

Centar za građansko obrazovanje Centre for Civic Education

POLITICIZING SEXUAL ORIENTATION:

THE INCLUSION OF LGBTI RIGHTS INTO POLITICAL PARTY AGENDAS

Podgorica, 2015



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POLITICIZING SEXUAL ORIENTATION: THE INCLUSION OF LGBTI RIGHTS INTO POLITICAL PARTY AGENDAS

"Gays and lesbians have been stereotyped by society. By sharing our experiences — both good and bad, enriching and unhappy — we humanize who we are. The lives and experiences of all of us are different and specific to each individual and by sharing those experiences we cease to be seen as the cartoons that were imposed on us."

George Takei (actor, LGBTI activist)



INTRODUCTION

Over the past years, the "LGBTI agenda" (Lesbian, Gay, Bisexual, Trans- and Intersexual) has gained support throughout various political systems. Particularly in the European Union, political parties continue to involve the "LGBTI agenda" into their party manifestos, thus providing the LGBTI community with a political outlet through which to advance their interests, as well as to secure equal opportunities and the respect of human rights.

In June 2013, the EU adopted a set of guidelines¹ for supporting LGBTI human rights to be implemented throughout the Union. The document outlines that the EU is gravely concerned that sexual orientation and gender

¹ http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/ EN/foraff/137584.pdf



identity remain to be used to justify serious human rights violations around the world. LGBTI persons constitute a vulnerable group, who continue to be victims of persecution, discrimination, bullying and gross ill-treatment, often involving extreme forms of violence, torture and murder. Discrimination against LGBTI persons is frequently rooted in societal norms and perceived roles that perpetuate gender inequalities. The EU is particularly concerned that in some countries, sexual relations between consenting adults of the same sex are criminalised and are liable to be punished with imprisonment or with the death penalty. In other countries governments actively seek to limit freedom of assembly, association and expression of LGBTI persons².

More specifically, the UN has set out guidelines in Articles 2 and 26 of the International Covenant on Civil and Political Rights (ICCPR) adopted by the United Nations General Assembly in December 1966 and which came into force in March 1976, reading³:

ICCPR, Article 2 (1): "Each State Party to the present Covenant undertakes to respect and to ensure to **all individuals within its territory** and subject to its jurisdiction

^{3&}lt;u>http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx</u>



² http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/ EN/foraff/137584.pdf_

the rights recognized in the present Covenant, *without distinction* of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status".

ICCPR, Article 26: "All persons are *equal before the law* and are *entitled without any discrimination to the equal protection of the law*. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status".

Within this existing regional and global framework it becomes imperative that the political parties address issues relating to the LGBTI population.

This report provides an overview of the state of affairs in Montenegro, in comparison with examples of best practices relating to the integration of the "LGBTI agenda" in a vast range of political parties in five different European countries as follows: Croatia, Austria, Italy, Poland and Serbia.





Figure 1: ILGA-Europe Rainbow Map (May 2015)⁴

As can easily be seen according to the ILGA-Europe Rainbow Map 2015, in general it seems that Western and Northern European countries fare higher and better when it comes to the legal and human rights situation of the LGBTI population than Eastern and South-Eastern Europe does. Where legal protection of the human rights of LGBTI people is concerned, there is gradual progress in many European countries.

⁴ http://www.ilga-europe.org/resources/news/media-releases/ rainbow-europe-2015



However, Europe as a whole is far from guaranteeing full respect of LGBTI people's human rights. With the exception of Croatia (71%), which has joined the EU in July 2013. Western Balkan countries only achieve 13% (FYR Macedonia), 18% (Kosovo), 29% (Bosnia, Serbia), 42% (Albania) and 46% (Montenegro). Montenegro seems to fare well compared to other Western Balkan states, however is nowhere near close to reaching the 83% of Belgium or 86% of the United Kingdom. Nonetheless, in general it can be stated that the historic strides made by some European countries demonstrated great leadership when they adopted new benchmarks for LGBTI equality. Whether this is through ground-breaking legislative moves, such as Denmark's progressive legal gender recognition law: or through setting standards by placing equality issues at the foundation of a legal system, as Malta did by giving gender identity constitutional protection from discrimination. great steps forward were made in 2014.



