



The situation concerning homophobia and discrimination on grounds of sexual orientation

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Foreword

- [1]. There is little data available in Cyprus on homophobia and discrimination based on sexual orientation and the treatment of LGTBs: save for some reports on discrimination¹ and the general literature reviewed in this report, the subject of homophobia and the treatment of persons with alternative sexualities is still a taboo subject that is under-researched, while there is strong evidence that discrimination against LGTBs is widespread in Cypriot society. Progress on the issue of sexual orientation discrimination has been slow due to the attitudes of society. Some slow progress can be noted following the successful challenge by Mr. Alecos Modinos at the European court of Human Rights (*Modinos v Cyprus* 16 E.H.R.R 485). It must be noted that there is no history of legal protection against discrimination of lesbians and gay men; on the contrary, the colonial and post-colonial legacy represses, prosecutes and marginalizes LGBT people in Cyprus that remains essentially homophobic.
- [2]. This report covers the area under the control of the Cyprus Republic (this excludes the area in the north of the island), although we have made every effort to encompass all ethnic and religious groups of the island. This report aims to map out the current situation as regards homophobia and, to the extent that is possible for the purposes of a study of this kind, to examine the reasons and factors that allow this to persist, despite the transposition of the anti-discrimination acquis and the lip-service to combat discrimination, including the grounds of sexual orientation.
- [3]. In order to fully appreciate the role of what is widely called ‘alternative’ sexualities on the socio-cultural landscape of Cyprus it is necessary to refer to the turbulent history that has marked this island. In fact, the perceptions, every-day behaviours, and the discourses that shape and articulate sexual politics are directly connected with the major historical events that have deposited layers of meanings to sexual acts, sexual behaviour, and gender performance. In the collective Cypriot imagination perceptions of Gay, Lesbian, Bisexual, and Transgender are filtered through the same hardened sediments of history that determine perceptions of gender and national identity. What comes through this filtering process carries the charge of

¹ See N. Trimikliniotis, N. 2003; 2005; 2007 ‘Report on Measures to Combat Discrimination in the EU Countries: A Comparison between council Directives and national legislation on the grounds of racial or ethnic origin, gender, sexual orientation, disabilities, age, religion or belief – Report on Cyprus’, for EU Commission report on behalf of Human European Consultancy and the Migration Policy Group, at http://ec.europa.eu/employment_social/fundamental_rights/pdf/legnet/cyrep07_en.pdf ; H. Kountouros (2006) ‘Summary of legislation implementing Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation with respect to sexual orientation in Cyprus’, published on the website of the E.M. Meijers Institute of Legal Studies of the Universiteit Leiden; see www.emmeijers.nl/experts.

overwhelming and traumatic events that include wars, colonization, and intercommunal strife. In this report, therefore, it is necessary to map the coordinates that circumscribe popular notions of sexuality by delineating how these events, have not merely influenced the character and political status of Cyprus in terms of international politics, but have also attached complex meanings to masculine and feminine concepts as well as sexual behaviour and sexual norms.

- [4]. Before 1960 when it became an independent republic Cyprus went through a long succession of foreign rulers.² The 1950s anti-colonial struggle had an unequivocally Greek nationalist character and excluded Cypriot communists and Turkish Cypriots. The perceived heroic status of the fighters and their contribution to modern Cypriot history helped shape the masculine ideal that became the established currency of sexual exchange on the island. Modelled after Western conceptions of Greece as the cradle of Western civilization, this ideal was indomitable and fearless and, definitely heterosexual. Therefore, in the Greek Cypriot imaginary this masculine ideal contrasted sharply with the orientalism of the Turks and their perceived ‘devious’ and ‘oriental’ sexuality that lacked the veneer of ‘truth’ and ‘virility’ supposedly embodied by the Greek model. The parameters that circumscribed masculinity and normative sexuality in the Cyprus Republic have been set, therefore, by historical developments and Western orientalism.³
- [5]. Within three years of independence, violent inter-communal conflict resulted in the establishment of a ‘green line’ dividing the Greek from the Turkish community in Nicosia, the island’s capital. In 1974, the Greek military attempted to take control in Cyprus through a coup that Turkey exploited as justification for ‘humanitarian’ protection for the Turkish Cypriots. In the politically uncertain years that followed 1974, the Republic managed to rebuild itself materially and diplomatically and acceded to the European Union on May 1, 2004.
- [6]. Cyprus has a tragic legacy of strife and division, and the trauma of violence has impacted the way its people see themselves and others. Indeed, in its international image post 1974, the Republic has greatly relied on its victim status but it cannot pose as merely an innocent and struggling victim. Taking advantage of the threat posed by Turkish troops stationed in the north part of the island, and exploiting the collective trauma, the various governments have drowned any possible voices of protest regarding issues of society, class, culture, gender, and sexuality. Any complaints or demands about sexual minority rights (but women’s social status also) have been dismissed as simply insignificant and inconsequential: ‘The Cyprus Republic’s anxious but insistent heterosexual posturing has obliterated the rights of sexual minorities and deferred necessary re-theorizations of nation, citizenship, sexuality, and identity. At moments when these rights could not be obliterated (...),

