

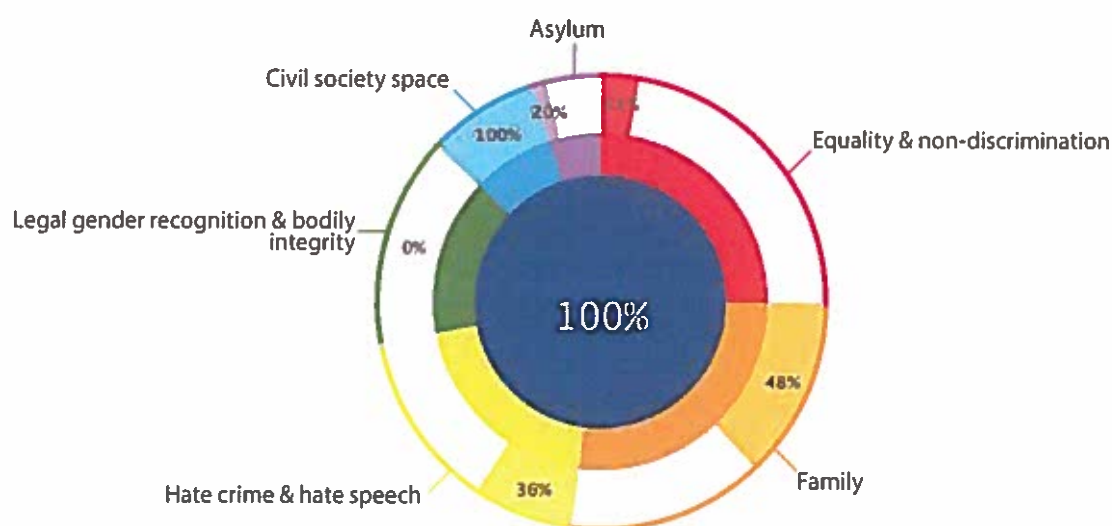
Cyprus



The high-profile legal developments in late 2015 – on civil unions and criminalisation of hate speech – continued to feature in discussions during the year. The first civil unions on the island were registered; eight same-sex couples opted to do so within the first four months of the year. This development was praised by ECRI in their monitoring report, as was the 2015 introduction of criminal penalties for homophobic and transphobic rhetoric. However, another of ECRI comments echoed the concerns of LGBTI activists, as it recommended that these standards are further built upon. At the moment, the LGBTI-bias penalties are not aligned with the penalties for racially motivated hate speech, and there were calls for this to be harmonised. Another area prioritised in political discussions was the continuing lack of legal gender recognition - a fact further emphasised by an examination of the country's Rainbow Europe section on gender recognition and bodily integrity. The Ombudsperson of the Republic of Cyprus and the Ombudsperson in the northern part of the island not under the effective control of the government initiated key conversations, on the rights of intersex people and on the situation faced by LGBTI people on IDAHOT. Activists in northern Cyprus worked on visibility initiatives during 2016, with billboard campaigns, speeches from prominent figures, and the flying of rainbow flags all contributing to increased prominence for LGBTI issues. All these areas also formed part of the first cross-party, public discussion by political figures on LGBTI issues – which took place at ILGA-Europe's Annual Conference in Nicosia in October.

For more information on developments in 2016, visit www.rainbow-europe.org where you can read the full country chapter.

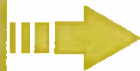
Legal and policy situation in **Cyprus** as of 31 December 2016



In order to improve the legal and policy situation of LGBTI people, ILGA-Europe recommend:

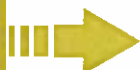


Developing a fair, transparent legal framework for legal gender recognition, based on a process of self-determination, free from abusive requirements (such as sterilisation, GID/medical diagnosis, or surgical/medical intervention).



Actively implementing existing legislation to ensure that people are protected against hate speech on the grounds of sexual orientation and gender identity, and extend the law to cover sex characteristics.

