

Statement on the UPR Pre-session on the Republic of Cyprus 14 February 2024, Geneva

(Slide 1)

Hello, I would like to start my statement with an acknowledgement that LGBTI+ rights are human rights.

Today, I will be delivering this statement on behalf of Queer Cyprus Association which is one of the member organisations of the Human Rights Platform.

Queer Cyprus is a civil society movement in Cyprus that combats discrimination based on gender identity, expression, sex characteristics and sexual orientation.

In preparation for this presentation, consultations were conducted with the other LGBTI+ organisations in the island namely Accept LGBTI+ and Queer Collective Cy.

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Here are the Previous LGBTI+ related Recommendations made by other states to the Republic of Cyprus.

It is an honour to share that some of these recommendations are achieved by the Republic of Cyprus with the acknowledgement that there are still recommendations that need to be worked on further.

Today I will be focusing on some of these recommendations given the limited time.

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Before starting to present the main issues and recommendations for this cycle, I would like to mention some of the general developments.

As you can see Criminal Code was amended at different periods and included sexual orientation and gender identity as an aggravating factor when sentencing in criminal offences. Another development was to ban and criminalise conversion practices or so-called 'therapies'.

These are some of the legal developments and I will further mention some other developments under each relevant issue in the next slides.

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In the previous cycle, Malta recommended that the Republic of Cyprus "*Step up efforts to enact the new legislation on transgender persons.*"

In September 2022, the Minister of Justice announced that the legal gender recognition bill was approved by the Council of Ministers and submitted to the House of Representatives for discussion and voting.

The Parliamentary Committee held the first reading of the bill which was presented by the Minister of Justice. The bill is remaining in the parliament to pass.

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According to the annual report published by ILGA Europe, in 2023 Cyprus is ranked 29th among 49 European countries regarding of legislation and policies related to LGBTI+'s human rights, with an overall score of 31%.¹

For improving the human rights of LGBTI+s in Cyprus, we recommend that the state of Cyprus adopt the legal gender recognition law based on self-determination. Also, we recommend that the state of Cyprus take immediate action to ensure that it's all citizens have equal access to the healthcare system. For example, to guarantee that trans and gender diverse individuals can access free gender-affirming healthcare without discrimination or barriers.

¹ <https://www.rainbow-europe.org/#8628/0/0>

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The second issue is related to the prevention of hate speech and hate crimes. In the previous cycle, five countries made recommendations related to Combating Discrimination and Hate Crimes.

As a new development, the ombudswoman called for mandatory training for all police officers and with the help of civil society, training was given to the prison guards, as well as newly recruited and existing police officers.

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In 2023 the homophobic attacks² and hate speech towards LGBTI+s were in rise.³ Taking into consideration these developments we recommend that the Ministry of Justice and Public Order create a unit in the Police, which is specialized in the investigation of cases of hate speech and hate crimes.

Also, create and implement specialized training and education programs on hate speech and hate crimes in officials of the Judicial Service.

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The final issue is Family Rights and Anti-Discrimination.

In the previous cycle Iceland recommended the adoption of an action plan to combat homophobia and transphobia in all areas of everyday life.

It is a great development that Cyprus and the UK signed a MoU on the Protection and Promotion of the rights of LGBTI+ people in Europe and the Commonwealth.

On the other hand, it is known that right to adoption is not defined for same sex couples and Turkish Cypriots as equal citizens of Republic of Cyprus cannot have equal access to rights and services such as access to information, and citizenship rights for their third country national partners.

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In light of this, we recommend that the state of Cyprus to:

- Adopt an action plan to combat homophobia and transphobia in all areas of everyday life.
- Remove the statutory restriction on adoption, surrogacy and In vitro fertilisation (IVF) rights for same-sex couples.
- Ensure the accessibility of all the legal texts by translating them into Turkish language which is one of the official languages of the Republic of Cyprus.

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Finally, we recommend that the state of Cyprus to:

- Recognize the marriages of same-sex couples that have been legally performed abroad.
- Introduce legal regulations for the transnational recognition of rainbow families.

And finally, the leaders of both communities on the island and the Technical Committee on Gender Equality to:

- Mainstream and include the LGBTI+ perspective in the peace process.

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Thank you for listening.

We hope that the mentioned recommendations will be adopted and implemented by the Republic of Cyprus's mandate to uphold the rights of the LGBTI+ people on the island.

² <https://cyprus-mail.com/2023/02/22/accept-lgbti-cyprus-condemns-homophobic-attack/>

³ <https://in-cyprus.philenews.com/local/anti-lgbt-hate-rhetoric-on-the-rise-accept-cyprus-says/>