status of LGBTI persons.

RECOMMENDATIONS:

- Political parties should revise and strengthen their programs and statutes to include explicit measures for the protection and advancement of LGBTI rights. It is essential that terms such as sexual orientation, gender identity, sexual identity, and gender expression are clearly stated in programmatic goals to ensure that proposed measures are operational, identifiable, and applicable in practice.
- Party positions should be aligned with international and national human rights standards, and training on LGBTI issues should be introduced for party members at all levels.
- Political parties and actors must not serve as sources of hate speech. Rather, they should play an active role in combating homophobic and transphobic narratives by clearly distancing themselves from all forms of discriminatory discourse, regardless of the political context.
- Internal mechanisms must be established within political parties to monitor and sanction discriminatory behavior by their members toward the LGBTI community.
- Mandatory training on the rights of LGBTI persons for members of parliament, local officials, and party staff should become an integral part of the strategic actions undertaken by political entities.

CIP - Каталогизација у публикацији
Национална библиотека Црне Горе, Цетиње

ISBN 978-9911-556-41-7
COBISS.CG-ID 35380484

