

The illustration features a large, light blue circular shape on the left side of the page. Inside this circle, there are three dark blue hands pointing towards the right. Two speech bubbles are also present within the circle; one contains the symbols '\$!#!' and the other contains '!!#!'. The background is white. The title 'HATE SPEECH AGAINST LGBTI PEOPLE: CHALLENGES & SOLUTIONS' is written in a bold, dark blue font. The word 'CHALLENGES' is on one line, followed by '&' on the next, and 'SOLUTIONS' on the third. Below the title, there is a colorful illustration of two men. The man on the left has dark skin, a beard, and is wearing glasses and a pink shirt. The man on the right has light skin, is wearing glasses and an orange hoodie. They are both smiling and looking at each other. A large rainbow flag is draped over them, and a small orange heart is floating between them.

**HATE SPEECH
AGAINST LGBTI PEOPLE:**

**CHALLENGES
&
SOLUTIONS**

HATE SPEECH AGAINST LGBTI PEOPLE: CHALLENGES AND SOLUTIONS



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Centre for Monitoring and Research (CeMI)

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Year of publishing:
2024



Ministarstvo ljudskih
i manjinskih prava

The study was created within the project “Contribution to the suppression of hate speech against LGBTI people”, which is financed by the Ministry of Human and Minority Rights in Montenegro. The views and opinions expressed in this study do not necessarily represent the views of the donor.

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I INTRODUCTION

In the digital age, the Internet space has become a huge part of our lives, a place where ideas, information and communities are created. However, this space can also become a field for discrimination, violence and hate speech, especially towards vulnerable groups such as members of the LGBTI community. In Montenegro, as in the rest of the world, the importance of protecting the rights of these communities in the online world has never been greater. Hate speech and digital violence represent serious obstacles to achieving equality, safety and freedom of expression for LGBTI people.

Digital violence and hate speech against LGBTI people in Montenegro manifests itself in a number of ways, including but not limited to harassment, dissemination of misinformation and incitement to violence. These actions not only harm individuals on a personal level, but also spread an atmosphere of intolerance and discrimination in society. Therefore, the identification, prevention and fight against these forms of violence are of crucial importance for the protection of the rights and well-being of the LGBTI community.

This study aims to delve into the issue of digital violence and hate speech against LGBTI people in Montenegro. Through monitoring social media and internet portals, desk research, as well as interviewing relevant experts and decision makers, the study provides a comprehensive picture of the current situation and offers guidelines for its improvement. The publication of the results of the study is available in printed form and online, on the website of the Centre for Monitoring and Research (CeMI) and on social networks, which strives for a wide dissemination of findings and recommendations.

The direct target group includes judges, prosecutors, officers of the Police Directorate, as well as activists of the LGBTI community engaged in the promotion and protection of rights. Indirectly, the study also addresses LGBTI people who were victims of discrimination or participated in any way in court proceedings. The end users are the LGBTI population in Montenegro and representatives of the judiciary and prosecutor's office who, thanks to the study, will have the opportunity to improve their treatment of LGBTI people in practice.

The project aims to directly influence the practice of judicial authorities in Montenegro, encouraging them to develop a more sensitive approach and a better understanding of the needs of LGBTI people. Through education and dissemination of materials, such as brochures on the application of Article 42a and on hate crimes, the project aims to strengthen the legal framework and practice in relation to the protection of the rights of LGBTI people.

II GLOSSARY¹

OUT: A term that describes a person who is sexually/gender-identified in public and/or professional life.

OUTING: The act of publicly announcing that a person is gay, lesbian, bisexual, or transgender. It is a basic human right of every person to decide if, when and to whom they will talk about their sexual orientation/gender identity. Outing LGBT people without their knowledge and approval is not an acceptable or in any case justified practice.

ASEXUALITY: Absence of sexual orientation or lack of interest and desire for sex. Asexual people have emotional needs like all other people and are just as capable of entering into intimate relationships. Asexuality should not be confused with celibacy, which is a choice or determined by a person's situation.

BIOLOGICAL (CHROMOSOMAL) GENDER: Gender determined by chromosomes (XX, XY), which includes clearly defined external and internal genitalia and a specific male/female hormonal status.

BISEXUAL PERSON: A person who is physically, emotionally, sexually and/or spiritually attracted to people of more than one sex/gender.

CISGENDER PERSON: a person whose gender identity and/or gender expression is in accordance with the gender assigned at birth. The opposite of transgender (see below).

DISCRIMINATION: Discrimination is any legal or factual difference or unequal treatment, i.e. failure to treat one person or a group of people in relation to other, as well as excluding, limiting or giving priority to a person in relation to other people, which is based on race, skin color, national affiliation, social or ethnic origin, connection with a minority people or minority national community, language, religion or belief, political or other opinion, gender, gender reassignment, gender identity, sexual orientation and/or gender characteristics, health condition, disability, age, property status, marital or family status, belonging to a group or assumption of belonging to a group, political party or other organization, as well as other personal characteristics.

- **Indirect discrimination:** A situation in which apparently neutral procedures or practices put a person at a disadvantage compared to others (e.g. because of sexual orientation or gender identity).
- **Multiple discrimination:** Any unjustified, legal or factual, direct or indirect discrimination or unequal treatment based on more than one basis for discrimination listed in the previously given definition of discrimination.
- **Institutional discrimination:** A system reflected in the fact that institutions of power (media, education, economy, religion, etc.) favor one group (or some characteristics)

¹ The glossary was taken from the publications of NGO Juventas, LGBTIQ Association Queer Montenegro and Association "Spektra".

over others.

- **Experienced discrimination:** The experience of a discriminated person, his subjective experience. Experienced discrimination does not have to match the legal definition of discrimination.

VICTIMIZATION: A specific term denoting discrimination against a person for filing a lawsuit or participating in a process initiated by another person as a witness.

HARASSMENT implies deliberate, continuous, systematic threats, insults or dehumanizing gestures, through written, verbal or physical behavior, attacks and the use of modern electronic technologies (mobile, computer...).

Harassment inevitably:

1. causes fear in the student or of harming him/her or destroying his/her property;
2. significantly negatively affects the student's performance at school, but also his/her opportunities and/or benefits;
3. significantly negatively affects the student's emotional or mental well-being;
4. has a negative effect on the daily functioning of the school.

GAY (MAN): A man who is physically, emotionally, sexually and/or spiritually attracted exclusively to people of the same sex/gender.