Northern Cyprus*



Amending the criminal code to ensure that people are protected against hate crime/speech on the grounds of SOGISC (sexual orientation, gender identity, sex characteristics).



Amending labour law to expressly protect LGBTI people against discrimination on the grounds of SOGISC (sexual orientation, gender identity, sex characteristics) in employment.

*(Areas not under the effective control of the Republic of Cyprus)

Asylum

- According to the Ombudsperson's Office – National Antidiscrimination Body, in 2016 the Republic of Cyprus granted asylum to an intersex person for the first time. The person was allowed to have access to hormone therapy.

Bias-motivated speech

- During a live TV programme on 31 October, Archbishop Chrysostomos announced that the Orthodox Church of Cyprus intended to create schools to offer what he referred to as 'exemplary education'. The archbishop stated that these schools would teach that homosexuality was an 'unnatural choice'. LGBTI NGO Accept-LGBT Cyprus called on the Attorney General's office to initiate an inquiry, but no action was taken. The Ombudsperson issued a public statement on the matter (in her capacity as the anti-discrimination body), noting that the archbishop's comments "...fall outside the protective scope of freedom of expression and should be investigated, both because of the content itself, but also because of their potential impact". NGO Accept-LGBT Cyprus reported the case to the Cyprus Radio Television Authority, who then opened a formal examination of the complaint.

Bias-motivated violence

- A young man was violently assaulted by six people in Nicosia on 6 February. NGO Accept-LGBT Cyprus called the attack a 'gross homophobic incident'; the man required hospitalisation. The incident was reported to the police, but the authorities subsequently informed the anti-discrimination bodies that the crime was "unsolvable". According to Accept-LGBT Cyprus, the perpetrators had been identified but not arrested.

Bodily integrity

- On 5 September, the Parliamentary Committee on Human Rights met to discuss a report on the rights of intersex people issued by the Ombudsperson Eliza Savvidou. The Committee discussed the need to address the current invisibility of intersex people, human rights

violations, options for better treatment practices, and providing the parents of intersex children with accurate information.

- Ombudsperson Eliza Savvidou discussed the situation of intersex people in Cyprus at a meeting with LGBT NGO Accept-LGBT Cyprus, the Ministry of Health, the Ministry of Interior, the Cyprus Bioethics Committee, and the Cyprus Medical Association representatives on 3 October. Before the meeting, the Ombudsperson had called for more public dialogue and awareness on the needs of intersex people. She had commented on medical interventions on intersex children, saying they "...constitute a practice that is largely uncharted, characterised by ignorance and prejudice, and which is not compatible with fundamental human rights such as the right to self-determination and physical integrity." A follow-up meeting was proposed but had not taken place by the end of the year.

Equality and non-discrimination

- As part of its five-year monitoring cycle, the European Commission against Racism and Intolerance (ECRI) published a report on Cyprus on 7 June. Recent developments, such as the Civil Union Act and the criminalisation of incitement to hatred or violence on the basis of sexual orientation or gender identity, were praised. ECRI also noted that proposals to amend media laws to better respect LGBT people had also been put forward by the Cyprus Radio Television Authority but had not been adopted before the monitoring report was published. ECRI listed several recommendations relevant to LGBT equality, including a call to increase the Criminal Code's penalty for homophobic and transphobic hate speech to align it with existing penalties for racist hate speech. The report also recommended increasing human rights training for police officers, greater research on LGBT people's experience of discrimination, including gender identity as a prohibited discrimination ground in equal treatment legislation, and allowing for change of gender markers in documents without the need for surgery.

- The leaders from three political parties – the governing Democratic Rally (DISY; centre-right), largest opposition party Progressive Party of Working People (AKEL; left-wing) and the centrist Democratic Party (DIKO; centre) – discussed equality for LGBTI people in Cyprus and future political priorities during the 20th ILGA-Europe Annual Conference in October. This was the first time that representatives of the main political parties had jointly discussed LGBTI issues in public.
- Addressing homophobic and transphobic hate crime was listed in November as one of the priorities that Cyprus would pursue during its time as chair of the Committee of Ministers of the Council Of Europe, running until May 2017.

