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ANNUAL REPORT ON THE POSITION OF THE LGBTIQ POPULATION IN SERBIA 2011

LEBRIS
ORGANIZACIJA ZA LEZBEJSKA LJUDSKA PRAVA
lesbian human rights organization
Belgrade, 2012

ANNUAL REPORT ON THE POSITION OF THE LGBTIQ POPULATION IN SERBIA FOR 2011

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Belgrade, 2012

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ANNUAL REPORT ON THE POSITION OF THE LGBTIQ POPULATION IN SERBIA, 2011

INTRODUCTION

The Pride Parade is not the only, nor the most significant moment in the advocating for the improvement of rights of LGBTIQ persons but it certainly represent the most visible aspect of that fight and the core around which the entire LGBTIQ legal and social problematic is articulated and introduced into the public sphere. That is why the ban of the Pride Parade represents the key event for the LGBTIQ community in 2011 because by banning the Pride Parade, the State has shown in which way it treats sexual minorities and their basic rights.

While on October 10th 2010 the streets of Belgrade were ruled by the so called "controlled violence" - which was an overture and an already prepared, justified and socially-accepted answer to the question Do we need a Pride in 2011, again? - on October 2, 2011, a "Copernican turn" had occurred in regards to what politicians tended to present to the organizers of the Pride Parade as the social reality.

Since in 2011 there was the same legal and political context as in the previous two years (2009[1] and 2010[2] - same legal framework, governing structure, the Constitution, etc.) and that there were three different epilogues as a result of our attempts to enjoy the lawful

1 The Pride Parade 2009 was banned by the Decision on Relocating the Pride Parade to Ušće, issued by the Ministry of Internal Affairs and which was handed to the organizers of the Pride Parade by the Premier of the Republic of Serbia Mirko Cvetković just 24 hours before the scheduled beginning of the parade. This act represents a de facto ban of the Pride Parade and because of that the organizers filed a complaint to the Constitutional Court of the Republic of Serbia in October 2009 and in December of the same year to the European Court for Human Rights with the support of the Belgrade Centre for Human Rights. Annual report on the position of LGBTIQ population in Serbia for 2009, http://www.labris.org.rs/godisni-izvestaji/index.html

2 Behind police lines around 6000 hooligans demolished the city and attacked police officers. After the Pride Parade, 249 persons were arrested, 195 adults and 54 minors, 131 persons were held in custody, 160 person were hurt (the majority were police officers), Annual Report On The Position of LGBTIQ Persons In Serbia For 2010, http://www.labris.org.rs/godisni-izvestaji/index.html

right to assemble, it is necessary to do an analysis of this event from several aspects in order to better understand the social reality and the relationship of political decision makers to LGBTIQ rights.

Apart from analyzing the circumstances that followed the organization of the Pride Parade, the report will further discuss the first legal court cases regarding discrimination of LGBTIQ persons, cases of violence and discrimination that have been reported to Labris's legal service and to other organizations, media reports on LGBTIQ topics, complaints to the Commissioner for Equality as well as the activities which Labris has conducted through the three existing programmes.

PRIDE PARADE – A TEST FOR STATE INSTITUTIONS, RULE OF LAW AND SOVEREIGNTY ITSELF

The first consultative meeting convened by the Belgrade Pride Parade organization was held in March. The meeting assembled human rights protectors from various organizations and since then individuals and activists followed by organizing themselves into the so called Organizational Board of the Belgrade Pride Parade, which had carried out the entire organizational process of this gathering. Two Labris activists participated in this process.

The demanding technical-organizational part of the job led by seven activists evolved far from the public eye while the part that was covered very well by the media as well as by LGBTIQ organizations was the part dedicated to meetings with political party representatives, members of parliamentary groups, institutions for equality, OEBS mission representatives, members of the Council of Europe as well as relevant ministries and editors of printed and television media.

The Organizational Board held meetings with almost all political parties in Serbia (except with the representatives of the Democratic Party of Serbia, United Serbia and Serbian Radical Party). The meeting with the President of Serbia Boris Tadić was anticipated till the very end. An official invitation was submitted to The Presidential Cabinet several times but until the end of the organizational process, this meeting did not take place.

Statements which the members of political parties went to the media with varied from "mild" to neutral to the ones that clearly supported the concept of free assembling and advocacy of human rights (Social Democratic Union, Social Democratic League of Vojvodina and Liberal Democratic Party) to the ones who could reach no further than to "call people to non-violence" (SNS).

Also, the number of attacks on people because of their supposed or real sexual orientation increased during the preparation of the Pride Parade. These incidents will be discussed further in a later part of the report.

Intimidation of the Pride Parade organizers was, as in previous years, an accompanying factor of the very organizational process. "The president of the Independent Police Union Momčilo Vidojević addressed the public via the daily newspaper Večernje novosti with the acknowledgement that unidentified persons prepared to set fire to the city by using automobile tires which were purchased before the scheduled Parade, calling that action "Belgrade in Flames"[3]. Večernje novosti in the same article said that parallel gatherings are planned on the same day when the Pride Parade was scheduled. On regular meetings with the Ministry of Internal Affairs it was confirmed that parallel gatherings are being prepared which were reported to the Ministry, but that the fact they will taka place will not interfere with the Pride Parade. Also, as the daily newspaper Alo![4] later reported, it was speculated that the participants of the Parade will be attacked with swarms of bees. However, the Ministry of Internal Affairs of the Republic of Serbia had not come out with a statement which would have denied such allegations. To the contrary, the Ministry of Internal Affairs as well as the official statements of the Minister of Internal Affairs said that all possible measures will be taken to protect the participants of the Pride Parade. The same assurances were given by the Ministry of Internal Affairs' representatives until the very last meeting with the Organizational Board of the Pride Parade with

3 Večernje novosti, 27.09.2011: http://www.novosti.rs/vesti/naslovna/aktuelno.69.html:346808-Policija-Akcija-Beograd-u-plamenu-tokom-Parade-ponosa

4 Alo! 07.10.2011: http://www.alo.rs/vesti/42356/Rojevima_pcela_na_gejeve_i_policiju

the request that the organizers do not pay attention to "speculations from the media". Only a day after the organizers received these assurances from the Ministry's representatives, the Pride Parade 2011 was banned by the decision of the Council for National Security because of the of general security reasons[5].