² In 1571, Cyprus became a province of the Ottoman Empire and remained Ottoman until 1878 when Britain assumed administration of the island. The early 1950s saw the creation of EOKA, a Greek Cypriot anticolonial group that began an armed struggle against British rule.

³ Stavros St. Karayanni (2004). *Dancing Fear and Desire: Race, Sexuality, and Imperial Politics in Middle Eastern Dance*, pp. 10-17.

they were completely trivialized and mocked with self-righteousness so that heteronormativity, as the normalizing regime of the postcolonial Republic, could perpetuate its ideological longevity.⁴

- [7]. Moreover, as we have already indicated, the Turkish element in the island's population, disavowed by Greek Cypriot nationalists, and the Turkish forces that seized part of the island's territory have thrown Greek Cypriots into the trappings of Orientalism as a Western construct. State sanctioned homophobia has masked as patriotism and employed the pretext of a continuing Turkish army occupation on the one hand, and the 'foreignness' of other sexual identities on the other. In fact, 'other' sexualities have always been ascribed to elements that are irrelevant to authentic Cypriotness, hence the orientalizing of the Cypriot Turkish element. Male homosexuality has always been the most widely discussed and the most troublesome of 'other' sexualities because its act involves a reprehensible negation of male privilege and, therefore, a perversion of social rule. Yiannis Papadakis draws from popular discourse when he writes the following: 'Take the word for homosexual, for example. Homosexuality was often said to be another corrupting influence from the Turks who ruled Greece for 400 years. The act itself was sometimes called in Greek *Othomaniko*, meaning the Ottoman way. Didn't the Ottoman rulers like to keep a plump, young boy at their side for entertainment of various sorts? There was even a special word in Greek for the Turkish boy in that position: *yiousofaki*. The word for homosexual in Greek was *poushtis*. This was a Turkish word, not a Greek one, and etymology, as we all knew, provided conclusive proof with regards to origins.'⁵
- [8]. Cyprus has taken great advantage of the Turkish military intervention of 1974 to drown out any calls for social, cultural, and political reform. LGBT rights, have therefore, suffered greatly because of the republic's insistence on what has come to be known as 'The Cyprus Problem' and which took precedence over all other concerns, particularly those of sexual orientation and social equity. In the report that follows we map the social circumstances of LGBT Cypriots (mainly Greek Cypriot) and outline the struggles for social equity that are still in progress most often in muted and oppressed undertones that even members of this community have learnt to accept in order to deal with a system that allows no space for a dignified existence as a sexual other. For his valuable help in our effort, we thank Alecos Modinos, perhaps the most prominent and polemical gay activist in Cyprus.

⁴ Stavros St. Karayanni 'Chapter 3: Aphrodite's Men: Nationalism, Masculinity, and Sexual Identity in the Republic of Cyprus,' in Philaretou's *Sexual Interactions*, 61-62.

⁵ Yiannis Papadakis, *Echoes from the Dead Zone* (London: I.B.Tauris, 2005) 12.

