



COMMISSIONER FOR HUMAN RIGHTS
COMMISSAIRE AUX DROITS DE L'HOMME



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Mr Milo DJUKANOVIC
Prime Minister of Montenegro

Strasbourg, 9 November 2010

Dear Prime Minister,

I take the opportunity to contact you in the context of a follow up to the report on Montenegro that I published on 8 October 2008 following my visit to the country.

In this report I noted that a climate of hostility towards Lesbian, Gay, Bisexual and Transgender (LGBT) persons existed and that this resulted in many of them preferring to conceal their sexual identity rather than potentially subject themselves to taunts or other discriminatory attitudes. I recommended that the government adopt a forward-thinking and proactive approach to the rights of LGBT persons in order to ensure that they have access to human rights and fundamental freedoms as other members of the society.

In this context, I very much welcome the adoption on 27 July 2010 of the Law on Anti-Discrimination. In particular, the inclusion of 'sexual orientation' and 'gender identity' as grounds of discrimination banned under the Law is an important step towards securing the human rights of LGBT persons.

However, I have also received reports indicating that a number of public statements targeting LGBT persons were made in 2009 and 2010, including by certain official and opinion makers, thus manifesting a continuing intolerance and hostility towards LGBT persons.

Of particular concern to me is the apparent lack of effective measures in response to such manifestations of intolerance. As the European Court of Human Rights has noted, tolerance and respect for the equal dignity of all human beings constitute the foundations of a democratic, pluralistic society. In order to preserve their inherent pluralism European states should sanction and prevent all forms of expression which spread, incite, promote or justify hatred based on intolerance.

In view of the above, I should like to encourage the authorities of Montenegro to take all necessary measures to raise awareness among the authorities and the public, including dissemination of information on the principles contained in the recent Law on Anti-Discrimination.

I look forward to receiving your reply and to continuing a constructive dialogue on the above issue.

Yours sincerely,

Thomas Hammarberg