



Cyprus



While a number of activities for greater awareness around LGBTI issues were implemented, no substantial policy or legal changes were brought about. Nonetheless, there was greater collaboration between government agencies and LGBTI civil society was characterised by a dialogue between members of the Parliamentary Human Rights Commission and LGBTI movement to identify possible actions to improve the situation.

Bias motivated speech

- In June, the Office of the Commissioner for Administration released its first report on hate speech, as a follow-up on complaints received in relation to homophobic statements made by a Member of Parliament in 2010. The report made specific recommendations for the extension of the legislation that currently covers racist hate speech to also cover homophobic and transphobic hate speech.

Education

- Between May and October, a campaign entitled *Shield against homophobia in education* was put together by the Pool of Trainers of the Cyprus Youth Council and the Cyprus Family Planning Association. The campaign was officially supported by the Ministry of Education and Culture, the Commissioner for Children's Rights and the Office of the Commissioner for Administration. The campaign was also supported by the Pedagogical Institute and the University of Nicosia.
- In December, the Office of the Commissioner for Administration released a report on homophobia in education in Cyprus. The report highlighted the large extent of homophobic bullying in schools, noting that children who experience this form of discrimination often feel isolated and socially excluded, and have low self-esteem. The report recommended that: (i) bullying is tackled in the education system through a policy by the Ministry to cover the needs of teachers, students and parents; (ii) sexuality education is provided in schools; (iii) infrastructures at schools are set up to handle bullying; and (iv) the capacities of teachers to handle issues of sexual orientation and gender identity are increased.

Equality and non-discrimination

- In May, a series of Voices against *homophobia* events was organised for the third consecutive year by accept-LGBT Cyprus, with activities held with the support of the municipalities of Nicosia, Limassol and Paphos. These events received support from the US Embassy, European Parliament Representation, European Commission Representation, the Equality Body, and various NGOs.

Events included workshops, exhibitions, panel discussions, Rainbow Human Library and performances.

- In May, a video campaign was organised under the theme: *Life is not just black & white*, featuring nine videos of LGBT supporters sending their own message against homophobia and transphobia. The video campaign was supported by the Cyprus Community Media Centre and NGO Support Centre with support of the European Commission Representation. The videos were published online and on social media. The concluding event of the campaign, a *Rainbow Human Library*, was held for the first time with diverse LGBTQ people taking part in the event.
- In October, accept-LGBT Cyprus and Queer Cyprus Association organised an international bi-communal conference entitled: *Towards Inclusion: Healthcare, Education and the LGBT Community*. The two-day conference was attended by more than 70 people (psychologists, teachers, activists, sociologists, nurses etc.). The conference included guest speakers from Greece, Turkey, Scotland, the United States and Cyprus. It achieved its aim as it contributed to building the capacities of people from both communities of Cyprus in issues related to health and education and LGBT people. For the first time, trans activists were in Cyprus to host workshops on gender identity and expression, providing a framework for participants to share practices, knowledge and experience and lay the groundwork for future collaboration. Another first included public discussions on LGBT parenting enabled by the presentation of LiSTAG from Turkey.
- As a follow-up to the 2011 research results on *Sexual orientation: mapping the sociopolitical climate, experiences and needs*, an advocacy and dissemination plan of the results was implemented by accept-LGBT Cyprus in partnership with Cyprus Family Planning Association. The plan included meetings with Members of Parliament, different Ministries (Justice, Interior, Defence and others), the Police and the Equality Body. Through these meetings officials were informed about the research results as well as accept-LGBT Cyprus' three main advocacy goals of (i) legislation and policies

tackling bullying; (ii) laws against homophobic and transphobic hate speech and hate crimes; and (iii) legal recognition of same-sex couples.

- In October, various political parties from the Human Rights Committee of the Parliament, for the first time, invited accept-LGBT Cyprus and Cyprus Family Planning Association to present their research findings of *Sexual orientation: mapping the sociopolitical climate, experiences and needs* and recommendations. This initiative by the MPs created a dialogue with the LGBT movement of Cyprus working towards legal changes. By the end of the meeting, which was widely reported in the media, MPs Roula Mavronikola, Stella Kyriakidou and Stella Misiakou stated that different actions need to be undertaken including: (i) an action plan on LGBT matters; (ii) legal recognition of same-sex relationships through registered partnerships; and (iii) policies against homophobia and bullying in education.
- In November, accept-LGBT Cyprus marked *the Transgender Day of Remembrance*. The event, supported by the Equality Body, included a candle light vigil and a film screening followed by a discussion. As the event coincided with the *Equality Summit* of the Cypriot Presidency, representatives of Transgender Europe attended the event and took part in discussions on the situation of trans rights in Cyprus and on how the LGBT movement can be more trans inclusive.

