OSCE ODIHR
HATE CRIME REPORTING

Information contained in this report was compiled as part of ODIHR's 2023 Hate Crime Report.
For more information, including on previous years' reporting, please visit: hatecrime.osce.org/montenegro

For more information about ODIHR's Hate Crime Report, visit: hatecrime.osce.org/our-methodology

1 2023

Summary

Montenegro has reported information on hate crimes to ODIHR, most recently for the 2023 and 2024 Hate Crime Reports.

In 2017, Montenegro adopted measures to facilitate the effective prosecution of hate crimes following the judgment of the European Court of Human Rights in the case of *Alkovic v. Montenegro* (No. 66895/10). In 2023, Montenegro amended legislation to include the offence of public acts provoking or inciting racial and religious hatred (Article 370), as well as special circumstances for sentencing hate crimes (Article 42a).

In 2025, the Supreme State Prosecutor adopted the Binding Instruction on the Conduct of State Prosecutors' Offices in Cases of Hate Crimes and Hate Speech. The Instruction improves the system for recording, monitoring and reporting on criminal offences committed out of hatred and hate speech.

In 2013, Montenegrin police officers participated in ODIHR's Training Against Hate Crimes for Law Enforcement (TAHCLE), followed by cascaded training events between 2013 and 2022, and a ODIHR refresher training in 2022. In 2023, ODIHR delivered a train-the-trainer workshop to prosecutors and judges as part of its Prosecutors and Hate Crime Training (PAHCT) programme.

Hate crime data collection in Montenegro
Support for hate crime victims in Montenegro
Hate crime capacity building in Montenegro
Montenegro's hate crime legislation

ODIHR's Key Observation

ODIHR recognizes Montenegro's efforts to build the capacity of prosecutors and judiciary on hate crime, as well as to amend the existing legal framework in order to ensure that bias motivation can be effectively acknowledged. However, based on the available information, ODIHR observes that Montenegro's hate crime recording and statistics do not sufficiently

distinguish hate crimes from other crimes. In addition, ODIHR observes that Montenegro would benefit from developing its victim support system to ensure effective access to justice, assistance, and protection services for hate crime victims.



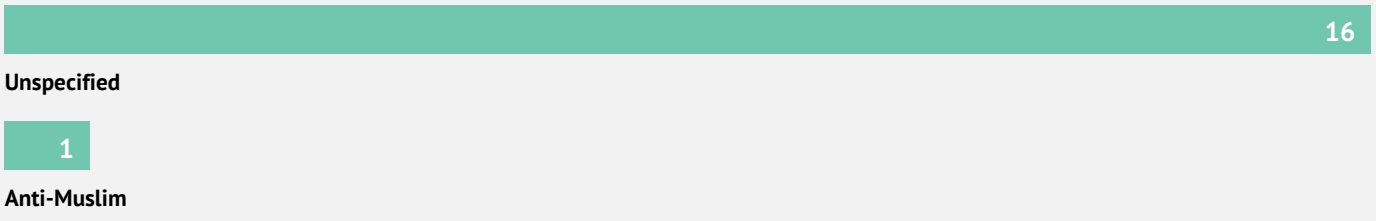
Official Data

Police figures include two cases of hate speech, which fall outside the OSCE's definition of hate crime. The number of prosecuted cases represent four bills of indictment for the criminal offence under Article 370 (causing national, racial, and religious hatred), which falls outside the OSCE's hate crime definition. The number of sentenced cases might include cases of hate speech, which fall outside the OSCE's definition of hate crime.

Year	Hate crimes recorded by police	Prosecuted	Sentenced
2023	19	4	623

Police data by bias motivation

The breakdown below excludes two cases of hate speech that fall outside the OSCE's hate crime definition.



Police data by type of crime

The breakdown below excludes two cases of hate speech that fall outside the OSCE's hate crime definition.

16

Disturbance of the peace

Under Article 399 of the Criminal Code of Montenegro, these correspond to offences of 'Hooligan Behaviour'.

1

Threats/ threatening behaviour

Under Article 168/42a of the Criminal Code of Montenegro, these correspond to offences of 'Endangerment of Safety Committed Out of Hatred'.

National Developments

In 2023, a training-of-trainers was held for prosecutors in line with a Memorandum of Co-operation between the Supreme State Prosecutor's Office of Montenegro, the Centre for Training of the Judiciary and State Prosecutor's Office, and ODIHR. Signed in 2022, the Memorandum related to the implementation of ODIHR's Prosecutors and Hate Crimes Training Program (PAHCT).

In 2023, in co-operation with the Centre for Democracy and Human Rights (CEDEM), the Centre for Training in the Judiciary and the State Prosecution organized a training activity on prosecuting hate crimes and combating hate speech, with a special focus on the LGBTIQ community. As part of the in-service training programme for judges and state prosecutors, the Centre also organized a seminar on "Hate Crime and Hate Speech". In total, 20 representatives of Montenegro's judiciary participated in the seminar (11 judges, three court advisers, four state prosecutors and two advisors from state prosecution offices).

In 2023, the HELP programme organized an online course on "Fight against racism, homophobia and transphobia" with the support of the Centre for Training in Judiciary and State Prosecution.

UNDP, in co-operation with the Center for Training in the Judiciary and the State Prosecution, organized a training activity on "Gender-based hate speech". A total of 11 representatives of Montenegro's judiciary attended this training.

Montenegro's Criminal Code was further amended in 2023 to criminalize public incitement to racial or religious hatred, as follows: "(1) Whoever publicly incites to violence or hatred towards a group, or a member of a group defined by virtue of race, skin colour, religion, language origin, nationality or ethnic affiliation shall be punished by a prison sentence from six months to five years". New provisions on sentencing for hate crimes were also introduced: "(1) When the criminal offence was committed out of hatred of another person due to national or ethnic affiliation, affiliation with race or religion or due to absence of such affiliation, disability, nationality or due to differences in political or other beliefs, sex, language, the colour of skin, education, social status, social background, sexual orientation, gender identity or disability".

Incidents reported by civil society

No data reported to ODIHR.

View civil society incidents for Montenegro, 2023