MONTENEGRO – BETWEEN THE POLITICAL CORRECTNESS AND NEEDS OF LGBT PERSONS



Homophobia is deeply rooted in Montenegrin society. Lesbian, gay, bisexual and transgender (LGBTI) people in Montenegro experience discrimination, do not enjoy the same rights as heterosexuals, and are at a disadvantaged position in comparison to them. The high level of homophobia is a direct consequence of social norms, the lack of knowledge on sexuality and gender identity and an inadequate legal and institutional framework. Another



cause of discrimination and violence towards LGBTI people is the low capacity of institutions to protect the rights of LGBTI people, which results in a significant lack of trust of LGBTI people in institutions⁵, as well as with the fact that violence and discrimination cases are rarely reported and documented⁶.

The Government of Montenegro has been changing its approach within the past years, shifting its policies from highly homophobic or ignorant to formally very cooperative. The most important document that Government passed is the Strategy of Improvement of Quality of Life of LGBTI persons for period 2013-2018⁷, and accompanying annual action plans. Nevertheless, ignorance and disputes are still present on the level of implementation of adopted standards and recommendations.

Furthermore, Montenegro is making numerous changes

⁷ https://rm.coe.int/CoERMPublicCommonSearchServices/ DisplayDCTMContent?documentId=09000016801e8db7, adopted in May 2013



⁵ http://archive.globalgayz.com/europe/montenegro/juventas-andmontenegro-gay-portal-2/_

⁶ http://ec.europa.eu/enlargement/pdf/key_documents/2014/20141008montenegro-progress-report_en.pdf

to its legal framework but the protection of human rights hasn't yet reached international standards and good practices in all areas. Discrimination towards people of the LGBTI population remains commonplace, and people of the LGBTI population are not guaranteed the same rights and obligations as heterosexual people such as protection from discrimination and the legal opportunity to marry/adopt/ start a family⁸. The enforcement of newly adopted laws, such as the action plan for the LGBTI Strategy (2014), is faced with many challenges and often it is far away from the level of implementation achieved in EU countries⁹.

Political parties in Montenegro - fearing the consequences of equality?

In Montenegro there are eight MP parliamentary groups – Democratic Party of Socialists (DPS), Democratic Front (DF), Socialist People's Party (SNP), Social Democratic Party (SDP), Positive Montenegro (PCG), Bosniak Party (BS), then Albania Parties (FORCA, AA), HGI and LPCG, plus from recently Independent MPs.

documents/2014/20141008-montenegro-progress-report_en.pdf

9 http://www.ilga-europe.org



⁸ http://ec.europa.eu/enlargement/pdf/key_

The Democratic Party of Socialists (DPS) is the *ruling* party together in a coalition with the Social Democratic Party (SPD) and Croatian Civic Initiative (HGI) and Liberal Party (LPCG).

The opposition is composed of: Democratic Front (DF), which is a structure made up of the New Serbian Democracy (NOVA), the Movement for Changes (PZP), the Democratic People's Party (DNP), the Labour Party (LP) and several smaller constituents; the Socialist People's Party (SNP); the Positive Montenegro (PCG); and the independent MPs who used to belong to some of the parliamentary opposition parties by during the term of office left these and nowadays belong to the newly formed/in process of forming DEMOS, URA and Democrats.

In addition to this, national minorities are also presented through the Bosniak Party (BS), the New Democratic Power (FORCA) and the Albanian Alternative (AA).

Out of all these parties, only the LPCG explicitly supports LGBTI rights and same-sex marriage. According to the LPCG, there exists "a deficiency of tolerance leading to the phenomenon of discrimination, lack of understanding, onesided opinions, coarse disregard for others and the rejection of diversity", thus pointing out the need for "equalizing the



rights of all minorities (regardless of religion, ethnicity, gender, sexual orientation)¹⁰." Also the SDP mentions "we aspire to the ideal of freedom for all human beings, regardless of social status, ethnic or religious affiliation, sexual orientation, race of gender", however does not go into detail on what this entails or how it is to be achieved¹¹. The ruling DPS does not recognize LGBTI rights or anti-discrimination in any context at all within its political manifesto.