Actually the decision included the following: The public gathering and the public gathering in motion convened by the association "Belgrade Pride Parade, scheduled for October 2, 2011 with the beginning at 11 o'clock in the city park Manjež is banned. In the procedures following the report it was established that reasons from Article 11, Paragraph 1 of the Law on Public Gatherings of the citizens of the Republic of Serbia were possible to implement - i.e. that the gathering may obstruct public transport, endanger health, public morale or security of people and property[6].

What the authorities were not able to ban (since there was no formal report) was the gathering which was organized by around twenty lesbians, gays and friends from Serbia and from abroad who gathered in the Student Park in centre of Belgrade and had a public LGBT event which was apparently more comfortable and fun. The gathering that can be called the "Pride Picnic" in a certain way represented the goal of the Parade: "One of Pride Parade's goals is for people to accept the presence of LGBT persons as a normal, everyday phenomenon, not like an unusual event that occurs once a year. That is why we had taken a different approach: instead of waiting to win these rights by street marches, we acted the way we would act in any free city in Europe or America. As a heterogeneous and apparently queer group, we were sitting in the middle of the Student Park with symbols of the LGBT movement, talked about the situation in the Serbian society, city scene, alternative culture and we simply enjoyed the delicacies we brought along.[7]"

5 Are We Equal - Cases of Violence and Discrimination against LGBTIQ Persons in 2011, Labris, Belgrade, 2012.

6 The official decision of the Ministry of Internal Affairs / Police Directorate / Police Administration of the City of Belgrade / Police Station Savski Venac / Number 212-613/11/30.09.2011.

7 http://www.sekeljic.com/piknik-ponosa/

Earlier that same day, after the press conference, a surprise "Pride Parade" was held. Over thirty LGBTIQ and other human rights organizations' activists stopped the traffic on Terazije, symbolically throwing rainbow coloured paint and holding a banner that said "Love. Normally." The action lasted only a few minutes and it represented a reaction to the ban of public assembling.[8]

On the press conference, members of the Organizational Board of the Pride Parade said that the State has "capitulated" to hooligans by deciding to ban the Pride Parade.

In all, it is troublesome that even though the Organizational Board of the Pride Parade did not bring into question at any single moment whether the Parade should be held, after that decision not a single call came from the Ministers and politicians to invite the Pride Parade's organizers on a debate.

In the very organizational process some infamous precedents had occurred which distanced Serbia from the civilized world, precedents like joint statement of an extreme right wing organization and the Independent Police Union[9], sensational media reporting about how the security of pride participants will be extremely endangered, without any serious information coming from the police concerning those allegations. In one word, the State, institutions and the legal order were defeated, the State capitulated to its hooligans and a significant step back was made in the fight for human rights. Time will tell how difficult it will be to recover from that loss.

Statements of politicians after the decision on the Pride Parade ban:

"If the Pride Parade is held in an enclosed space, the situation will certainly be completely different. It is impossible to follow everybody who is preparing violence and it is impossible to con-

8 http://www.smedia.rs/vesti/vest/76516/LGBT-uduzenja-Saobracaj-Parada-ponosa-Aktivisti-LGBT-zaustavili-saobracaj-na-Terazijama.html

9 http://www.b92.net/info/vesti/index.php?yyyy=2011&mm=09&dd=22&nav_category=12&nav_id=543814

trol everything. The Police will contact the Pride Parade organizers and the state leaders and will once again tell them that there is a high security risk associated with this assembly", Ivica Dačić, Minister of Internal Affairs.

"In order to protect all citizens, and in accordance with the authorities' security assessment, the State has to ban or delay high-risk events. In that way citizens are protected, members of the LGBT population, and the consequences of violence and possible loss of human lives are prevented." – Boris Tadić, the President of Serbia.

"We have finally showed that we respect traditional values and not something that is not recognized by the Serbian Orthodox Church or the Catholic Church, or the Muslim religion, or normal people." - Dragan Marković, the major of the city of Jagodina[10].

"What else has to happen in order to understand that fascism is coming in a big way into our everyday lives and it is only a matter of days when thugs and murderers will start knocking on doors of everyone who opposes them?" – Nenad Čanak, the president of LSV (Social Democratic League of Vojvodina)[11]

„It is not true that the State has capitulated and that the hooligans are stronger than the State - that is complete nonsense. The State has done the only thing it could do and what every other normal country would do, to prevent all gatherings that could lead to endangering of lives and material goods." Milan Marković, Minister of Human and Minorities Rights[12]

No one opposes the fact the Serbia has greater problems than the Pride Parade, but insisting on this as well as referring to the difficult economical and political situations as justifiable circumstances for "not needing a Pride" by important political factors, actually represents a double acceptance of the defeat – because the Government is the one whose duty it is to create a better economical and political ambient. By creating conditions for holding a Pride Parade the state would show that it possesses legal credibility.

A complaint on the State's decision has been filed to the Constitutional Court of Serbia as well as to the European Court for Human Rights in Strasbourg. [13]

LABRIS'S LEGAL SERVICE ACTIVITIES

During 2011 six persons from Serbia and one girl from Bosnia and Herzegovina who, together with her partner, has been discriminated several times contacted Labris's Legal Consultancy-Service. Bolje ovako: During 2011 six persons from Serbia had contacted Labris' Legal Service. Additionally, one young woman from Bosnia and Herzegovina contacted Labris' Legal Service due to discrimination in Bosnia and Herzegovina.

The following are cases concerning discrimination and violation of rights in the sectors of security, education, health care, administrations and provision of services.

A large number of calls to the Labris's Legal Service (which are not referred to as cases) were regarding acquiring information about the possibility to receive asylum in a foreign country, the possibility of leaving Serbia permanently because of violation of basic human rights and the possibility of same sex marriage in European countries which offer that option.