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Executive summary

- **Attitudes towards LGBT people:** Greek Cypriots form a conservative society unwilling to abandon traditional beliefs about social and sexual norms, and gender roles. These attitudes have become evident in European and national surveys that consistently highlight deeply entrenched homophobia and intolerance for other sexual identities. Marriage, children, a good name in society, and attachment to orthodox values define the expectations of the large majority of the population. LGBT people are seen as posing a challenge to these expectations. Therefore, they are relegated to taboo and receive mostly hostile treatment in public discourse.
- **Criminal Law - Hate Crime:** despite obstinate Cypriot homophobia violent hate crimes are still rather rare. However, violence against LGBT people is manifest in the everyday language and in state-tolerated verbal abuse articulated even by public figures. Lesbians and gays still live with the fear of persecution while recourse to public authorities is often unthinkable considering the social oppression but also the lack of information about a person's legal rights.
- **Freedom of Assembly:** Cypriot LGBTs have never gathered publicly for a celebratory sexual orientation event or protest because of the deep homophobia that interdicts such demonstrations, while, in this climate, LGBTs themselves are insecure about going public.
- **Family and Other Social Issues:** there is no legal protection for LGBT families in Cyprus. There is lack of encouragement for debates on issues such as gay marriages and adoption. Families often do not accept children with alternative sexualities so that children who feel unrepresented by mainstream sexuality grow up repressed and with limited freedom for expression or sexual development.
- **The Labour Market:** there have been instances of discrimination in the labour market and more cases would be reported if LGBT individuals felt able or encouraged to come forward with their grievances. Generally, discrimination is fostered by the climate of oppression and silence on issues of sexuality. Heteronormativity also creates instances of indirect discrimination in the workplace.
- **Asylum and Subsidiary Protection:** LGBT people are legally covered if they want to apply for asylum on the ground of sexual orientation but we lack data on the numbers that apply, how many applications are successful, and how they are treated by the asylum authorities.
- **Family Reunification:** same sex marriages and registered partnerships are not recognized or protected in Cyprus. Family reunification for third country LGBT partners is at the mercy of the Immigration Officer.
- **Education:** homosexuality is treated with an awkward silence on the part of school authorities and the Ministry of Education. The most likely response to an incident of

homophobia or bullying is to treat it carefully so it does not become openly known. Gay literature is often handled awkwardly by teachers in classrooms where there is no formal education or address of issues of alternative sexuality. Religious Instruction is an essential part of the curriculum and determines the character of moral exchange in schools.

- **Health Service:** one of the greatest handicaps of LGBT people is that they do not know their rights as citizens. In cases of HIV and Persons with Aids, lack of information and fear of coming out in the open often prevent people from launching complaints about medical mistreatment and patient privileges. Free HIV testing is available for any interested individual and a clinic exists exclusively for HIV and Persons with Aids at one of the major general hospitals.
- **Religion:** the Church of Cyprus remains a very powerful political body whose teachings on national, sexual, and gender identity greatly influence the grade of homophobia on the island. It is an avowed enemy of LGBT people, and a staunch supporter of the heterosexual ideal and the family as a moral and ethical unit. In the repeal of the sodomy law, Archbishop Chrysostomos I played a significant part in raising social opposition to the decriminalization of homosexuality bringing to the surface the institutional homophobia of the Church.
- **Sports:** no evidence is apparent of LGBT representation or visibility in sports.
- **Media:** the Cypriot popular press often exploits the subject of alternative sexualities in order to sell its product. Informed and anti-homophobic articles are rare. The Greek press is often more favourable or at least features a level of sophistication that Cypriot press often lacks. An openly gay male character in a popular TV series has brought an unfavourable image of homosexuality to the screen. Conversely, a new documentary about a Turkish Cypriot transvestite performer has been a landmark development in gay politics on the island.
- **Transgender Issues and Multiple Discrimination:** these issues have proven quite difficult to research and the data collected is extremely limited.
- **Good practices:** anti-discrimination seminars and workshops, organized both by NGOs and government bodies, and with the support of the European Union do take place. Currently, they form the only good practices in relation to LGBT issues in Cyprus.
- **Other areas of concern: Compulsory Army Service:** gay men who objected to military service would pass through a medical committee that often discharged them from the army after classifying them as psychologically unstable. Such a discharge certificate posed great obstacles to various citizen privileges leading to a lengthy litigation over one specific case. The stigma of male homosexuality in the army remains quite strong but the increasing numbers of young recruits who apply to be discharged could be suggestive of an increasing number of young men who are prepared to acknowledge their homosexuality and escape the military.