HETEROSEXISM: An approach that advocates that heterosexuality is the only legitimate form of human sexuality, and ignores and disputes the existence of other sexual orientations.

HETEROSEXUAL MAN / HETEROSEXUAL WOMAN / HETEROSEXUAL PERSON:

A person who is physically and/or emotionally attracted exclusively to people of the opposite sex. A heterosexual person does not need to have sexual experiences with a person of the opposite sex to be defined as heterosexual.

HOMOSEXUAL PERSON: A person who is physically, emotionally, sexually and/or spiritually attracted exclusively to people of the same sex/gender.

HOMO-/LESBO-/BI-/TRANSPHOBIA: A form of cultural and social prejudice that manifests itself as fear, aversion, discriminatory behavior and violence towards people of homosexual or bisexual orientation and different gender identity or expression. Like all phobias, it is an irrational fear. Institutional homo-/lesbo-/bi-/transphobia manifests itself through legal sanctions, pathologization and the absence (or the existence of inadequate) mechanisms to suppress violence and discrimination. Social homo-/lesbo-/bi-/transphobia manifests itself in the form of physical and other forms of violence, hate speech, discrimination, threats, marginalization, social exclusion, ridicule and insults.

INTERSEX PERSON: A person whose biological sex characteristics (internal and external sex organs, hormones, chromosomes and secondary sex characteristics) do not fall into clearly defined male or female categories, or fall into both categories.

COMING OUT OF THE CLOSET/SHADOW/SILENCE (or for short - coming out):

represents the process of recognizing, accepting, revealing one's sexual orientation and/or gender identity to other people and identification with the homosexual/bisexual/trans community.

CROSS-DRESSING: Wearing clothing that traditionally or stereotypically belongs to the other gender in a particular culture. There are variations in the degree to which a person changes clothes: from one to all pieces of clothing. People who identify as cross-dressers usually do not want to modify i.e. adapt their gender to gender expression and are already completely satisfied with it.

QUEER: A term that denotes any form of deviation from the usual social constructs and norms of behavior. The essence of queer theory is the deconstruction and rejection of imposed norms, whether it is about sexuality, gender, sex, or other entities, and it starts from the fact that identity is not fixed, but changeable, that is, fluid. The term queer does not refer exclusively to LGBTI people.

LESBIAN: A woman who is physically, emotionally, sexually and/or spiritually attracted exclusively to people of the same sex/gender.

LGBTIQ: Abbreviation for Lesbian, Gay, Bisexual, Transgender, Intersex and Queer.

NON-BINARY PERSON: a person who was born as a baby of any gender, but feels neither male nor female, or feels both male and female, or something else.

A PERSON WHO COMMITTED DISCRIMINATION, HARASSMENT AND/OR ABUSE

can be a school employee, visitor, student who, within the school premises, school yard and field, as well as auxiliary school premises, has been reported for abuse, harassment or discrimination.

A PERSON WHO HAS SUFFERED DISCRIMINATION, HARASSMENT AND/OR ABUSE is a student who has been reported to have been the subject of bullying, harassment or discrimination within the school premises, school yard and field, as well as auxiliary school premises.

PRIDE PARADE: represents a manifestation that warns against prejudice, discrimination and violence experienced by people of non-heterosexual orientation and points to unequal treatment in society. Pride parades and marches date back to June 1969, when the Stonewall protest was organized, where LGBTI people from New York protested in the streets for several days against persistent police harassment. The following year, the uprising was marked by demonstrations in several American cities, and since then annual demonstrations against homophobia have spread around the world.

A COMPLAINTANT is a student or other person who formally or informally reports bullying, harassment or discrimination in writing or verbally.

SEXUAL CHARACTERISTICS: physical characteristics of a person related to sex, including genitalia, gonads and other sexual and/or reproductive anatomical structures, chromosomes, hormones and secondary sex characteristics, which do not necessarily reflect social norms or medical definitions of male or female and may be present in varying degrees.

GENDER ADJUSTMENT implies physical and/or social interventions aimed at a person living in accordance with his gender identity. It may involve taking hormone therapy, some of the operations (eg breast removal/breast implantation; operations to remove reproductive organs and/or reconstruction of sexual organs - creation of a vagina or penis); it can mean all of this together, but also none of these, but only living in society in accordance with one's own gender identity.

GENDER: A term that refers to the socially constructed roles, behaviors, activities and attributes that a given society considers appropriate for men and women. Also, this term implies an individual construct of one's own identity/expression that confirms, denies and/or overcomes the socially given and formed sex and gender roles of men and women, as well as the entire binary basis of "male" and "female".

GENDER IDENTITY: One's own gender experience, which does not have to depend on the biological sex assigned at birth. Gender identity concerns every person and does not mean only the binary concept of male or female.

GENDER EXPRESSION: The visual and external presentation of each person as reflected through clothing, clothing or body markings, hairstyle, behavior and body language.

SEXUAL ORIENTATION: Emotional and/or physical attraction or affection that may be towards people of the same and/or opposite sex. It includes heterosexuality, homosexuality and bisexuality. It should be remembered that sexual orientation is different from sexual behavior, because people cannot choose sexual orientation, while behavior can, and it may or may not be in accordance with our sexual orientation. Thus, people can at a certain moment decide on bisexual, homosexual or heterosexual behavior regardless of their sexual orientation. On the other hand, it is possible for a person to feel attracted to the same sex without ever taking action in that direction.

SEXISM: Discrimination and/or views, conditions and behavior that promote stereotypes and oppressive social roles and norms based on sex and gender.

STRAIGHT: Slang term for heterosexuality/heterosexual person. It means, first of all, something straight, without deviation, but also something conventional, which does not deviate from the norms that are accepted as usual.

TRANSGENDER (TRANS): A catch-all term used to describe a variety of individuals, behaviors, and groups that have in common partial or total opposition to imposed gender and sex roles. Transgenderism does not refer to a person's sexual orientation.

TRANSGENDER PERSON: A person who has a clear desire and intention to change their gender, as well as a person who has partially or completely modified (including physical and/or hormonal therapy and surgery) their body and presentation, expressing their gender and/or gender identity and feeling yourself.

TRANSSEXUAL PERSON: A person whose gender identity and/or gender expression does not correspond to the gender assigned at birth.