Several parties do refer to anti-discrimination towards various groups in society, although not specifically mentioning the LGBTI population. For example, the BS in its manifesto has a paragraph about making Montenegro a "truly egalitarian, solidary and anti-discriminatory society towards "special minorities"¹². Also, Positive Montenegro mentions anti-discrimination by noting "PCG, through the principle of equality, implies a society of equal opportunities, social justice and the active prevention of inequality and discrimination"¹³. The SNP speaks about "ethnic, religious

¹³ http://www.pozitivnacrnagora.me/images/dokumenta/Program-Pozitivne-Crne-Gore.pdf



¹⁰ http://www.lpcg.me/images/Docs/Program_Liberalne_ partije_022014.pdf

¹¹ http://sdp.me/upl/prilozi/PROGRAM-20114921.pdf

¹² http://www.bscg.me/program-bosnjacke-stranke/

*and cultural distinctiveness"*¹⁴, but does not mention LGBTI rights.

When it comes to the DF, it notes the fact that "human rights in many areas have still not reached a satisfactory level, social groups are discriminated against and individual rights and freedoms are frequently challenged"¹⁵, yet also does not mention LGBTI rights explicitly. Part of this structure, the New Serbian Democracy (NOVA) states "We are building an open society. We respect human dignity, freedom, equality. We are fighting for justice, democracy, tolerance, the rule of law, solidarity between men and women, respect for human rights and the rights of the minorities¹⁶." The Movement for Changes (PZP) mentions discrimination only in the context of disability and discrimination towards the elderly.

Despite the general declarative left-leaning policies within majority of Montenegrin political parties, it seems that they are reluctant to elaborate specific equality measures for the LGBTI population or policies catering towards acceptance, tolerance and diversity, which is surprising considering the

¹⁶ http://www.nova.org.me/node/20



¹⁴ http://www.snp.co.me/strana.asp?kat=1&id=6398

^{15 &}lt;u>http://www.demokratskifront.me/index.php/</u> program#politikapremaradnicima

general trend of the socialist left in Europe towards including LGBTI rights into their agendas¹⁷.

When it comes to the smaller national parties, like the New Democratic Power (FORCA), the Albanian Alternative (AA) as well as the Croatian Civic Initiative (HGI), discrimination is only mentioned towards ethnic minorities, and not about the LGBTI population.

In a survey conducted by the Centre for Civic Education (CCE), LGBT Forum Progress and Ipsos Strategic Marketing in 2012¹⁸, 57% of those asked stated that the support of gay rights would not affect the change of the preferred party they would vote. Nonetheless, out of all the parliamentary parties, only one of them explicitly mentions rights related to sexual orientation as well as concrete measures on how to proceed politically concerning this issue. However, it must be noted that this party - the LPCG, is represented only with one MP in the Montenegrin Parliament. The political discourse on LGBTI rights remains quite limited. This is reflected also in the public attitude about the LGBTI

^{18 &}quot;Perceptions of Discrimination and LGBTI", Centre for Civic Education (CCE), LGBT Forum Progress and Ipsos Strategic Marketing (February 2012)



¹⁷ http://library.fes.de/pdf-files/id/ipa/05818.pdf

population: most of the population of Montenegro believes that homosexuality is a disease. With this statement 60% of citizens agree, opposed to 32%. Women and people with higher education significantly more believe that homosexuality isn't a disease, while people with elementary and lower education, and those who live in the north tend to argue that homosexuality is a deviation¹⁹.

Upcoming party congresses of the political parties, but also internal dynamics, could be a good opportunity for all of these parties to face the challenges of introduction of antidiscrimination and equality into their manifestos and actions with more political courage and responsibility.

Montenegrin LGBTI Pride Parades - making the invisible visible?