Legal gender recognition

- In February, a report was released by the Office of the Commissioner for Administration in relation to a complaint submitted in 2009 by a trans woman who is a recognised refugee. The complaint addressed the anomaly whereby in spite of the fact that the woman was granted political refugee status on the grounds of gender identity, the state denied her request for coverage of the expenses related to the gender reassignment process. Such surgeries are not performed in Cyprus due to the lack of infrastructure and respective legislation. The report clearly found that the current framework is discriminatory and has negative impacts on the health of trans people. The Ministry of Health was therefore asked

to re-examine the existing framework in order to adequately include trans people.

Public opinion

- According to Eurobarometer 2012, 77% of Cypriots believe sexual orientation discrimination is widespread. This is significantly above the EU27 average (46%). 76% believe gender identity discrimination is widespread. This is significantly above the EU27 average (45%). Cypriots scored 4.1 on a scale from 1 ('totally uncomfortable') to 10 ('totally comfortable') when asked how comfortable they would feel with an LGB individual in the highest elected political position in their country. This is significantly below the EU27 average (6.6). Cypriots scored 3.0 on a similar scale when asked about a transgender/transsexual person in the highest elected political position in their country. This is significantly below the EU27 average (5.7).

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Criminalisation

- Following the high profile arrest of former Cypriot Minister Michael Sarris and two other men in October 2011, community leader Derviş Eroğlu had promised that the *Criminal Code* would be amended. Articles 171 and 173 currently provide for five years imprisonment for homosexual acts, and three years imprisonment for 'attempts to commit [these] crimes'. In January, however, Turkish Cypriot community sources reported that contrary to these promises, the two men in prison for previous offences were brought to court accused of 'acts against nature'. They were each sentenced to one month in prison. The changes to the law as proposed by the Communal Democratic Party have not yet been voted on by Parliament.
- In June, an application to the European Court of Human Rights was lodged challenging the continued criminalisation of homosexuality in Northern Cyprus. The case, *H.Ç. v. Turkey* (Application No 6428/12), was

¹ An unrecognised jurisdiction separated from the Republic of Cyprus through a UN buffer zone.

submitted on behalf of the applicant by the Human Dignity Trust. The case is against Turkey, as it is responsible for protecting and promoting human rights in the so called Turkish Republic of Northern Cyprus.

- Two men were accused of carnal knowledge against the order of nature in 2010 and one of the accused asked that the case be transferred to the Constitutional Court. The Attorney General's Office announced to the Constitutional Court that Article 171 of the *Criminal Code* would be changed and the case was postponed to February 2013.
- Members of the European Parliament LGBT Intergroup rights have increased their pressure to change the law dating from 1889. Amongst them, MEP Marina Yannakoudakis made several appeals to community leader Derviş Eroğlu, and in April, MEP Michael Cashman visited Northern Cyprus and called for the repeal of the law.
- In November, during the Cypriot Presidency's Equality Summit, ILGA-Europe met with representatives of three opposition parties. The aim of the meetings was to discuss the continued criminalisation of male homosexual conduct and other serious human rights violations of LGBT people which were documented in a study launched by Queer Cyprus Association coinciding with ILGA-Europe's visit.

Data collection

- In November, Queer Cyprus Association released its study *Documentation of LGBT human rights violations in Northern Cyprus*. The study explores, identifies and displays human rights violations such as humiliation and discrimination experienced in legal, public and private arenas by LGBT people in North Cyprus. The majority of participants in the study stated their awareness of *Criminal Code* Article 171 as well as its effect of preventing them from receiving proper public services. The number of survey participants who had been mocked and humiliated because of their sexual orientation was very high. The survey also showed a serious rate of physical violence and/or threats. The number of people who stated that they were beaten, hit, slapped, had personal property damaged, and even faced the possibility of

being injured by gunfire cannot be underestimated. Another notable issue uncovered by the survey is that a considerable number of abuse and rape cases due to sexual orientation exist but LGB individuals do not (or rather cannot) go to the police to claim their rights. Study results also revealed that there are lesbian, gay and bisexual individuals who have been detained by the police without justification and who have encountered violence and/or abuse at the hands of the police or the army.

Member organisations of ILGA-Europe

accept-LGBT Cyprus
www.acceptCY.org

Feminist Atolye
www.feministatolye.org

Gay Liberation Movement of Cyprus

Queer Cyprus Association
www.queercyprus.org