TRIANGLE / BLACK TRIANGLE / PINK TRIANGLE: In the Second World War, the Nazis used a pink triangle to mark gays in concentration camps, and a black triangle to

lesbians, Roma women and sex workers. At that time, tens of thousands of same-sex oriented people were executed in the Nazi camps.

RAINBOW FLAG: The most widespread symbol of the LGBTI community. The version used by the LGBT community today consists of 6 colors of the solar spectrum, which symbolize diversity in the community. The flag was created by Gilbert Baker (in the 70s in San Francisco), the original version had 8 colors, to which he gave certain meanings. The six colors used today according to Baker have meanings:

- **Red** – life
- **Orange** – health
- **Yellow** – sun rays
- **Green** - nature
- **Blue** - harmony
- **Purple** – spirit.

ABUSE implies the systematic intentional infliction of physical or psychological pain on one or a group of people, which is repeated over time. Furthermore, it defines any intentional written, verbal, non-verbal or physical behavior, which includes a threatening, insulting or dehumanizing gesture by another person (peer and/or adult), such that such behaviour:

1. create an intimidating, hostile or hurtful environment or cause lasting harm;
2. cause discomfort or humiliation;
3. affect confidence and self-esteem;
4. affect school success.

Some of the forms of abuse are:

1. teasing
2. threats
3. intimidation
4. persecution
5. Internet bullying
6. physical violence
7. theft
8. sexual harassment, or harassment based on religion, race...
9. public humiliation
10. destruction of school and/or personal property
11. social exclusion, including incitement and/or coercion
12. rumors or spreading falsehoods

ABUSE/ HARASSMENT THROUGH INFORMATION TECHNOLOGY is defined as intentional and repeated intimidation of a person using information technology including, but not limited to: "calling" on the phone, SMS or MMS messages, e-mails, blog, social networks (Facebook, Twitter, Snapchat, Tik Tok, Instagram, etc.), chat rooms, websites, ads, forums, instant messengers.

It often includes:

1. retaliation carried out by students for reporting or declaring an act of discrimination, harassment and/or abuse.
2. reporting discrimination, harassment and/or abuse, which was done out of revenge and not an actual act.
3. repetition of behavior described within the definitions of discrimination, harassment and/or abuse by an individual or group with the intention to humiliate, dehumanize, embarrass or cause emotional or physical pain in a particular student or employee.

LIFE PARTNERSHIP: a legally regulated union of life between two people of the same sex, concluded before the competent authority in accordance with the provisions of the Law on Life Partnership of Persons of the Same Sex.

III DIGITAL VIOLENCE AND HATE SPEECH AGAINST LGBTI PEOPLE

Digital violence and hate speech against LGBTI people have become a prominent topic in discussions about human rights, social justice and technology.

Digital bullying refers to any form of aggressive behavior carried out through digital platforms, including the internet, mobile applications and social media. This can include harassment, spreading false information, doxing (posting private information without permission), and other forms of violence that target an individual or group. In addition to the above, it can include more sophisticated methods, such as the creation and distribution of deepfake videos, which can have a devastating effect on the lives of individuals, and cyberstalking, where victims are continuously followed and harassed online. These actions not only damage the reputation and emotional well-being of victims, but can also have physical consequences, including job loss, social isolation and, in extreme cases, self-harm or suicide.

Hate speech is defined as any form of expression that spreads, incites, promotes or justifies racial hatred, xenophobia, anti-Semitism or other forms of hatred based on intolerance, including intolerance expressed through aggressive nationalism and ethnocentrism, discrimination and hostility towards minorities, migrants and people of immigrant origin.

Hate speech in the digital environment is also gaining in intensity and sophistication. In addition to traditional forms such as offensive comments and posts, technological advances enable the spread of hate speech through memes, anonymous platforms, and even through the use of artificial intelligence to generate offensive content. These methods often make it easier for perpetrators to avoid responsibility for their actions.

The psychological consequences of digital violence and hate speech on LGBTI persons are deep and far-reaching. Victims may experience anxiety, depression, reduced self-esteem and feelings of isolation. Frequent exposure to a negative online environment can also lead to “internalized homophobia,” where individuals begin to internalize negative attitudes toward their own sexuality or gender identity.

The social consequences are equally worrying. Digital violence and hate speech not only foster an atmosphere of intolerance and hatred, but can also influence policies and public opinion, making it difficult to fight for the rights and acceptance of LGBTI people. In addition, the constant fight against digital violence diverts resources and energy from activism and community empowerment.

IV STUDY RESULTS:

Presentation of digital violence, identification of the most common topics and platforms, analysis of psychological and social consequences, opinions of experts and decision makers.

4.1. HIGH PREVALENCE OF HATE SPEECH:

This study and the research conducted for its preparation showed that hate speech in Montenegro, especially directed against LGBTI people, represents a serious problem that requires thorough consideration. It is a phenomenon that does not stop only at the individuals who are its immediate targets, but affects the whole society, encouraging an atmosphere of intolerance and fear. Unfortunately, both the digital and traditional spheres of media often reflect and reinforce these negative aspects, which reinforces the stigmatization and marginalization of an already vulnerable group of citizens. In addition, the legal framework and the work of competent institutions do not always provide an adequate response to this phenomenon, which contributes to its spread and consolidation.

Social media in Montenegro is a powerful weapon of public expression that can be used both for good and unfortunately, for the spread of hate speech. Through various platforms - from Facebook and Twitter to comments on news on web portals - hate speech against LGBTI people often goes unpunished. Such messages not only harm the individuals they refer to, but also affect the perception of the LGBTI community in the wider social context, dehumanizing them and creating a hostile environment.

Traditional media, such as television and print newspapers, also play a role in perpetuating stereotypes and discrimination. Sensational reporting and lack of sensitivity often lead to situations in which LGBTI persons are the object of negative attention, presenting them through the prism of prejudice and lack of information. It is important to emphasize that the hate speech against LGBTI persons in the traditional media mostly comes from the media from the region that also broadcast their programs in Montenegro.

In both of these media, legal deficiencies in Montenegro contribute to the problem. Although certain laws are in place to counter hate speech, the application of these laws is often inconsistent. Competent institutions, including judicial authorities and media regulatory bodies, are not always proactive in identifying, prosecuting and punishing perpetrators.

The consequences of spreading hate speech are deeply devastating. LGBTI people in Montenegro face the fear of openly expressing their identities, fearing condemnation, violence, and even losing their jobs or families. This climate of fear goes hand in hand with discrimination, where the rights and opportunities for work, housing and social inclusion of LGBTI people are limited.