The first Montenegro Pride Parade was organized in Budva in 2013, to be followed with a second Pride Parade in October 2013 in the capital Podgorica, and a third one in November 2014. The first march was subject to acute violence by anti-

¹⁹ Perceptions of Discrimination and LGBTI⁴, Centre for Civic Education (CCE), LGBT Forum Progress and Ipsos Strategic Marketing (February 2012)



gay protesters chanting "kill the gays", however nobody was charged $^{\rm 20}\!\!$.

All Pride parades were attended to certain extent by members from the world of politics. In this context, the first Budva Pride in 2013 was attended by Halil Dukovic (DPS, President of the Parliamentary Committee for Human Rights and Freedoms), Ana Ponos (MP, Positive Montenegro), Sabahudin Delic (SDP, Deputy Minister for Human and Minority Rights), Blanka Radosevic Marovic (HGI, Deputy Minister for Human and Minority Rights), Sucko Bakovic (Ombudsman), Marijana Lakovic (Deputy Ombudsman) as well as several deputy ministers from other line ministries²¹.

The Podgorica Pride in October 2013 was attended by Suad Numanovic (DPS, Minister for Human and Minority Rights), Andrija Popovic (MP and President of Liberal Party of Montenegro), Azra Jasavic (MP and Deputy President of Positive Montenegro), Snezana Burzan (SDP, Adviser to the President of the Parliament for Public Relations), Blanka Radosevic Marovic (HGI, Deputy Minister for Human and Minority Rights), Sabahudin Delic (SDP, Deputy Minister

²¹ The functions refer to the period of Pride Parade in July 2013



²⁰ http://www.euronews.com/2013/07/24/violence-mars-first-gay-paradein-montenegro/

for Human and Minority Rights), Marijana Lakovic (Deputy Ombudsman) and Jovan Kojicic (Advisor to the Prime Minister for Human Rights and Antidiscrimination)²².

Lastly, the most recent Pride Parade in Podgorica in November 2014 was attended by the mayor of Podgorica Slavojub Stijepovic (DPS), Sucko Bakovic (Ombudsman), Suad Numanovic Numanovic (DPS, Minister for Human and Minority Rights), Andrija Popovic (MP and President of Liberal Party of Montenegro), Nada Drobnjak (DPS, President of the Committee for Gender Equality of the Parliament of Montenegro), Leon Djokaj (SDP, Deputy Minister for Human and Minority Rights) and Azra Jasavic (MP and Deputy President of Positive Montenegro)²³. Several other ministries sent deputies, and interestingly the Minister of the Interior Rasko Konjevic (SDP) in one of the public apperiences vocally stressed that he will not attend the Pride parade.

Over 2000 police officers were needed to protect 150 LGBTI protesters at the first Pride parade in Podgorica 2013. But, the number slightly decreased in 2014 Prade parade where 1800 police officers were deployed to provide security for

²² The functions refer to the period of Pride Parade in October 2013 23 The functions refer to the period of Pride Parade in November 2014



the participants of the Pride and not a single incident was reported.

This high level of homophobia present in Montenegrin society is also fuelled by homophobic and transphobic statements of leading politicians and professionals in various areas, thus giving "legitimacy" to the widespread discrimination against LGBTI people, and getting away without adequate political and legal sanctions. This is obviously proving to some of the popular support on short term, but on long term has serious negative impact concerning proper enforcement of LGBTI equality and therefore equal chances for all citizens of Montenegro.

Furthermore, with a relatively young history of LGBTI activism in Montenegro, its effects on politics remain rather limited.

Another rather powerful actor in Montenegro is the Serbian Orthodox Church, whose head Amfilohije Radovic, is often vocal with his homophobic statements. In 2013, he said that as a Christian he "protests due to the humiliation of the state and the people who are forced to respect the standard of life propagated by thirty people and that because of that police is engaged. People in Montenegro are treated as a primitive tribe, and are being taught by European officials



how to behave "properly"". Similarly, the Serbian Orthodox Church in Montenegro released a statement in 2014 stating that "such a [same-sex] sin, like any fornication and adultery, is a negation of the greatest human gift: the gift of birth".