A. Attitudes towards LGBT people

- [9]. A recent survey, published in November 2007, revealed Cypriots to be among the most conservative and homophobic in Europe. The survey results were discussed in an article whose title is quite telling of Cypriot attitudes: ‘A depressing snapshot on society.’ As Jean Christou points out in this article, ‘Cypriots have little tolerance for foreigners, homosexuals and unmarried parents compared to their European counterparts,’ and, further down, ‘homosexuality also scored as unacceptable in Cyprus, with only 38.4 saying it was acceptable to them. Estonia was the lowest with 36.5% while in Denmark 88.1% said people should be free to live their lives as they wished. Sweden and Norway came in a close second and third.’⁶
- [10]. To give a more detailed and comprehensive picture of attitudes towards LGBT people the report uses the results of a survey ordered by the Ombudsman’s Office.⁷ As we point out in the Forward to this report, because patriarchy is dominant in Cypriot culture and because society’s most significant social structures rely on maleness and manhood, male sexuality remains at the centre of attention while male sexual behaviour is considered much more potent than female (widely regarded as passive, receptive, and inconsequential). One of the many disheartening results of the survey was to highlight the recent reactionary turn in the general population’s attitudes towards homosexuality. We summarize below the main and most telling findings of this research that seeks to expose established views regarding the public’s general opinion and attitudes towards not only homosexual people but sexual difference at large. Where possible our summary is accompanied by our own concluding comments on the various aspects of the survey.
- **Homosexual relationships:** the study reveals that in the last two years the public’s approach has become increasingly hostile towards sexual relationships between members of the same sex. The researchers of the survey attribute this deterioration to the decriminalization of homosexuality, a legal development that has allegedly impacted negatively public sexual mores. Moreover, the researchers of the survey believe, homosexual relationships have become ‘more liberal and visible’ and, therefore, less acceptable to the public. It has to be commented that the authors of this report consider the validity of these particular findings and, most importantly, the interpretation of this

⁶ ‘A depressing snapshot on society’ by Jean Christou. *The Cyprus Mail*, Tuesday, November 13, 2007. <http://www.cyprus-mail.com/news/> (accessed on March 11, 2008). The datasets of this survey (not only about Cyprus but 26 other European countries) are available online at the European Social Survey official website. Cyprus was part of Round 3, 2006/2007:

<http://ess.nsd.uib.no/index.jsp?year=2007&module=download&module=download&country=CY>

⁷ Entitled ‘Αντιλήψεις Κοινού για Θέματα Ομοφυλοφιλοφιλίας’ [‘Public Perception on Issues of Homosexuality’]. It was commissioned by Gremona Advertising. The Research Centre of Cyprus College carried out the survey in the Cyprus Republic among predominantly Greek speaking Cypriots and published the results in January of 2005. It is important to explain that the survey dealt mainly with male homosexuality.

data as questionable. There is no study or other evidence to suggest that homosexual relationships have become more liberal and visible; in fact it may be argued that in a strong sense they haven't and they are as closeted as ever. Moreover, to settle for a hardened public attitude towards homosexual relationships, in the fear that they might actually become more visible and open, may well be pandering to homophobia and makes the approach taken in the survey seen questionable. The survey did not ask if the interviewees thought that Cyprus was becoming more or less open, liberal and tolerant of homosexual relationships, or if there have been changes in attitudes over time. Moreover, there is no older survey with the same questions to compare it with.

- **Comfort Level With Sexual Others:** the survey informs us that, generally, those who are young, university educated, single, childless, unemployed, as well as women and students feel more comfortable being around homosexual persons. Men in the age group of 45-49 (we suppose straight-identified), people with lower education, married, and with children, reported feeling uncomfortable when they are around homosexual persons.
- **Homosexuals in the Service Industry:** the overwhelming majority of those questioned (70%) strongly objected to a homosexual taking care of their child while 60% objected to their child's teacher being homosexual. Less people minded if a close relative or friend was homosexual.
- **Gay Marriage and Parenthood:** again, the majority (almost 75%) objects to the right of homosexual couples to marry in Cyprus, an objection that spans all the survey groups across Cyprus. Again, those with less education, married, and parents are among the strongest objectors. Moreover, 8 out of 10 Cypriots asked oppose the raising of children by homosexuals and only people between the ages of 18-24 seem to be more accepting of gay parenthood.
- **Comment:** such declarations by the Cypriot mainstream contrast sadly with popular stereotypes of gay men as loving fathers, and refuse to acknowledge an established and widespread phenomenon of Cyprus: most homosexuals aware of their sexuality (male and female) choose to marry since the possibility of remaining single leads to social isolation and loss of social privilege.⁸
- **Homosexual Children and Straight Parents:** Almost 7 out of 10 surveyed Cypriots stated that if they found out that their child (boy or girl) was homosexual, they would try to change the situation! 2 out of 10 stated that they would mind but their child's sexuality would not affect their behaviour towards that child.
- **Comment:** these findings agree with the popular misconception that homosexuality is not a distinct and stable identity as such but a 'tendency', or a phase that can be treated, altered, and amended. During an interview conducted to enrich the data on this report, a self-identified lesbian, unable to put up with marriage pressure any longer, decided to come out to her mother. Following a quick recovery from the shock the mother promised her that a visit to the (male) gynecologist would cure her.⁹ A gay male interviewee shared a similar

⁸ This information is drawn from various interviews we have conducted with activists such as Alecos Modinos as well as self-identified homosexuals who prefer to remain anonymous.