The psychological consequences are also harmful. Research shows that exposure to hate speech can lead to increased levels of stress, anxiety and depression. This not only affects individual mental health, but also social cohesion, as the atmosphere of fear and intolerance undermines the basic values of respect and understanding of diversity.

Stopping this trend requires urgent and coordinated action. It is necessary to improve and strictly apply the legal framework, as well as to strengthen the capacity of competent institutions to recognize and act against hate speech. It is also necessary to work on education and raising awareness in the media and the general public about the harmfulness of hate speech and the need to suppress it.

Through these measures, it is possible to work towards creating a more inclusive society that values diversity and provides equal opportunities for all its members, regardless of their sexual orientation or gender identity. The elimination of hate speech is not only a matter of justice for LGBTI people, but also a necessary step towards the realization of a fairer and more tolerant Montenegrin society.

4.2. PLATFORMS FOR SPREADING DISINFORMATION

Platforms for disseminating misinformation play a key role in shaping public opinion, and their influence on the perception of the LGBTI community in Montenegro is great. In the digital age, information spreads at the speed of light, and with it misinformation that often aims to undermine the rights and dignity of marginalized groups. Misinformation and negative stereotypes about LGBTI people not only exacerbate existing prejudices and intolerance, but also create an environment in which negative attitudes and discriminatory behavior are normalized.

Online spaces, such as social networks, forums and news comments, are often fertile ground for spreading falsehoods and distorting the real image of LGBTI people. By skillfully disguising hate speech as “freedom of expression”, anti-LGBTI-oriented individuals and organizations manipulate public perception, making false claims that represent LGBTI people as a threat to social values and stability.

In addition, part of the media from the region that broadcasts the program in Montenegro, either for sensationalism or for ideological reasons, often tackles these topics without adequately checking the facts or providing the context necessary for understanding the complexity and diversity of LGBTI experiences. The result is a one-sided and often negative image that reinforces already existing negative stereotypes and prejudices.

Furthermore, misinformation in the online space allows easier grouping of like-minded people, which leads to the creation of “echo chambers” where prejudice and intolerance are not only maintained, but also amplified. These “echo chambers” create the illusion of a widespread consensus against the LGBTI community, which can have serious consequences for individual members of the community, including increased violence and discrimination.

In the face of violence that is intensifying in the digital space, the response must be multi-layered. This includes not only legal and regulatory measures to address the spread of misinformation and hate speech, but also educational initiatives that promote

critical thinking and media literacy among citizens. By strengthening the capacity of each individual to critically evaluate the information they receive, together with the creation of more inclusive media policies, the harmful influence of misinformation can be countered and the building of a society based on respect, understanding and acceptance of diversity can be supported.

4.3. ANONYMITY ON ONLINE PLATFORMS

Anonymity on online platforms is often seen as a double-edged sword. While on the one hand it provides freedom of expression and protects user privacy, on the other hand it creates a space where violent behavior can take place with impunity. In the context of hate speech and digital violence, anonymity significantly complicates the process of identifying and prosecuting the perpetrator.

This protective barrier allows individuals to express opinions that might otherwise be sanctioned in an offline context without fear of direct reprisals. In the virtual world, empowered by the feeling that they are beyond the reach of the law, some users become bolder in expressing extreme views, spreading false information and targeting individuals or groups. This pattern of behavior not only endangers victims, but also erodes the foundations of digital civility and security.

Due to anonymity, victims often feel helpless and frustrated. Those who are targeted by such attacks may face limited options for protection or legal retribution, as perpetrators use a variety of tactics to hide their identity. This includes the use of VPN services, fake profiles and complicated encryption methods, making it even more difficult to track them.

The impunity afforded by anonymity creates a culture of fear and censorship among those who are the targets of violence, while simultaneously contributing to a spiral of silence where victims feel there is no point in reporting incidents. This can lead to a decrease in confidence in the effectiveness of the legal system.

In the face of these challenges, it is necessary to consider how to regulate and control anonymity on the Internet in order to protect users while preserving their freedom of expression. New approaches are needed that include advanced technological solutions for identification and tracking of digital prints, with stricter legal measures to be applied on online platforms. Also, platforms must work to improve their reporting and content moderation tools, to ensure a quick and effective response to cases of hate speech and violence.

Ultimately, the fight against impunity caused by anonymity on online platforms requires combined action: legislative changes, technological innovation, user education and more responsible platform management.

4.4. CLIMATE OF FEAR AND INSECURITY

When hate mongers remain invisible behind a wall of anonymity, their victims often feel hopeless in their pursuit of justice. In the absence of effective mechanisms for identification and prosecution, they may repeat their attacks, leaving LGBTIQ people feeling isolated and unprotected. This feeling of insecurity worsens when institutions that are supposed

to protect citizens do not take appropriate steps to counter this phenomenon.

The fear that arises from such an environment strongly affects the freedom of expression and participation of LGBTIQ people in society. Every aspect of their lives, from online presence to public expression and participation in community activities, can be suppressed for fear of exposure to violence and harassment. This not only limits their freedom of expression, but also diminishes their contribution to social and cultural life, depriving the entire community of their unique perspectives.

This atmosphere limits the visibility of LGBTIQ people and their free expression, which can lead to "silence" within the community. When LGBTIQ people cannot speak openly about their experiences without fear of retribution, a cycle of silence and invisibility is created that makes the struggle for equality and rights difficult. This is especially problematic in cases where these individuals and communities are forced to live "double lives", where their online identity differs drastically from the real one, for fear of identification and possible consequences.

In order to break this climate of fear and insecurity, it is necessary to work on several fronts. First, strengthening legal frameworks related to the digital space, ensuring that anonymity does not become an excuse for impunity. Second, raising awareness about the harmfulness of hate speech and its real consequences can help create a less tolerant attitude towards such actions. Finally, there is a need to empower the LGBTIQ community itself, providing tools and resources that can help them counter hate speech, build safer online spaces and strengthen their presence in society.

4.5. INSUFFICIENT LAW ENFORCEMENT

The study showed that in Montenegro, the legislation includes penal provisions related to hate speech. However, despite the existence of these laws, their application is often inadequate. The lack of effective enforcement of justice when it comes to hate speech is not only a legal problem, but also an issue of social justice and human rights.