Government - long road from rethoric to action

In 2013, Deputy Prime Minister and Minister of Foreign Affairs and European Integration of Montenegro Igor Luksic and First Deputy Prime Minister and Minister of Foreign and European Affairs Vesna Pusic of Croatia signed a joint declaration on the fight against homophobia and transphobia. Luksic and Pusic stated, "We are committed to undertaking the measures and intensifying activities based on which, and based on the policy of respecting human rights and freedoms, we would fight against the stereotypes and prejudices against LGBTI persons".

Also Dusko Markovic, Deputy Prime Minister in 2012, mentioned that "our government will contribute the best to promoting the rights of LGBTI persons in Montenegro. Both by awareness raising of homophobia and the training of staff in institutions, especially the police and prosecutors" office and the protection of these people. Our policy is clear, there should be nobody in Montenegro who should be living



in fear and being invisible". However, he still admitted that homophobia exists in Montenegro: *"I do not want to hide, we do have such an issue in Montenegro as well. This is a problem of the clash between traditional stereotypes and the anti-discrimination principle, between conservatism and integration"*²⁴.

At the recent IDAHO Conference held in Budva in 2015, Deputy Prime Minister Markovic stated "In recent years, we have worked hard to create a social and legislative environment willing to accept LGBTI people. We are recognised as leaders in the region, and we provide the highest quality access to knowledge in terms of learning about standards in this field, for which we are grateful to our reliable and sustainable partners." It recently came to light that starting from June 2015, British same-sex couples would be allowed to tie the knot at the British consulate in the Montenegrin capital, Podgorica. While human rights groups welcomed the announcement, the more socially conservative pro-Serbian opposition parties and affiliated NGOs denounced the proposal, calling it a "disgrace"²⁵.

²⁵ http://www.turkishweekly.net/news/185125/gay-britons-cantie-the-knot-in-montenegro.html



²⁴ http://www.gaystarnews.com/article/montenegro-promises-gay-prideand-some-marriage-rights131112

Still, even the rhetoric used to be rather different not long time ago. In 2011, Minister of Human and Minority Rights, Ferhat Dinosa, voiced strong opposition to holding a pride parade in Montenegro²⁶, calling the LGBTI population "bad news for Montenegro", and deemed it as insulting to put national and sexual minorities on equal footing. These public statements thus resulted with strong reaction of NGOs dealing with human rights and calling for the resignation of the Minister. This was followed with similar remarks from international community but neither Dinosa resigned nor he was dismissed. In 2012, he became Ambassador of Montenegro to Albania, where he is still serving. This is a illustrative example to what extent political coalitions prevail against the practical dedication to the building of human rights culture.

The patriarchal culture of this small country, with a population of only 680,000, has shaped a mentality that makes it difficult for alternative sexual orientations to be accepted. Although Montenegro was one of the first former Yugoslav republics to de-criminalise homosexuality, doing so in 1977, most citizens still view homosexuality as a disorder. Therefore, political decision makers have

26 http://www.b92.net/eng/news/region.

php?yyyy=2011&mm=04&dd=14&nav_id=73805



to be accountable and start actively advocating for the rights of this marginalized group and mainstreaming antidiscrimination as principle.



EUROPEAN EXAMPLES - MAPPING SOCIAL AND POLITICAL INCLUSION?

CROATIA

Croatia's main political parties remain classically divided when it comes to LGBTI rights, with the left/center-left wing political parties being proponents, and right/center-right wing parties being opponents of LGBTI rights. Croatia's political parties that explicitly voice their support towards LGBTI rights are the SDP (Social Democratic Party of Croatia), HNS (Croatian People's Party Liberal Democrats), HSLS (Croatian Social Liberal Party), ORaH (Sustainable Development of Croatia) and HL (The Croatian Labourists – Labour Party). Contrastingly, HDZ (Croatian Democratic Union), HDSSB (Croatian Democratic Alliance of Slavonia and Baranja) and HSP AS (Croatian Party of Rights dr. Ante Starcevic) are opposed to LGBTI rights. It seems that all major parties have given standpoints when it comes to the inclusion of the "LGBTI agenda" into their party



manifestos, mainly concerning same-sex marriage and antidiscrimination.