10 http://www.blic.rs/Vesti/Drustvo/280218/Zabranjeni-svi-skupovi-za-vikend-kao-i-Parada-ponosa

11 http://www.youtube.com/watch?v=4Ep2iFldi0

12 http://www.novimagazin.rs/vesti/ministar-drzava-nije-kapitulirala

13 At the end of 2011 (December 23rd) the Constitutional Court determined that the Pride Parade 2009 organizers' right to assemble and the right on a legal remedy which are guaranteed by the Constitution of the Republic of Serbia were violated. The Constitutional Court of Serbia adopted the constitutional complaint of the members of the organizational board of "Pride Parade 2009" who made a complaint on the decision of the Police Directorate of Serbia's Ministry of Internal Affairs to hold that gathering on **Ušće instead in the centre of Belgrade** http://srb.time.mk/read/043aa82a32/82c53f465f/index.html

From the brochure "Are We Equal, Cases of Violence and Discrimination against LGBTIQ Persons In 2011", Labris, Belgrade, 2012:
A case of discrimination based on apparent sexual orientation in the area of health care was reported to Labris in the beginning of 2011, and it occurred when D.R. wanted to become a voluntary blood donor. The ground of discrimination was the answer to the questionnaire of the Institute for Transfusion in St. Sava Street in Belgrade. Namely, D.R. answered the question "Did you have anal sexual intercourse in the past six months?" confirmatively. Because of his confirmative answer to that question D.R. was not able to donate blood. When he said that he is gay and that it is a common way of sexual intercourse, it was suggested to him that he has to refrain from sexual intercourse during the next 6 months if he, as he himself said, wants to be humane. The following is the testimony of the discriminated young man:

> "I came into doctor Tatjane Šoškic's office on January 12th, 2011 around 10 in the morning and she analysed the questionnaire which I had completed beforehand. She concluded that I cannot donate blood because I have a piercing and because in the last six months I had anal sex. She said that she can "swallow" the piercing but not the fact that I had anal sexual intercourse in the past six months. When I told her that I am a humane man and that I want to help people who need it, she replied that I could be humane only after a six-month period without having anal sex."

Right after that, D.R. determined to persevere with his decision, went to VMA (Military Medical Academy) where he donated blood without any problems. Labris filed an official inquiry to the Institute for Transfusion wanting a reason for why the question in the questionnaire is not formulated like this: "Have you had unprotected anal sexual intercourse in the past six months?" Furthermore, we asked for a medical reason for why this question is relevant since blood donated is tested to all sexually transmitted diseases. The Institute has not answered the inquiry thus far. ILGA Europe, the umbrella LGBTIQ European organization, was informed about this discriminatory practice.
Labris conducted an action of erasing the disputable question "Have you had same sex sexual intercourses?" from the questionnaire for blood donation in 2006. However, the question D.R. made a complaint against represents indirect discrimination of gay men who want to be blood donors, so hidden discrimination still exists. Also, statements of the Commissioner for Information of Public Importance and Personal Data Protection, Mr. Rodoljub Šabić, concerning this questionnaire, indicate to the fact that personal data such as: name, surname, address, Identification Number and the large number of data concerning person's health condition are, quote: "Kept tied with a rope on the attic of that institution."
Regarding discrimination in administrative procedures of issuing a marital status certificate, a girl addressed Labris in March 2011, asking for help and counsel due to lack of possibility to get said certificate from the municipality where she is listed in the Birth Register. She needed the certificate in order to be able to enter into a same-sex marriage in a European Union country – more precisely, Spain. It is important to say that for the purpose of issuing a Certificate of Free Marital Status it is necessary to file a request where you need to state the purpose of issuing the certificate, Birth Register certificate, citizenship certificate, residence certificate, and also photocopies of personal ID card and passport of one's future marriage partner. When the municipality's clerk had discovered that the certificate is needed for entering into a same-sex marriage, she said that it is not possible to issue that certificate[14].

In July 2011, a gay man V.P addressed the Regional Ombudsman of the Autonomous Province of Vojvodina with the same problem. Like in the previous case, V.P. asked for help and advice regarding acquiring a marital status certificate in Šid Municipality, which he need for entering into marriage with a person of same sex abroad. The Municipality's clerks rejected his request with the explanation that in accordance to the relevant Family Law they cannot issue the certificate. The Regional Ombudsman reacted appropriately concerning this case: he questioned the action of Šid Municipality, determined certain irregularities and inconsistencies and asked the relevant Ministry for an opinion. Seeing that there are no clear normative definitions and instructions for this kind of situations, and that local self-government make arbitrary decisions

14 Are We Equal - Cases of Violence and Discrimination against LGBTIQ Persons in 2011, Labris, Belgrade, 2012.

that are often discriminatory, the Regional Ombudsman decided to examine how all 45 Municipalities in the AP Vojvodina act in these situations. First results showed that local self-governments act differently concerning these requests and that it is necessary to harmonize procedures in order to act in an equal and non-discriminatory manner in all municipalities. After analysing gathered data, the Regional Ombudsman intends to issue instructions to all local self-governments.

That this problem of documentation is not an isolated case is evident in the statement of Gay-Lesbian Info Centre (GLIC): "Serbia does not allow its citizens to enter into marriage with persons of the same sex even outside the country's borders because in those cases it refuses to issue a Certificate of Free Marital Status."[15] The Gay-Lesbian Info Centre was addressed by a gay man, a citizen of Serbia with current residence in Austria, who wants to register a same-sex marriage union with an Austrian citizen. The statement further states: "When officers see that the case is about two persons of the same sex, in accordance with the Family Law that request is denied and therefore it is not possible for the petitioner to enter into marriage outside of the country's borders. We consider that with this practice a certificates stops being a certificate and it starts to be a permit, that is, an approval!"[16]

This raises a question: in what way will the lesbians, gay men and bisexuals in Serbia get the possibility to enter into marriage in any country if they are facing this kind of barrier in their own country which they are forced to leave? Considering that earlier cases of this type of discrimination had not been officially noted, it is supposed that the members of the non-heterosexual minority were forced to state false reasons for issuing of the certificate in order to avoid inconveniences and by that they have violated the law themselves. Labris will work on changing this discriminatory practice during 2012.

During the middle of the year, Labris's Legal Service, on the request of M.S., issued a documented official certificate on the especially hard position of LGBTIQ persons in Serbia in order to help M.S. to complete the documentation necessary for exercising his right to asylum because M.S. had left the country because he felt his security was threatened.

A man from Novi Sad, R.M. addressed Labris in the middle of 2011 asking for advice concerning the actions of the president of the tenant's council of the building where he and his partner were renting a flat. Namely, the president of the tenant's council psychologically harassed R.M. whenever he saw him on the hallway. That psychological pressure consisted of a series of embarrassing questions which interfered with his privacy and violated his right to privacy. After a few months of constant harassment by the president of the tenant's council, R.M. decided to find a flat somewhere else. He did not want to initiate any legal action.

In the night between October 20 and 21, a gay man was attacked and robbed in the Pioneer Park, close to Pleasure gay club. He was attacked by two assailants, one of whom had a knife. Even though one can conclude that the attack's motive was robbery, the victim of the assault stated that during the attack, one of the assaulters said: "Fagot, we know where you came out from17, give us your money!". "Luckily", the incident ended with the robbery and not with a physical fight because the gay man gave them all the money he had. The victim did not want to report this incident to the police.