The fact is that, while the laws formally exist, in practice they do not provide sufficient protection, nor do they serve as a deterrent for those who would fall foul of them. The punishments handed down to the perpetrators of hate speech are often mild and do not reflect the seriousness of their actions, nor the consequences that these actions have on the victims. This is especially pronounced in the digital space, where anonymity further complicates processing and where hate speech spreads rapidly.

When we talk about the consequences of insufficient law enforcement, one of the biggest problems is the feeling of insecurity that victims suffer. People who have been the targets of hate speech may feel that the system has not only failed them, but that it has, in a way, abandoned them. This contributes to a climate of fear, where persons exposed to hatred feel insecure in their own country, among their fellow citizens, and even in their own homes.

The long-term consequences of this situation are multiple. Not only does it encourage the repetition of such acts by those who commit them, but it also sends a message that society and state institutions will not respond adequately to hate speech.

In order to improve this situation, it is necessary to act on several fronts: strengthening legislation in accordance with international standards, more effective education of court and police officers on the importance of fighting hate speech, and raising public awareness of the harmfulness and inadmissibility of such acts. It is also important to strengthen support for victims, to ensure that their experience is taken into account and that they receive the legal and emotional help they need.

4.6. DISCRIMINATION IN INSTITUTIONS

Discrimination in institutions represents one of the biggest obstacles in the fight against hate speech and the promotion of equality. In Montenegro, LGBTI persons have been facing institutional discrimination for the past few years. Such prejudices are deeply rooted and not only reflect the attitudes of individual employees in institutions, but also a systemic lack of understanding and protection. This is particularly problematic given that institutions, from the judiciary to education and health, should be the pillars of equality in any society.

The ongoing legal proceedings against the state can be considered as an indicator of the state of human rights within it. They are a clear signal that there is a significant gap between legal frameworks and their implementation in practice. However, when judicial institutions fail to ensure justice, or when they are perceived as part of the problem, this can seriously hinder the reporting of hate speech cases. If people from the LGBTI community feel that their reports will not be treated with the necessary seriousness or that this will expose them to further discrimination, many will choose not to report incidents.

To solve this problem, it is necessary for institutions to take clear steps towards eradicating discrimination within their ranks. This includes not only strengthening and implementing anti-discrimination policies, but also building capacity and training employees on the specific needs and rights of LGBTI people. It is also necessary to ensure that victims of hate speech and discrimination can turn for help without fear of re-victimization or neglect.

4.7. LACK OF PUBLIC AWARENESS

The lack of public awareness about the rights of LGBTI persons and the harmful effects of hate speech is a challenge facing Montenegro. Many citizens are not sufficiently informed about the basic rights that stem from human freedoms, as well as about the consequences that hate speech has on individuals and society as a whole.

LGBTI rights are, unfortunately, often the subject of misunderstanding and ignorance. Although they are inherently part of universal human rights, many people in Montenegro still see them as “special privileges”. This lack of understanding leads to passive or active support for discriminatory views and policies, thereby contributing to the marginalization of LGBTI people.

The harmful effects of hate speech do not stop at the individuals directly targeted. They have a wider social impact, fostering an atmosphere of fear and intolerance, which can undermine social harmony and contribute to social fragmentation. Hate speech can create a “permissive climate” for violence, in which acts of violence against LGBTI people

are seen as less serious or even justified.

The public in Montenegro is often unaware that hate speech has long-term consequences for the mental health of victims, including an increased risk of depression, anxiety and suicidal thoughts. In addition, when hate speech is directed at the LGBTI community, it not only harms individuals, but also reduces the quality of democracy and respect for human rights in society.

In order to address the lack of awareness, it is necessary to launch comprehensive educational campaigns, which will inform the public about human rights and the social damage that hate speech causes. Education systems should incorporate curricula that promote understanding and respect for diversity, while media and campaigns should focus on dispelling myths and prejudices surrounding the LGBTI community.

V INSTANCES OF ONLINE AND PHYSICAL VIOLENCE AGAINST LGBTI PEOPLE FROM THE PUBLIC-POLITICAL LIFE OF MONTENEGRO

5.1. EXAMPLE NO. 1: HATE SPEECH AGAINST MASTER PSYCHOLOGIST AND GESTALT PSYCHOTHERAPIST PETAR MARKOVIC

A serious problem of modern society is the increasing presence of hate speech, which most often spreads through social networks, as well as traditional stereotypes that are still rooted in Montenegrin society.

Hate speech against the LGBTI community represents a serious problem that not only undermines the fundamental values of human dignity, but also creates an atmosphere of hostility and discrimination. Through this analysis of hate speech and violence, CeMI wants to shed light on the seriousness of the situation and the increasingly frequent torture that LGBTI people go through.

One such example is the Montenegrin psychologist Petar Markovic, who is facing threats and offensive comments on social networks, after his appearance on Montenegrin television.

In an interview with Vijesti regarding this event, Markovic stated: *"I think that what happened to me is an indication that we are a majority society that is not tolerant of differences. The trigger was assumed sexuality. Insults usually started with "look what he looks like, a woman..."*

Images: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10.



Objava Brano Mandić

Tisha Gordic i 709 drugih

673 komentara · 34 dijele

Svidi mi se

Komentar

Podijeli

Najrelevantnije

Saska Ivanovic

Ovo prvo sebe da emancipujem pa onda sinove ne razumijem potenciranje ovako neceg.neka zivi kako oce za sebe ali ne ubjedjuje nas da je ovo ok:

35 tj. · Svidi mi se · Odgovor

Brano Mandić odgovara · 25 odgovora

Jelena Cokic Bogdanovic

Ja sam Jelena i ako ja kazem da sam Vesna onda ce da me straju u ludnicu. Ali ako Pera kaze da je Vesna e onda je on na tvu. On sam sebe ne prihvata ko je a mi svi na silu moramo da prihvatimo ko nije. Ulazi nam zapadna bolest polako ali sigurno na vrata. Ucite decu ljudi ko Boga vas molim

35 tj. · Svidi mi se · Odgovor

Miles Davis odgovara · 30 odgovora

Milos Vasovic

Kome ovaj nesretnik da pomogne... Pa njemu treba i lekici i boca u glavu... Pravi detic... Muskarcina...