Ever since joining the European Union in July 2013 and through the increased work of public LGBTI activism in the years leading up to it, the issue of LGBTI rights has become a more heated topic in Croatia, even leading to a referendum about same-sex marriage in 2013. Overall 37,9% of eligible voters voted in the referendum, with 65,8% voting in favour, and 33.51% voting against the constitution that would define marriage as being between a man and a woman, thereby creating a constitutional prohibition against samesex marriage. Ever since the first Pride parade in Zagreb in 2002 "outed" homosexuality in Croatia and embedded it into the Croatian reality²⁷, giving a substantial push to local LGBTI rights movements and thereby putting pressure on political parties to take a standpoint on the matter.

AUSTRIA

In Austria only the FPÖ (Freedom Party of Austria) and the BZÖ (Alliance for the Future of Austria) voiced their opposition against LGBTI rights. All other major parties, the ÖVP (Austrian People's Party), the SPÖ (Social Democratic

²⁷ http://igkultur.at/lingua/english/LGBTI-pride-politics-in-croatia



Party), the Grünen (the Greens), NEOS (New Austria) and the KPÖ (the Communist Party) have all supported LGBTI rights in their agendas. Particularly the Greens and the SPÖ have undertaken plenty of lobbying efforts in promoting LGBTI visibility and rights, leading to the adoption of the law on same-sex partnerships in 2010, as well as step-child adoption in 2013 and full joint co-adoption ordered by the Constitutional Court of Austria in January 2015²⁸.

Following the implementation of EU legislation prohibiting discrimination, the federal Labour Code in Austria has included an anti-discrimination law since 2004. Furthermore, Vienna has had a Youth Protection Law since 2002, which includes sexual orientation. The Federal Constitution of Austria technically protects all citizens equally, however the reality is that it does not confirm to sexual orientation and several judgements of the Constitutional Court confirm these unequal treatments²⁹. Pressure on political parties to take a stance on the LGBTI agenda has thus existed for many years.

²⁹ http://www.ris.bka.gv.at/Dokumente/Vfgh/ JFT_09949386_05G00023_00/JFT_09949386_05G00023_00.html



²⁸ http://www.german-way.com/german-and-austrian-pioneersin-LGBTI-rights/

The gay community is well-developed in all larger cities, such as Vienna, Linz, Innsbruck, Salzburg, and Graz. Every year there is a gay pride Regenbogenparade (rainbow parade) in Vienna, as well as a Christopher Street Day in Graz.

ITALY

Italy is ranked as one of the most homophobic countries in the European Union³⁰. There are eight major political parties in Italy: the Democratic Party, the Five Star Movement, Forward Italy, Northern League, New-Centre Right, Civic Choice, Left Ecology Freedom, the Italy of Values Party and Brothers of Italy. Parties in favour of LGBTI rights are the Democratic Party, the Five Star Movement, Forward Italy, Left Ecology Freedom as well as the Italy of Values Party. For the other political parties no official stances were found. This has been identified as a problem, noticeably leading these parties to lose votes from the public who compare Italy to other European countries that have defined policies on the topic³¹.

In the past years, the LGBTI activist group "Arcigay" came

³¹ http://www.dispatchesinternational.org/?p=14



³⁰ http://dot429.com/articles/3072-italian-political-party-protests-lack-ofreal-LGBTI-protections-with-kiss-in

to dominate the Italian LGBTI landscape of activism, playing a leading role in the conception of national strategies for the protection and promotion of LGBTI rights³². Arcigay has been a political laboratory for a long time – implanted at an early stage in the tissue of communist activism through the affiliation with the ARCI (Cultural and Creative Association of Italy), founded in 1957. Nonetheless, activism remains difficult in the framework of the Catholic-seeped ideology and firm connections of Italy to the Vatican. The aim of LGBTI activism is to enact strategies that allow it to forge a new image as a complex structure that will be able to profitably grasp prospective and potential political opportunities, including the exercising of pressure on Italy's political parties.