The case of D.J. who complained about a police inspector overstepping his authority as well as a violation of the right of respecting personal and private life, apartment's inviolability and personal data, during the middle of the year, is still in process.

Namely, since the beginning of 2011 and during a several month period, D.J. was being followed and blackmailed by the police inspector probably because of her activist engagement. Labris filed a petition to the Commissioner for Information of Public Importance and Personal Data Protection which was sent to the Sector of Internal Control of the Ministry of Internal Affairs of the Republic of Serbia. The letter received from the chief police counsellor, Siniša Španović, says that: "Based on performed checks it was determined that the police officer acted professionally and in accordance with the lawful authority while performing official measures and

15 Public statement - GLIC; December 14.2011 - http://gayecho.com/glic/?p=424

16 Ibid

17 They were referring to the near-by gay club "Pleasure"

actions towards D.J." Since this decision does not match D.J's statement, the procedure will be continued in order to prove the police officer overstepped his authority in regards to the above stated."[18]

M.H. from Bosnia and Herzegovina addressed Labris. Together with her partner she was discriminated by withholding of services and bad police treatment.
The young woman mentioned received misdemeanour charges for disturbing public peace and order. The content of the charges: According to the Articles 40 and 41 of the Law on Misdemeanour Offences of Bosnia and Herzegovina (the Official Gazette F B&H, number 31/06) the First Police Directorate, Police Station Centre, as the authorized organ, I FILE A REQUEST FOR A MISDEMEANOR OFFENCE AGAINST XX that have violated the public peace and order by physically attacking another person and because of their extremely arrogant behaviour in Korner cafe, on December 21st 2012 around 10.35 p.m.
It is important to highlight that "extremely arrogant behaviour" was the behaviour of two girls kissing and their attempt to resist the security guard who wanted to throw them out over the staircase was referred to as "the attack on other person".
Police officers have acted as if the two girls have already been convicted and instead of writing an official report of the statements they allegedly took from the girls they left a blank piece of paper. The girls were threatened that they would be arrested unless they give their ID cards. Luckily, the conclusion of the first LGBT case of institutional homophobia in Bosnia and Herzegovina was positive – M.H. was freed of all charges.[19]

During 2011, there was a series of attacks and cases of discriminations which had great media response. However, the number of attacks or cases of discrimination is not possible to determine with precision since there is a huge distrust of discriminated persons in public institutions and fear of secondary victimization, and on the other had there are no police statistics concerning attacks on people because of their real or alleged same-sex orientation.
Namely, for the purpose of the writing the brochure about cases of violence and discrimination against LGBTIQ persons in 2011, calling on the right of free access to information of public importance, Labris sent an official request to the Ministry of Internal Affairs asking for information about the number of attacks on persons for their real or alleged same-sex sexual orientation. The official letter from the Ministry of Internal Affairs which was sent to Labris as a response confirmed that there is no such record in the Ministry of Internal Affairs.

CASES OF VIOLENCE AGAINST LGBTIQ PERSONS THAT HAVE ATTRACTED MEDIA ATTENTION

The attack in which A. Ž. was hurt and which represented the reason for organizing a protest in front of the Government's building, happened in the city centre in Carica Milica Street, on the night between October 14th and 15th, around 4.30 a.m. The Minister of Internal Affairs, Ivica Dačić[20], said that one assailant was arrested but that the judges, quote: "Did not assigned him police custody because he is a minor." According to the information from the media and GSA (Gay Straight Alliance) statement, A. Ž. was attacked by three assailants who followed her and her two friends from Zeleni Venac to the corner of Carica Milica and Maršala Birjuzova Street, where the attack happened. After they had noticed that A. Ž. was wearing LGBT movement's symbols, one of them attacked her several times and insulted her and he screamingly asked her if she was a lesbian several times. Soon after he started to hit her he pulled out a knife and attacked her. A. Ž. got a deep gash of the right hand with cut ligaments of two fingers, head concussion and several bruises and scratches on the body which were made by the assailant during the attack with his fists and legs. A. Ž. Suffered ligament damage of her right hand.

On October 31st early in the morning, I. J. was attacked in Temerin Street in Novi Sad. The young man was beaten and left to lie

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19 http://www.sutra.ba/novost/52667/Homofobni-incident-u-kaficu-Korner-u-Sarajevu

20 Attacked because of a LGBT T-shirt – Kurir, October 16, 2011 - http://www.kurir-info.rs/crna-hronika/napad-zbog-lgbt-majice-137150.php

unconscious. The assailants ran away. "When I parted from my friend in Temerin Street, two young men around 30 years of age approached me. One of them grabbed me by the arm and started hitting my head with his fists while the other one silently watched the entire thing. I passed out from strong hits and I do not remember anything since that moment", said the attacked young man. The young man had a nose fracture and a lot of haematomas, and after the attack he was lying without conscious in a puddle of blood. According to I.J's statement the assault was motivated by hatred towards homosexuals. There is no information about the processing of this case.

Probably the most disturbing case is the case of discrimination and violence because of alleged sexual orientation against a six-grade pupil of "Janko Veselinović" elementary school in Belgrade. The case reached the media after the boy's desperate mother posted a status on the social network Facebook that says that her child was a victim of psychological and physical molestation which happened on the school's New Year Celebration. Twelve-year-old V.R. said for the newspaper how in the last year and a half he had been enduring everyday harassment: "They tell me that I am a fagot, gay, girl and jerk. I think that they do it because I am not like them, because I am shorter and weaker than them. When he hit me, I tried to hit back but without success, I was always outnumbered. One time, three of them were chasing me and while running from them I flew into the house through the window, since we lived on the ground floor."[21]

The last case he complained about to the press was on the school's New Year celebration in Trezor club. He said: "On Tuesday evening I was on that celebration. In the first half an hour everything was fine. Then they attacked me, the five boys from my class who constantly harass me both psychologically and physically. They started pushing me and calling me 'fagot, weirdo' and then they kicked me in the legs. I tried to defend myself but without success."[22] Concerning this case, the director of the boy's elementary school assured the journalists that he will solve the problem. However, Labris considers that solving one individual case will not solve the general problem which a large number of students are surely faced with and the journalists have not heard about. It is obvious that teachers and other school staff's lack of action permits this scenario to happen daily. Labris found out about the case of V.R. (12) through the media. Labris conducts the sensitization of educational institutions through the education programme with the basic idea of educating the teaching staff about same-sex orientation and the problems the members of this population are face at most delicate age. That is why we hope that this education will give long-term results.