35 tj. · Svidi mi se · Odgovor

Драгићевич Ж. Јасмина odgovara · 1 odgovor

Mirjana Jozic

Sta je ovo i sta ono ima da predaje neciju deci? Klovn. Verovatno ga deca i gledaju kao cudnu spodobu.a to im odvraca paznju da prate sta on uposte prica. Kome je potreban ovakav lik.neka ga vidi kuci. Ja svom detetu ne bi dozvolila da ide u skolu u kojoj se pojavljuju ovakve akarade.

35 tj. · Svidi mi se · Odgovor

magdalenacelanovic and aesop05

Original audio

#adriatelevizija #petarmarkovic

See translation

yuvrt216 · 4w

Moze on da obuce sta hoce i prica sta hoce pol na rođenju određuju XX i XY hromozomi...i to je to.Nema treceg pola.

9 likes · Reply · See translation

View all 7 replies

jelena_yusurovic · 6w

Sta ljudi osjecaju kad vide Petra? NESIGURNOST

66 likes · Reply · See translation

View all 6 replies

damianiovic · 5w

Q

661 likes

December 10, 2023

SVE TE

mi3i2b 5w

Rope je bolesnik

11 likes · Reply · See translation

gaga_nikolic85 5w

Petar je jako jako bolestan

kodekx.me · Prati

21. lipnja 2023. ·

KODEKX.ME

Kako je različitost postala državni neprijatelj broj 1: Napad na Petra Markovića pokazao veličinu problema CG društva

Objava Brano Mandić

Goran Djokovic

Pitanje za voditelja,zasto forsiramo na svim televizijama lgbt populaciju?su oni nesto bolji,pametniji od tradicionalnih koji prirodno potenciraju porodicu.nastavak vrste,pa da je bilo po ovome i njegovim shvatanjima ne bi ga ni bilo.....

35 tj. · Svidi mi se · Odgovor

Brano Mandić odgovara · 15 odgovora

Natasa Djukanovic

Uzas nad uzasima. Zlo i naopako. Kada nece neko da se leci izgleda ovako Pomozi Boze gospode

35 tj. · Svidi mi se · Odgovor

Vilka Hidzama

Nesreća nikad ne dolazi sama...sta ce ovo ljudsko bice bez sopstvenog identiteta...pa i malo dijete sebe upoznaje istražujući svoje tijelo i kad progovori već zna da li je muško ili žensko...ovo je progovorilo ali još ne zna šta je...ko nas je kao narod kleo nije dangubio...

33 tj. · Svidi mi se · Odgovor

Juso Kaminic odgovara · 2 odgovora

Bela Stela

Mozete li da nam kazete gdje je doticni završio fakultet? Danas se psihologom naziva svakakva susa koja završi kurs od par mjeseci. Za doticnog nisam nista lijepo cula...svojm ponašanjem pokušava sebi da da na nekom znacaju...a o tome koliko je struan suvisna je svaka prica.

35 tj. · Svidi mi se · Odgovor

Nevenka Lukovac Janjic

Nezanimljiva prica...da ne kazem ofucana. tipa manjak ljubavi i manjak empatije, to ove frizerke sto kupljuju kurseve iz psihoterapije furaju...veoma neelokventan... loš akcenat za jednog predavaca u školi...ali dobar stajling!!

35 tj. · Svidi mi se · Odgovor

Uređivano

Objava kodekx.me

Mico Otasevic

Pi

31 tj. · Svidi mi se · Odgovor

Rade Djuricic

Ocito nije problem u nama vec i tebi.

31 tj. · Svidi mi se · Odgovor

Hajneli obosavatesi

Pera Pera Mrss

31 tj. · Svidi mi se · Odgovor

Hajneli obosavatesi

Smjestaj Mn

Ovom ni orah i u ruke

31 tj. · Svidi mi se · Odgovor

Sasa Djuricic

Nasto ovo lici

31 tj. · Svidi mi se · Odgovor

Vuko Nedovic

Toliko problema u CG a oni svaki dan ista tema za ovakve idiote Sramota

31 tj. · Svidi mi se · Odgovor

Uređivano

Jagodica Bobica

Ljudi moji, pa dokle vise? Nikoga ne zanima guzica toga momka, nije nas briga sto trpa u nju ni ko ga trpa! Ako ce da radi, kao sav normalan narod, nek radi, ali ajde bre vise, po cio dan drobite o jednom moronu i tome sto on cini u 4 zida! Nije bas brigal Imamo svojih muka, ako mu je do je*anja nek to radi doma sa kim hoce, neka nas zaobidje!!!

31 tj. · Svidi mi se · Odgovor

Odsabrano je najrelevantnije pa su neki komentari možda odstranjeni filtrim.

magdalenacelanovic and aesop05

Original audio

gostu u 3 licu ? !?

1 like · Reply · See translation

sanja_in_wonderland · 5w

Nit si zenstven, niti muzevan

7 likes · Reply · See translation

leave_me_alone_0_5w

Sta je onda petar ? Pa petar je jedan izrod kojega se srami cjeli uza i sira familija kao i svi markovici ... Ma svi su oni budale petar je jedini u pravu

11 likes · Reply · See translation

marko_komlenac · 5w

De si strina, nijesam te prepozna.