Family

- Following the passage of the Civil Union Act in late 2015, the first civil union between two men was registered at a ceremony in Nicosia on 11 February. Eight of the sixteen couples to enter civil unions between December 2015 and April 2016 were same-sex couples. This figure was announced in April to coincide with a workshop on social protection of LGBTI people, organised by the Interior Ministry and the Office of the Commissioner for Administration and Human Rights - Ombudsperson. The first civil union between two women was registered on 12 May.

Freedom of assembly

- The Aglandjia municipality in Nicosia flew a rainbow flag during IDAHOT on 17 May, coinciding with the first day of the Cyprus Pride Festival. It was the first local government authority, in the areas under the effective control of the government of the Republic of Cyprus, to display a rainbow flag (see also **northern Cyprus**).
- The Foreign Ministry of Cyprus issued a directive to the embassies of Cyprus abroad to attend Prides when requested by the local activists. The Ministry was also represented in Cyprus Pride for the first time, at the level of Head of Department responsible for Human Rights.

Freedom of association

- The local Limassol branch of NGO Accept-LGBT Cyprus was inaugurated on 20 March. This is the first time that the

second largest city in Cyprus has its own dedicated LGBTI group.

Human rights defenders

- NGO Accept-LGBT Cyprus' parents group made its first public appearance on 16 February. The parents of LGBTI people took part in a live TV show, and had the chance to answer viewers' questions directly. The parents group held its first public event on 22 March (entitled "My Child is Gay") and later repeated this in Limassol in May during the Cyprus Pride Festival.

Legal gender recognition

- A peer-to-peer exchange session on legal gender recognition was held in Nicosia on 19 October. The event was organised by the Council of Europe and the Cyprus Ombudsperson, in partnership with NGOs Accept -LGBT Cyprus, ILGA-Europe and TGEU. It focused on enhancing the capacity of the Cypriot authorities to implement Council of Europe standards regarding the legal gender recognition of trans people, opening up the discussion with a number of Cypriot stakeholders.
- The first discussion on legal gender recognition at the Parliamentary Committee for Human Rights took place on 15 November. Several stakeholders were involved, including the Ministry of Interior, the Ministry of Health, the Ombudsperson and NGO Accept-LGBT Cyprus. Head of the committee, Stella Kyriakides (DYSI, centre-right) referred to the need for self-determination, without the need for any medical or psychiatric evaluation. The Committee promised follow up on this issue early in 2017 with a discussion in the Parliament.

Northern Cyprus

Equality and non-discrimination

- To mark the second anniversary of the decriminalisation of homosexuality, rainbow flags were flown across the northern part of the island in January. NGO Queer Cyprus Association had initiated the initiative,

supported by Gender Equality Platform. NGOs, individuals and over 40 institutions displayed rainbow flags including two municipalities, trade unions, and political parties (one of them being a member of the part of a coalition government). The Nicosia Turkish Municipality was the first local authority to fly a rainbow flag.

Freedom of assembly

- The northern Cypriot ombudsperson Emine Dizdarlı drew attention to the importance of combatting discrimination, violence and hate speech against LGBTI people, in a speech to mark IDAHOT. She also said that she hoped the IDAHOT march on 17 May would be a step towards achieving that aim.

Freedom of expression

- LGBTI NGO Queer Cyprus Association launched an awareness-raising campaign in northern Cyprus in November. The billboard campaign was part of a larger two-year project, supported by Cyprus Community Media Centre, entitled 'Unspoken: Creating Dialogue on LGBTI Rights in the Turkish Cypriot Community'. Posters in Dikmen and Mağusa were defaced within 48 hours of being unveiled. In the town of Iskele, the billboards were removed by the city council without any explanation for their removal. The acts were condemned by various NGOs, political parties, as well as by individuals via social media.