Also, very transparent hate speech and intolerance coming from those whom you least expect it happened in the beginning of the new school year, at the end of September 2011. Jelena Popović-Ivanović, a professor of English in a high school in Novi Sad, via her Facebook page spread national hate and called to violence against same-sex oriented persons. It is disturbing that a large number of students supported her statements.

The mentioned English professor described the problem of LGBT persons' transparency in the following way:

> "Minorities must never have the same rights as the majority! This is our country, Serbian country!"
>
> "When somebody does not give you the right to be normal in Serbia, kick the hell out of him!"
>
> "Yes, fagots are sick and you should stay away from them, ignore them, neglect them and shut them up in all ways because they propagate a disease!" [23]

According to the school's principle concerning this case, they called an educational inspection that had to decide on what further actions to take regarding the professor who has been working at the High School of Mechanics for seven years. Currently

21 Little Vuk: They always push me, kick me, call me a jerk – Press online, December 30, 2011 - http://www.pressonline.rs/sr/vesti/vesti_dana/story/195470/Mali%20Vuk:%20Stalno%20me%20guraju,%20%C5%A1utiraju,%20nazivaju%20kretenom.html

22 Ibid

23 http://www.smedia.rs/vesti/vest/75422/Novi-Sad-Fejsbuk-Profesorka-Mrznja-na-fejsbuku-sirila-mrznju.html

there is no information about whether any sanctions have been made concerning this evident hate speech and call to violence.
The case that attracted the biggest media attention apart from the events that followed the organization and cancellation of the Pride Parade 2011 is the case of public declaration of a 19-year-old young man from Kuršumlija, Stefana Radovića, via the magazine NIN. He addressed the public after his parents have denounced him and after he had left home. This event became one of the main topics of almost all media in Serbia. Later, the media started showing interest for the case in a different kind of way, so Stefan's case did not remain a story about homophobia which gay people in small communities are faced with, but it started being treated in a tabloid manner. In the end, the only relevant sources of information about what happened to Stefan were non-governmental organizations.[24]

COMPLAINTS TO THE COMMISSIONER FOR EQUALITY

During 2011, Labris filed three complaints to the Commissioner for Equality for discrimination based on sexual orientation and hate speech.
The complaint filed on April 2011 referred to the case "System Billboard", concerning the billboard that had pictures of gay and lesbian couples with the title "Just married" which were a part of the exhibition called "By the Way". One of the billboards with a gay couple was removed because of complaints that came from the representative of the media of the Serbian Orthodox Church to the owner of the billboard.
Namely, twelve Austrian artists have, apart from exhibiting their works in the Museum of Contemporary Art of Vojvodina (MSUV) in Novi Sad, rented the billboards as the display area of the exhibition until April 21. However, the company "System Billboards" which placed the billboards of gay and lesbian couples, removed the billboards because of public pressure, not giving an explanation about what that actually means. As was later discovered from the Commissioner's opinion (919/2011) the warrant for the removal of the billboard came to the owner of the billboard from whom "System Billboard" rented billboards. Therefore, Commissioner's opinion is that Dalibor Prodanović, the owner and director of "System Billboard" from Bečej, has not done an act of discrimination. The obtained statement of Dalibor Prodanović states the following:
"System Billboards" contacted MSUV at the end of 2011 in order to advertise the exhibition of Austrian artists on billboards in Novi Sad but the campaign was moved for March 2011. Later in February, this firm was contacted by an institute from Graz and with the cooperation and consultations with MSUV two city locations were chosen for the display of artists' works (Uspenska Street and corner of Jaše Tomića Boulevard and Kisačka Street). The company System Billboard said that the contract with the institute from Austria was not signed and that the oral agreement was for the posters to be on billboards for four weeks. However, the posters were set on March 21st, 2011 and after seven days they were contacted by the owner of the billboard in Uspenska Street and he explained that there were complaints from the journalists and the Serbian Orthodox Church and that he is afraid that the billboards might be damaged by someone. The director of the System Board addressed Živko Grozdanić, the director of MSVU, who said that they are satisfied with the billboard's effect and that there is no need to put the posters on the billboards again. Dalibor Prodanović, director of System billboard said that no one of the employees has such prejudices and that he will advertise everything which does not oppose the Constitution and laws of the Republic of Serbia.

The second complaint sent to the Commissioner's address was against Dragan Davidović, monk Antonije who declared that he will try "to stop the parade this year again" on the press conference held in Media Centre on September 30th 2011. He called the parade "the parade of shame and parade of sexual perverts, propaganda and a desecrating celebration of errant gay wretches"[25], also saying that it is a "demonic mockery of the essence of being of our people".

24 *Are we equal, cases of violence and discrimination against LGBTIQ persons in 2011*, Labris, Belgrade, 2012.

25 http://www.b92.net/info/vesti/index.php?yyyy=2011&mm=09&dd=30&nav_id=545851

There is no official decision based on this complaint on the Commissioner for Equality's Internet presentation, but Labris as the organization who filed the request has been presented with a decision that a request was sent to Dragan Davidović to comment on the complaint and that the letter was returned with a postal indication that Dragan Davidović has moved to Valjevo. The Commissioner for Equality, according to Labris's findings, has no authority to request Dragan Davidović's new address.

The third complaint filed in October on behalf of the Coalition Against Discrimination refers to the discriminatory homophobic statement of the professor from Megatrend University, Milan Brdar. During his lecture from Theory of the Public Opinion held on October 2011, he declared his opinion that homosexuality is a disease like "a stomach ulcer" and that it has to be treated. When a student asked him: "what should be the cure for homosexuality", professor Brdar replied with: "Sex change". In the case of professor Brdar, he was asked to comment on the complaint. The opinion concerning this case has not been given yet.

Labris considers that these cases clearly indicate the restrictions and difficulties which the Commissioner for Equality faces in her work. Namely, the Commissioner for Equality, in accordance with the authorities issued by the Anti-Discrimination Law26, acts strictly in regards to citizens' complaints and human rights organizations'27 complaints and cannot initiate independent proceedings. Therefore, if the Commissioner determines that a discriminatory act was done by a third party that was not included in the complaint there is no possibility to start the proceedings. On the other hand, because of confidentiality there is no possibility to share this information with the person filing the complaint, in order to re-start proceedings. Also, in accordance with these complaints it is possible to conclude that discrimination can be perpetrated by any person who does not live on the address of permanent residence because proceedings are not possible in that case. Labris's opinion is that the Commissioner for Equality's institution, though independent, has to have the opportunity for stronger cooperation with institutions such as the police and public prosecutor while gathering information necessary for acting on the complaints as well as initiating court proceedings where discrimination is confirmed in every case.