12 likes · Reply · See translation

661 likes

22

5.2. EXAMPLE NO. 2: PHYSICAL VIOLENCE AGAINST MASTER PSYCHOLOGIST AND GESTALT PSYCHOTHERAPIST PETAR MARKOVIC

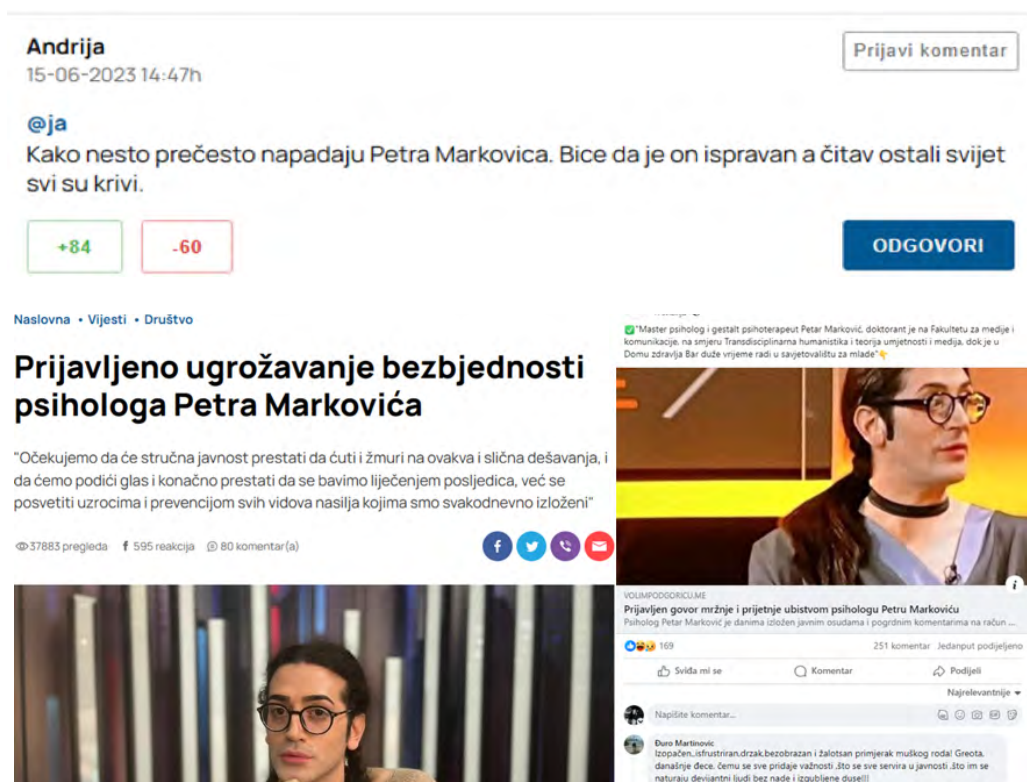
Violence and hate speech against people from the LGBTIQ community in Montenegro are on the alarming increase, while at the same time an adequate systemic response and reaction of competent institutions lags behind. This situation creates serious problems for the everyday life of LGBTIQ people in Montenegro.

The first case of physical violence against Montenegrin psychologist Petar Markovic was marked by a series of threats via social networks, which eventually escalated into actual attacks.

Markovic was the target of two violent incidents: first by a group of young men in Bar, where they inflicted minor injuries on him, and then by an unknown taxi driver who started insulting and threatening Markovic from his vehicle and a passerby in Podgorica who joined in these insults.

The reason for the beginning of such violent forms is the guest appearance of Mr. Markovic on Montenegrin TV E in May. This case of violence has been reported to the competent authorities. Then Markovic spoke up, pointing out that the atmosphere of a lynching was created after his appearance on television, where he spoke about human freedoms and "was dressed atypically for a psychologist and a man."

Images: 11, 12, 13, 14.



milos

07-05-2023 09:38h

Prijavi komentar

@Fedja

Treba uvesti kriterijume ko moze upisati psihologiju i biti primer drugima.

+326

-156

ODGOVORI

5.3. EXAMPLE NO. 3: HATE SPEECH ON THE INTERNET DUE TO THE HOLDING OF THE 11TH MONTENEGRO PRIDE

On October 21, 2023, the 11th Montenegro Pride took place in Podgorica under the slogan "Self-determination". The Government building and the building of the President of Montenegro were lit up in rainbow colors as a sign of support for Montenegro Pride.

However, here too we noticed widespread hate speech expressed in comments on social networks and in the media.

Images: 15, 16 and 17.

Naslovna • Vijesti • Društvo

Održan Montenegro Prajd - "bez prihvatanja nema promjene"

U Podgorici održan 11. Montenegro Prajd pod sloganom "samoodređenje"

88714 pregleda • 70 reakcija • 68 komentar(a)



Povodom Međunarodnog dana ponosa #LGBTI osoba, zgrada Vlade ME osvijetljena duginim bojama. Queer Montenegro



POBJEDA.ME

Jedanaesti Montenegro prajd 21. oktobra u Podgorici - Pobjeda

Jedanaesti Montenegro prajd biće održan 21. oktobra u Podgorici, najavljuje se na otvaranju iz...

59

47 komentara

Svidi mi se

Komentar

Podijeli

...

Najrelevantnije

Napišite komentar...

Stanimir Jovanović
Montenegro prajd ili kongres demokrata?

Svidi mi se • Odgovor • 22 tj. • Uređvano • 5

Milic Janjusevic
Queer Montenegro prajd ili kongres demokrata?

Svidi mi se • Odgovor • 22 tj. • Uređvano • 5

Vlada Crne Gore • 27. septembar • 48

Pregled • Komentari

✓ Povodom Međunarodnog dana ponosa #LGBTI osoba, zgrada Vlade Crne Gore osvijetljena je duginim bojama. Queer Montenegro

Najrelevantnije

Radovan Okla Mihailović
U kući vam se rađa!

Svidi mi se • Odgovor • 22 tj. • Uređvano • 21

Stanimir Jovanović
Ako neko sa Zapada, a velika je vjerovatnoća da će, pošto uvide boleštine svoje vrste, na suvim nivoima, uveće nekakav dan (judskog izmeta, da li će na ovakav način da obilježite i taj dan? ili dan analnog otvora. ili dan pisma. Hvala unaprijed na odgovoru

Svidi mi se • Odgovor • 22 tj. • Uređvano • 8

Napišite komentar...

5.4. EXAMPLE NO. 4: HATE SPEECH DUE TO THE ENGAGEMENT OF A GAY COUPLE ON LOVCEN

From 2020, it is possible to enter into a life partnership of people of the same sex in Montenegro.

In 2023, a gay couple got engaged at the viewpoint near the Njegos mausoleum in Lovcen. When information about this engagement was published on social networks, an avalanche of negative comments and insults began.

Images: 18, 19, 20 and 21.



VI OPINIONS OF THE EXPERTS

During the preparation of this study, CeMI investigated the challenges and perspectives of various actors in Montenegro regarding hate speech, hate crimes, and the protection of the rights of LGBTI people, through interviews with people who deal with this issue in different ways.

The research showed that the person from the judiciary who participated stated that the legal frameworks for the protection of LGBTI people are present and implemented through certain articles of the Criminal Code, particularly highlighting article 42a. However, he points out that "there are legal frameworks for the protection of LGBT people... but their insufficient application is reflected in the small number of prosecuted cases, despite the visible presence of hate speech and hate crimes in society. He also points out the importance of education for the Police Directorate and the prosecution in recognizing and the prosecution of these crimes, as well as for judges, which would improve the handling of cases concerning the rights of LGBTI people.