POLAND

Only two political parties in Poland have declared a positive attitude towards LGBTI rights, namely the Democratic Party, and the Greens 2004. Notably, there are some LGBTI politicians, for instance Robert Biedron (co-founder of Campaign Against Homophobia, activist of the Alliance of the Democratic Left); Marzena Chincz (creator of the

³² http://councilforeuropeanstudies.org/critcom/italian-LGBTI-activismconfronts-some-political-inopportunity-structures/



Lesbijka.org, activist of the Democratic Party) or Krystian Legierski (Lambda activist, member of Greens 2004). The other political parties, PO (Civic Platrofm), PiS (Law and Justice), TR (Your Movement), PSL (Polish People's Party), SLD (Democratic Left Alliance), SP (United Poland), PR (Poland Together), KNP (Congress of the New Right) and UP (Labour United) simply do not mention the LGBTI agenda. KNP, as well as PSL, PO and PiS publically oppose same-sex marriage and LGBTI rights³³.

Homosexuality has only become an "issue" in Poland in the late 1990s, when the first official gay and lesbian organization "Lambda" was founded. The so-called gay and lesbian culture appeared in Poland (together with the women's movement) alongside the democratizing processes in the Eastern block. The appearance of that culture was accompanied (not always in a very smooth manner) by a host of new political and sociological ideas. The social situation for people of the LGBTI community is not easy in Poland, with it frequently being described as a witch-hunt³⁴. While in the meanwhile there are more LGBTI

34 http://www.lsvd.de/presse/pressespiegel/pressespiegel/article/statementof-LGBTI-polish-organizations-1008.html



³³ http://www.interalia.org.pl/en/artykuly/the_manchester_seminar/06_ the situation of the polish LGBTI movement.htm

activist groups, visibility and political pressure remains limited.

SERBIA

The Liberal Democrat Party in Serbia (LDP) has become the first political party in Serbia to establish a human rights body with a specific focus on LGBTI rights³⁵. Apart from this, the DS (Democratic Party), NDS (New Democratic Party) and the SPS (Socialist Party of Serbia) have positive attitudes towards LGBTI rights. The remaining political parties PUPS (Party of United Pensioners of Serbia), SDPS (Social Democratic Party of Serbia), SDS (Social Democratic Party) and JS (United Serbia) have no official stances on the LGBTI agenda, and or they are vocally homophobic. The ruling party SNS (Serbian Progressive Party) mentions that they will respect democratic principles and human rights, however does not go into detail about what this entails.

In May 2014 Amnesty International identified Serbia as one of a number of countries where there is a marked lack of will to tackle homophobia and transphobia, noting that since 2011 public authorities have banned Pride marches on the basis of violent threats from homophobic groups. Since

³⁵ http://www.wfd.org/wfd-news/latest/news.aspx?p=109800



then a Pride parade successfully took place in September 2014 in Belgrade³⁶. Furthermore, the Serbian Parliament approved changes to its penal code, introducing hate crime, including recognition that a hate crime can be based on a sexual orientation and gender identity.

DIVERSITY IS TO BE LEARNT

One of the biggest barriers when it comes to political participation of LGBTI people is the fact that political parties do not understand or work towards understanding the LGBTI community and its needs³⁷. It thus seems that the most important actors when it comes to LGBTI activism are lobbyists and NGOs that focus on the inclusion of human rights, with LGBTI rights in particular in order to place the LGBTI rights and social circumstances on the social and political agenda.

In Ireland, for example, the two leading LGBTI NGOs "Marriage Equality" and "GLEN" lobbied extensively for increased LGBTI rights in politics. The Atlantic Philanthropies

³⁷ https://www.gov.uk/government/uploads/system/uploads/attachment_ data/file/85520/experiences-LGBTI-people.pdf



³⁶ https://www.amnesty.org/en/news/2014/05/homophobia-still-tolerated-governments-around-world/

published a report recently, which stated³⁸: "The work that Marriage Equality did to expand the marriage conversation served to propel the civil partnership legislation. They mobilised large numbers of people in the lesbian and gav community to connect directly with their local politicians. adding the power of grassroots mobilisation and oneon-one human connection. The Civil Partnership Act was passed in 2010, after 5 years of intensive and politically thoughtful grantee effort. As of November 2013 more than 1500 civil partnerships had taken place across Ireland. This huge political and cultural shift was made possible by GLEN's strategic lobbying and the intensive grassroots advocacv mobilised by Marriage Equality". The referendum on legalising same-sex marriage, held in May 2015, won with a clear 62% majority in favour of the legalisation and thus representing a huge step forwards for the Catholicdominated country.