In 2011, according to the data of the Commissioner for Equality's office, there were nine cases concerning this personal characteristic (sexual orientation). In two cases it was just one of the personal characteristics apart from several others mentioned. Two out of nine cases are still being processed; one was given a recommendation and the other cases were rejected or stopped or it was determined there was no discrimination according to the law[28].

THE RELATIONSHIP OF MEDIA TO LGBT TOPICS

The fact is that media, although being an instrument of sensitization of the general public, in most cases support the ruling social structure. Therefore monitoring of media, in order to determine the presence of stereotyping, tabloidization, ghettoization and sensationalizing of LGBT topics in the media discourse, is necessary.

According to the Labris' publication "LGBT Population In the Printed Media in Serbia in 2011": Although modern media today have a more complex and more ambiguous view of gender and sexuality more than ever before, media images of LGBT population indicate that this group still does not get enough space in the print and electronic media, and as a topic appears and is discussed about periodically. Although gay and lesbian themes long dominated the entertainment program, articles on LGBT population in recent years, due to the Pride Parade and meetings with politicians, are most commonly found in society and politics columns.
Key events that media reported about were: Pride Parade 2011, 17th of May – International Day Against Homophobia and Transphobia, presentation of the Gay Straight Alliance's (GSA) annual re-

26 Article 1, Paragraph 33 of the Anti-Discrimination Law – The Official Gazette of RS, 22/2009

27 Rules of Procedure of the Commissioner for Protection against Discrimination, Article 25 – The Official Gazette RS, 34/2011

28 Are we equal, cases of violence and discrimination against LGBTIQ persons in 2011, Labris, Belgrade, 2012

port on the human rights of LGBT people in Serbia - "Step by Step" (The presence of Mayor Dragan Đilas resulted in an increased number of articles), the International Pride Day and presenting of the rainbow flag from the balcony of the Ministry of Human and Minority Rights, the "ENOUGH" assembly, organized by the Gay Straight Alliance in front of the Serbian government building, as a protest to the attack on A.Ž.(24) who wore a T-shirt with the insignia of the LGBT community. Most daily newspapers (Pravda, Dnevnik, Politika, Blic, Press, Kurir, Večernje novosti) reported on the trial of Mladen Obradović, the leader of Obraz - extreme right wing organization which discriminates of LGBT people, and Miša Vacić, leader of Naši 1389 (extreme right wing organization) for racial and other discrimination. The largest number of articles are medium size (up to 300 words), but what is important is that all of them are unsigned and that the violence which is in the content is not interpreted in regards to the context or politics. Additionaly, repetition of said pattern was registered in the case of media articles about the verdict of the High Court in Belgrade in regards to the sentencing of offenders during Pride Parade in Belgrade on the 10th of October, 2010. International and regional events that were intensely reported during the very realization were the approval of same-sex marriages in the State of New York (June 2011), the cancelled Pride in Podgorica (May 2011), and violence on the Pride Parade in Split (June 2011).

Although the neutral contextualization of LGBT themes is the most popular in media discourse, the LGBT populace is still exposed to hate speech29. The terminology used is often offensive and discriminatory and television and print media, contrary to the Broadcasting Act, broadcast hate speech directed at persons who have a different sexual orientation than heterosexual. The absence of sanctions and the relativism of hate speech and violence in public discourse provide factual conditions for the expansion of the atmosphere of intolerance and lynching of members of the gay population. After the First Basic Court in Belgrade issued the first-instance verdict for severe forms of discrimination against LGBT people and forbade him to repeat the discrimination performed, Dragan Marković Palma made a statement to all the media that he is: „Proud of the punishment if his acts had contributed to the cancellation of the Shame Parade". Besides that, although Serbian Orthodox Metropolitan Amfilohije Radović has not acted on the recommendation of the Commissioner for Equality, Nevene Petrušic, and apologized to the gay population because of his statement about "the stench of Sodom", a complaint for hate speech against the participants of the Pride Parade 2010 was never filed against him. Absence of reaction of the institutional, social or media criticism represents encouragement to all those who daily use hate speech and justify violence against members of various minority groups.

Despite the Public Information Act, which prohibits disclosure of information that incites violence, hatred, and discrimination based on sexual orientation, discriminatory language and hate speech are still present in our public and media space. Content of media reports shows the practice of repetition of homophobic, patriarchal, discriminatory patterns in the new / old media environment in a social context, which is renewed repeatedly through the fear of the otherness and of difference. It is important that those who produce media content be aware of the responsibilities to public discourse and in regards to influence, but also that it is their obligation according to all ethical journalist codes not only to regularly report and make space for minorities, but to carefully write about topics that refer to LGBT population, bearing in mind positions of these groups in our society and all the negative stereotypes that exist as a predominant value matrix that follows them. During 2011, according to Labris' media monitoring of the local daily newspapers 1785 articles stating LGBT terminology were published.

29 There is no precise and universally accepted international definition of hate speech. The Committee of Ministers of the Council of Europe, in the recommendation No.20 on hate speech from 1997.agreed that the term "hate speech" means all forms of expressions which spread, incite, promote or justify hate among races, xenophobia, anti-Semitism or other forms of hatred based on intolerance, including: intolerance expressed by aggressive nationalism, ethnocentricity, discrimination or hostility towards minorities, immigrants and people of immigrant origin.

OTHER LABRIS ACTIVITIES

Along with active involvement in organization of the Pride Parade, the Coordinator of Public Advocacy, Lobbying and Legal Help has reacted on more than one occasion on behalf of Labris and via joint statements of the Coalition against Discrimination, together with other LGBTIQ organizations. In regards to breaches of human rights and discrimination which occurred in the public sphere, sometimes reactions were made independently, via statements, claims and protests.

The program Coordinator has monitored the trials of those accused of discrimination and violence against LGBTIQ people.

During 2011, some of the most important verdicts were passed in favour of emancipation of the rights of LGBTIQ population.

However, although being of tremendous importance, sentences pronounced for the offenders against the LGBTIQ population are more than symbolic and show that the state is not determined to solve the problem of homophobia and punish violence adequately. Also, duration of the proceedings and number of cases still in progress in courts, refer to insufficient efforts to protect the rights of this minority group.