A participant from the Police Administration of Montenegro describes that the cooperation with the LGBTI community is "high quality and two-way", which shows the openness and willingness of the police to address issues of hate crimes. He points out that police officers are trained to recognize and adequately react to such cases, which is a positive step towards better protection of the rights of LGBTI people. However, it does not state how effective these trainings are in practice and whether they lead to real improvements in the prosecution of hate crimes.

Representatives of NGOs criticize the judicial system for its inefficiency and lack of determination in sanctioning hate speech and hate crimes. They state that "we have a big difference between legal solutions and their implementation on the ground", which indicates the existence of laws that have not been fully used for the protection of LGBTI people. They also highlight the specific challenges faced by trans people, pointing to insufficient legal and social protection. They also say that despite the existence of the law, "we see that we do not have enough processed cases". And they emphasize the increase in the number of cases of hate speech in the online space, which represents a great challenge for institutions dealing with the protection of the rights of LGBTI people.

It is clear from the research that, despite the existence of legal frameworks for the protection of LGBTI people in Montenegro, there is a significant gap between the laws and their practical application. The training of judicial and police personnel, as well as the establishment of more effective mechanisms for processing and sanctioning hate speech and hate crimes, are singled out as key steps towards improving the protection of the rights of LGBTI people.

VII RECOMMENDATIONS

▪ STRONGER LAW ENFORCEMENT

Stronger enforcement of the law is a fundamental step in the fight against hate speech against LGBTI people. Institutions, including the police and the judicial system, must take an active role in identifying and prosecuting cases of hate speech, which requires not only clear and precise legal provisions, but also adequate resources and training. This implies proactive monitoring of online and offline space, efficient collection of evidence and quick reaction to reports. Through appropriate and dissuasive sanctions, a clear message can be sent that society will not tolerate hate speech.

The key to success lies in strengthening inter-institutional cooperation and information exchange, which can contribute to more effective identification and sanctioning of perpetrators. In addition, institutions must develop mechanisms to support and protect victims during the entire process, from reporting to court proceedings, in order to avoid their additional victimization.

Finally, transparency in the actions and decisions of institutions is key to building trust among LGBTI people and the wider community. Regular reporting of cases, proceedings and sentences can encourage other victims to report similar incidents, knowing that their cases will be taken seriously and prosecuted effectively.

▪ IMPROVEMENT OF THE LEGISLATIVE FRAMEWORK

Improving the legislative framework implies a detailed revision of existing laws related to hate speech, with a special focus on their applicability in the context of the protection of LGBTI people. This analysis should identify gaps and ambiguities in the law that make it difficult to process cases of hate speech and propose specific changes or amendments that would facilitate the effective sanctioning of perpetrators. Such changes should include clear definitions of hate speech, adequate and deterrent penalties, and specific provisions relating to the digital space.

It is also necessary to ensure that the legal framework fully reflects modern international standards and recommendations regarding the protection of minority rights and the fight against discrimination.

Finally, public consultations and the involvement of experts in the field of human rights, as well as representatives of the LGBTI community in the process of creating and revising laws, will contribute to the development of a more inclusive and effective legislative framework. This ensures that laws reflect the real needs and challenges LGBTI people face, strengthening their legal protection.

▪ **CAMPAIGNS FOR RAISING AWARENESS**

Awareness campaigns are key to changing social views and reducing hate speech. Such campaigns should inform the public about the rights of LGBTI people and the negative consequences of hate speech, using various media and platforms for wide dissemination of messages. It is important to emphasize that hate speech is not only a matter of freedom of expression, but also an action that can have serious consequences for individuals and social cohesion.

Education should be carried out through schools, universities, workplaces and through the media, emphasizing the importance of respecting diversity and promoting tolerance. The involvement of celebrities and influential public figures can further increase the reach and effectiveness of these campaigns, providing strong messages of support to the LGBTI community.

Finally, it is necessary to develop educational materials and resources that are accessible and adapted to different target groups, including children, parents, educators and employers. Such materials can help break down stereotypes and prejudices, as well as promote understanding and empathy towards LGBTI people, thus contributing to a more inclusive society in the long run.

▪ **EXPERT TRAINING**

Training of experts is necessary for effective recognition and adequate response to hate speech. The police, the justice system, health workers, and the education sector play a key role in protecting LGBTI people from discrimination and violence. Therefore, trainings should aim to increase their understanding of the specific challenges that LGBTI people face, as well as the development of specific skills to deal with these situations.

Through trainings, professionals can learn how to identify hate speech and violence based on sexual orientation and gender identity, how to provide support to victims, and how to use existing legal mechanisms to protect the rights of LGBTI people. Also, trainings should promote the use of inclusive language and approaches, which is key to creating a safe and supportive environment.

In addition, training should include modules on emotional intelligence and empathy, so that professionals can better understand and respond to the needs of LGBTI people. By providing tools and knowledge to experts, the quality of support provided to the LGBTI community, as well as their protection from hate speech and discrimination, can be significantly improved.

▪ **STRENGTHENING THE LGBTI COMMUNITY**

Empowering the LGBTI community to report hate speech and seek justice is a key step towards creating a safer environment. This includes providing information and resources about the legal mechanisms available to protect against discrimination and violence, as well as the incident reporting process. Also, it is important to develop support networks within the community and with other partners, including legal counseling centers and

civil society organizations, in order to ensure adequate assistance and counseling for victims.

Encouraging solidarity and togetherness within the LGBTI community contributes to strengthening resistance to discrimination and violence. Workshops, seminars and empowerment campaigns can help individuals develop the confidence and skills needed to face challenges and advocate for their rights.

▪ **COOPERATION BETWEEN CIVIL SOCIETY AND INSTITUTIONS**

Cooperation between civil society and institutions is fundamental for an effective fight against hate speech. By developing common strategies and actions, it is possible to create a coordinated response that includes different aspects of the problem - from prevention and education to sanctioning the perpetrators. Partnerships between institutions and civil society organizations can facilitate the exchange of knowledge, resources and best practices, as well as develop innovative approaches to countering hate speech.

It is crucial to establish mechanisms for regular consultation and cooperation, including working groups, round tables and joint projects, which would allow different actors to work together to solve specific challenges. This includes the development of joint awareness campaigns, joint training for professionals, as well as coordinated support for victims of hate speech.

It is necessary to build bridges of understanding and dialogue between the LGBTI community and the general public, with the support of the authorities and civil society. Through this kind of cooperation, it is possible to break down prejudices, build a more inclusive society and ensure that all citizens enjoy equal rights and protection from discrimination and violence.

