

Cooperation between
Equality Body and trans
community in
Montenegro



spektra

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Legal framework for the work of Ombudsperson in Montenegro

- independent
- authorised to act when courts stall procedures, abuse their authorities or fail to implement court decisions
- Acts to prevent inhumane treatment and torture
- Can initiate laws and other legal acts for the purpose of harmonization with international standards in the field of human rights and liberties
- Can give opinion to draft of laws and legal acts
- Can start a procedure in Constitutional court for assesment of constitutionality of laws and legal acts and their harmonization with international agreements
- **Not authorised for abolishing or changing legal acts.**

Development of Protector's capacities regarding LGBTI HR

- ✓ The Protector of Human Rights and Freedoms is actively working on discrimination based on sexual orientation and gender identity, and in the period 2013-2018. provided some of the important decisions in cases of both institutional and social discrimination of LGBT people. The Protector now shows significantly more capacity in terms of protecting LGBT people from discrimination, with a significantly more visible role in protecting against discrimination and violence, as well as a significantly higher degree of cooperation with NGOs.
- ✓ Protector is documenting all violations of human rights of LGBTI persons in cooperation with LGBTI organizations
- ✓ Protector still didn't have any decisions regarding violations of human rights of intersex persons

Cases of violations of human rights of trans persons which Protector addressed:

- Denial of change of name for trans woman by Ministry of interior affairs
- Violation of the right to privacy of trans woman in Public Health Care Centre
- Lack of hormonal treatment for trans women and trans feminine persons in Montenegro

Thank you!

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