Charges have been submitted against the leaders of "Obraz" organization and "SNP 1389 Nasi", Mladen Obradović i Miše Vacić, at the First Municipal Court in Belgrade on October 30th, 2009 (kt. br 2260//2009). The two mentioned are charged with crimes of "racial and other discrimination" from Article 387, Paragraph 4, from the Criminal Code of the Republic of Serbia. This represents the first time in the history of our criminal justice system that this clause has been used because of violence and discrimination on the basis of sexual orientation.
During the proceedings, on October 25th 2010, there was a separation of proceedings against Mladen Obradović (K.23953/10) from the proceedings against Miša Vacić (K-4071/2010), because Vacić was charged with unauthorized possession of weapons as well.
In the process K.23953/10 in The First Municipal Court in Belgrade, Mladen Obradovic was charged with spreading and representing ideas that advocate discrimination based on sexual orientation during period from September 13th to September 20th, 2009, by organizing graffiti writing of threatening and insulting content: "Death to faggots" (Smrt pederima), "Belgrade will be flooded by blood, there will be no gay parade" (Beogradom krv će liti, gej parade neće biti), "Faggots we are waiting for you" (Pederi čekamo vas), as well as making promotional material on his computer: ads, posters, leaflets and public calls connected to the participants of the gathering-racial and other discrimination from Article 387, St.4 KZ55. Indictment started on October 25, 2009. Also, he is charged with producing promotional materials on his home computer – ads, posters, leaflets and public calls – which violate Article 387, Point 4 KZ55.
55 The Criminal Code of the republic of Serbia (The Official Gazette, number 85/2005, 88/2005 - ispr., 107/2005 - ispr., 72/2009 i 111/2009)28

Proceedings against Mladen Obradović for spreading hatred and intolerance on the eve of the 2009 Pride Parade, are still in progress. However, he was sentence to two years in prison at the Appeal Court in Belgrade, in April, 2009, but the verdict is not final. Obradović was accused of organizing riots during the Pride Parade on October 10th, 2010. He, along with three others, was accused for organized riots, directing the groups which would commit violence and spread hatred on a discriminatory basis. Judge Danko Laušević said while pronouncing the sentence that "the Court finds the defendants - Mladen Obradović, Damir Grbić and Krsta Milovanović - guilty because on a the meeting at the beginning of October in a flat in Mihailo Pupin's Boulevard they organized and identifies the leaders of groups which would commit the violence. Members of Obraz, Krsto Milovanović and Damir Grbić were sentenced to a year and six months in prison, while others accused of taking part in riots were sentenced to sentences of 8 months to a year in prison.

Obradović's pregnant wife, Jelena Čalić was sentenced to a year of house arrest.

The leader and spokesman of SNP "1389 Naši" was accused of spreading and representing ideas which advocate discrimination of members of LGBT population in the period from 18th to 20th of September, by distributing promotional material, stickers with the text "We don't want a gay parade, we want a patriotic government" and giving threatening statements in the media. (Criminal Code, Article 387). Criminal proceedings number K – 4071/2010 began on October 25th, 2009. From the moment of separation of proceedings against Obradović from the proceedings against Vacić, four main court proceedings were held, and six did not take place.

On the last court proceedings the following persons were questioned: Violeta Vacić, the mother of the defendant, Željko Marković, the police inspector, Slobodan Isailović, police inspector and Slobodan Škugović.

Representatives of Labris and GSA organizations have appeared on both proceedings against Obradović and Vacić as witnesses. It remains to be seen whether sensitivity to violence and threats that are constantly made by the leaders of these extremist organizations will be shown – this would present us as a serious country ready to condemn fascism. More detailed reports from the trials are available in Labris's archives.

The Coordinator of the same programme went to Strasbourg, Brussels and Warsaw on meetings and while visiting a OEBS' session (on human dimension) as well as while meeting with officials, she pointed the out the key problems connected with human rights of LGBT persons in Serbia: non-existence of the state's will to deal with the leaders of right wing organizations that are becoming more organized, lack of readiness to convict them in an appropriate way for offences they have committed, frequent hate speech in the public sphere coming from politicians in the first and foremost, lack of reaction of the RBA to hate speech, non-existence of hate speech and hate crimes in the Criminal Code, and weak implementation of laws against discrimination.
Under the patronage of ILGA Europe, and within the Public Advocacy, Lobbying and Legal Help programme, a regional conference "Successful Strategies of Lobbying for Promotion of LGBTIQ Rights – West Balkans" was organized.

The two-day conference was held in Belgrade on October 21st and the 22nd, 2011, and it gathered over 30 activists from LGBTIQ organizations from Serbia and the region, as well as the notable professors from the Institute of Social Sciences in Belgrade, Faculty for Security, a representative of the Commissioner for Equality's Office, a representative of NUNS (Independent Journalist Association of Serbia) as well as a representative of the Institute for Gender Equality of Vojvodina.
The conference was attended by numerous colleagues from other human rights organizations.

Out of five panels, the panel about the Pride parade and the discussion about whether it is the most efficient way of struggle for the promotion of rights and position of LGBTIQ population in this moment, received the most positive marks. The discussion has been opened and it will last for a long time since that panel represented the trigger after which Labris committed itself to be one of the organizers of round tables during 2012 (which will bring together all actors from the human rights sphere) with the goal of establishing the widest possible social consensus on the issue of pride parades.

During 2011, round tables with the representatives of all LGBTIQ organizations from Serbia were held where the draft Law on Registered Same-Sex Partnerships was presented. Legal advisors who worked on this law were hired by Labris back in 2010. The issue of same-sex unions' registration is a matter of time because, in the long run, this legal status quo where there is no regulation is unsustainable, since there are numerous unions of same-sex partners and often they have children. Such unions will sooner or later be legally recognized.

All LGBTIQ organizations are familiar with the content of the represented draft law and the next step is to get the widest possible consensus on the text of the draft law among LGBTIQ organizations, which will be followed by a set of presentations of the draft law to other human rights organizations.

At the end of the year and within the Advocacy, Lobbying and Legal Help programme, a situational testing was started and a team for situational testing of discrimination and unequal treatment was formed. In 2012, the focus of the testing will be on artificial insemination of lesbians and the change in practice concerning the documents need for entering into same-sex marriages out of Serbia's borders.

In 2012, Labris is planning to cooperate with institutions and independent bodies on projects directed at the improvement of LGBTIQ human rights. In the first place is cooperation with the Administration for Human and Minorities Rights that has several times so far showed clear initiative and will to cooperate.

EDUCATION PROGRAM

During June 2011, the Education Program organized workshops for health, social and education workers, and an educational seminar on responsible journalism for journalists and bloggers was held.