Well-coordinated LGBTI activism plays a crucial role in ensuring visibility and progress on LGBTI rights, thus exercising pressure on local political parties to include the LGBTI agenda in their party policies. Furthermore, LGBTI activism provide that the LGBTI issue remains on the social

³⁸ http://www.atlanticphilanthropies.org/sites/default/files/uploads/ Atlantic-LGBTICluster-ROI.pdf



agenda, and thereby influence public opinion and public policy in mainstreaming principle of equality. In this context, ILGA Europe (Equality for lesbian, gay, bisexual, trans- and intersex people in Europe) writes in one of its reports³⁹:

"Over the past years, ILGA-Europe has demonstrated its capacity to successfully advocate for the equal rights of LGBTI people against these prevailing conditions by building and working in strong alliances with human rights organisations, equality bodies, and different actors within the European institutions. Wider alliances have indeed enabled ILGA-Europe and its member organisations to become a stronger, more capacitated European LGBTI movement which can instigate important legal and social changes in Europe. In addition, building on the good relationship built with European institutions over the past 14 years, ILGA-Europe is also well positioned to contribute effectively to initiatives within the EU, Council of Europe, OSCE and UN, and to progress the equality agenda through partnerships with the different institutions."

Following cooperation between various NGOs, LGBTI social movements, human rights organisations and different actors within the EU institutions, LGBTI activism provides

³⁹ www.ec.europa.eu/social/BlobServlet?docId=6311&langId=en



the opportunity to accumulate a tremendous amount of power. Thus, for example the support of gay or gay-friendly political candidates and parties to help move their causes forward through legislation. It is therefore not uncommon for political parties to have their own LGBTI fractions, as for example the Grüne Andersrum ("Greens the other way around" in Austria, LGBTI Labour and LGBTIQ Greens in the UK.





RECOMMENDATIONS

In general, it becomes integral that there exists strong cooperation between CSOs and political parties when it comes to advancing the LGBTI agenda, and creating new collaborative relationships between them⁴⁰. Although LGBTI human rights advocacy is usually linked to leftist parties, especially the social-democratic and green parties, the reality is that parties of all ideologies should deal with LGBTI human rights: from parties on the far right, to those on the far left. LGBTI human rights advocacy from rightwing, traditionalist and conservative political parties did not result in their demise or in a loss of electorate and support. On the contrary, it was a mean by which the said parties strengthened their democratic principles by attesting that all human beings are equal and deserve equal attention.

⁴⁰ http://soc.ba/en/new-guide-how-political-parties-can-workon-the-rights-of-LGBTI-people/



Political parties (not only in Montenegro) should thereby⁴¹:

• Publicly condemn all forms of violence and discrimination against LGBTI people, signalizing to the public that any violation of the LGBTI human rights is not allowed;

• Clearly refer to the LGBT rights within their party manifestos;

• Promote preventive measures to combat violence and discrimination against LGBTI people, through governmental institutions, strategies and action plans;

 Through governmental institutions and with no restrictions, guarantee all the rights, including the freedom of assembly, in case of the initiative for organizing public protest marches (pride parade);

 Support legislative initiatives that abolish discrimination of LGBTI people, such as adopting legislation that will enable same-sex couples to enjoy the rights that derive from their cohabitation (the right to inheritance, the right to a pension inheritance, the right to health insurance through a partner, etc.) or enable medical support for sex adjustment when it comes to transsexual persons;

⁴¹ http://soc.ba/site/wp-content/uploads/2015/03/politicke-stranke_eng_web.pdf



• Through media, education and other channels, promote tolerance towards all minorities, including LGBTI persons, for the purpose of creating better living environment/conditions that will not force LGBTI people to live in anonymity or even leave the country; intolerant social climate has enormous consequences on the economy, considering the fact that a lot of well-qualified persons tend to leave their home countries, including LGBTI people.