"Sexual Orientation As A Basic Human Right" workshop was held for the medical staff of the medical centre "Halobeba" (Department of Public Health, Belgrade). The following topics were covered: definitions and differences between sex and gender, terminology and identities, homophobia, institutional homophobia, homosexuality throughout history, LGBT rights and laws, and the methodology of "the living library" was implemented.

The idea of holding this workshop came in October 2010, after a homophobic reaction from one of the on call nurses working on the telephone line for consultation. After a situational test we contacted the health centre "Halobeba" and came to the conclusion that this homophobic attitude was coming from ignorance as well as the fact that some employees had their last training more than twenty years ago.

During 2011, with the support of Civil Right Defenders, Labris organized a seminar: Same-Sex Orientation in The Work of Health Centres.

The seminar is intended primarily for health workers, psychiatrists, gynaecologists, psychologists, all of whom work in student health centres in the Republic of Serbia, and other health workers, health centres, who consider being educated about the above mentioned topics will prove beneficial in their work with patients. Same-sex Orientation seminar in counselling and therapy work which was attended by over 20 professionals mainly employed in the centres for social work, focused on:

- Identities, same-sex orientation and lesbian existence;
- The human rights of lesbians and gays;
- The social mechanisms of homophobia;
- Trans existence;
- Coming out;
- Stereotypes and prejudices.

"I Want To Tell You" is a six month training project for teachers in high schools. This project was dedicated to young people, and it was created together with the Office for Youth New Belgrade and the Ministry of Youth and Sports.

During 2011, we organized five "one-day" seminars for teachers of secondary schools in New Belgrade. This was the first time that an LGBT organization officially entered high schools with its visible LGBT themes.

"Theatre in Action – The Power of Dialogue" is another Labris project supported by the State aimed at sensitization of the general public but especially professors and high school students regarding LGBT rights and issues they face in schools or outside of school due to different sexual orientation. Theatre plays were played in "Dah teatar" and the project was realized with the help and support of the Ministry of Culture, the Open Society Fund, Sigrid Rausing Trust, Reconstruction Women's Fund, Belgrade Youth Office - City Government of Belgrade.

With the support of Civil Right Defenders a seminar called "Same-Sex Orientation and Responsible Journalism" was held. The goal was to point out the media role and the importance of objective and proper reporting through the use of appropriate non-discriminatory terminology in order to raise awareness of same-sex orientation.

INFO CENTRE PROGRAM

Under this program, which primarily has the goal to provide adequate support for members of the lesbian community towards acceptance of their identity, we organized: two rounds of workshops (ten workshops), seven psycho-educational and creative workshops, as well as nineteen social activities.

The first set of workshops was of a psycho-educational type based on the theory and practice of transactional analysis. These workshops were led by transactional analyst and consultant for psychodrama, Anja Mijalković. On these workshops community members were involved in key issues: the unconscious life script or scenario, emotional intelligence, being a better parent for oneself, healthy relationships, how to deal with problems.

The second set of workshops was of a creative type, and it dealt with the fundamentals and techniques of photography. These workshops were held by photographer Tamara Gavrilović and community members talked about these topics: history of photography, light and colour, composition, device use. Besides the theoretical part, there was a practical part as well, which consisted of photographic technique exercises.

Besides these workshops, another seven workshops were held, which, among other things, dealt with issues of gender-sensitive language, stereotypes and prejudice, detailed explanation of the concepts of race, gender, identity and ways of preventing breast cancer and also education for breast self-examination.

From April 21st to April 24th, as part of the Info Centre program, a regional conference Lesbian Week was held titled "We Have Come Out". This was the tenth such conference, which first started in former Yugoslavia, and this time it gathered 76 lesbian activists from Croatia, Slovenia, Bosnia and Herzegovina, Macedonia, Montenegro, Serbia, and several international activists and experts in the field of feminism and LGBT activism. The conference was organized by the lesbian group Labris from Belgrade, and the lesbian group NLO (Novi Sad Lesbian Organization) from Novi Sad. Many panels were devoted to strengthening the lesbian network in former Yugoslavia, empowering lesbian identity, discussions on homophobia and the politics of feminism, raising awareness about lesbian rights and lesbian visibility awareness. The Lesbian Week was attended by the legendary lesbian writer, founder of the first Lesbian Archives, today an activist of Women in Black opposing the U.S. and Israeli regimes - Joan Nestle, along with her partner Di Otto. Diana Otto is a long-time feminist professor of women's rights at the University of Melbourne. She is now raising questions about lesbian and feminist interventions in international law and solidarity among the discriminated.

A large number of volunteers assisted in this activity, as well as for the regional conferences on successful lobbying strategies. The number of volunteers, compared to last year, has increased and the number of regular volunteers is now 20.

This year within its social activities, Labirs organized: film screenings, meetings with international experts and activists in the field of feminism and LGBT activism, recording the video "I Am What I Am", a trip to Silver Lake – ovo isto ne bih prevodila vec samo Srebrno Lake, "Centre for Women's Studies" visits, visit of students of the University of Vienna, and the organization "Care International". Also, we supported and attended the Split and Zagreb pride parades - approximately thirty of our activists participated in said parades. Additionally, a focus group was organized on the topic of vulnerable groups and security sector reform (SSR): an LGBT case study, marking the international Human Rights Day, etc.

The previous year has, however, brought us some positive results when it comes to LGBTIQ rights in Serbia. Primarily, because the first verdicts were handed down for the riots at the 2010 Pride Parade, as well as for hate speech.

However, we should continue to strive for systematic problem-solving, rather than rehabilitation of consequences.

Therefore, the recommendations to the State remain very similar as in previous years.

RECOMMENDATIONS TO THE AUTHORITIES FOR THE IMPROVEMENT OF THE POSITION OF THE LGBT POPULATION:

- To prosecute all cases of violence against LGBT people, i.e. find and punish the perpetrators of these crimes, but also those concerning threats to activists for LGBT rights regardless of sexual orientation.
- During the proceedings of these cases regarding violence against LGBT persons recognize these criminal acts as hate crimes, i.e. identify motive of such violence.
- Develop education programs aimed at sensitization of employees in state institutions for issues of sexual orientation and LGBT human rights, especially for employees in the institutions of the judiciary, prosecutors, police and health.
- Introduce hate crime into the existing Criminal Code and designate a contact person at the Ministry of Internal Affairs to deal with the issue of hate crimes
- Adopt legislation necessary to recognize and respect the rights of transsexual and transgender people
- Adopt legislation that would allow for same-sex registered partnership, which would ensure same-sex couples could enjoy the same rights as heterosexual couples.