⁹ Interview with 'Katerina', February 18, 2008.

story: when he confronted his parents with his coming out they simply intensified the pressure for him to marry (see also the incident in Toumbourou's article 'When you know who you are, you don't have to make excuses to anyone').¹⁰ Such incidents make it clear that 'coming out' holds a great deal of social currency in Western European and North American societies. It seems that there is a powerful feeling amongst people in Cyprus which still makes them feel quite threatened by the existence of alternative sexualities and, therefore, they refuse to acknowledge that such sexualities exist and may involve an alternative lifestyle that deviates from the acceptable and familiar standard lifestyle (that is particularly lauded in conservative Cypriot society).¹¹

- **General comments:** Although quite useful, this survey in general proceeds to conclusions that are rather arbitrary at times or in accordance with set homophobic orthodoxy. Certainly, in Cyprus where the issues are complex, surveys like this one need to be complemented with qualitative and other data sources in order to substantiate findings and proceed to a fuller assessment of a situation that would assist strategizing and measures for corrective action. Finally, the code of conduct in surveys of this kind is important. The questions should be phrased so that they eschew standard homophobic patterns.

- [11]. That sexual orientation is grounds for discrimination in Cyprus has also been confirmed by a 2006 Eurobarometer survey,¹² where Cyprus came second in Europe with a 72 per cent (the score is particularly dramatic when we consider Estonia and Denmark, for example, which scored 26 and 27 per cent respectively). Asked if the wide majority feels that homosexuality is a taboo Cyprus scored 86 per cent, well above the European average of 48 per cent and, sadly, the highest in the EU. In the case of homosexual marriages, only 14 per cent of Cypriots find them acceptable in the Angus Reid Global Monitor of 2006, and 10 per cent agree with the adoption of children by homosexual couples (this is one of the lowest EU scores).¹³
- [12]. Earlier surveys confirm that homophobia has been widespread in Cyprus for some time. They also illustrate that Cypriot society is less tolerant of homosexuals and homosexuality than the average European and marginally better than some eastern European societies: a study conducted by the University of Melbourne (Melbourne Institute of Applied Economic and Social Research) on the attitudes towards homosexuality in 29 countries, using data from the 1999/2000 International Social Science Survey/Australia, finds that the level of tolerance of homosexuality in Cyprus is significantly less than that of the majority of the European countries in the survey. Cyprus scores a 26/100 compared to 77/100 of the Netherlands, but it is slightly better than Northern Ireland with 25/100, Hungary 23/100, Bulgaria and Portugal 21/100,¹⁴

¹⁰ Interview with 'Costas', February 21, 2008.

¹¹ Interview with Alecos Modinos, February 25, 2008.

¹² Eurobarometer, Discrimination in the EU, Summary, Field work June-July 2006, Publication January 2007, available at http://ec.europa.eu/public_opinion/archives/ebs/ebs_263_sum_en.pdf (26.02.2008).

¹³ Angus Reid Global Monitor- Polls & Research 'Eight EU Countries Back Same-Sex Marriage' (24.12.2006) available at http://www.angus-reid.com/polls/view/eight_eu_countries_back_same_sex_marriage/ (26.02.2008).

¹⁴ Australian Social Monitor, vol.4, no.1, 2001.

and that the practice of homosexuality is not tolerated in Cyprus by a large number of people.¹⁵

[13]. An examination of the public and media debates regarding the revision of the law to eliminate discrimination against homosexuals with regards to the age of consent is also telling of social attitudes. The recent change in the law that has allowed the decriminalisation of homosexuality following the case of *Modinos* was met with strong resistance by the Orthodox Church and a reluctance by policy-makers to confront this strong homophobic position by the authorities and public. In *Modinos v Cyprus* 16 E.H.R.R 485, the European Court of Human Rights ruled that the criminalisation of homosexuality, under the antiquated Cyprus Criminal code dating back to 1885, was a violation of Article 8 of the European Convention of Human Rights. The law, which outlawed homosexuality between consenting male adults, was only amended on May 21, 1998, after five years of stalling. However, the age of consent is 18 for homosexuals and 16 for lesbians and heterosexuals. Up until 2002 the criminal law contained discriminatory provisions against homosexual men, which were repealed only after significant pressure from the EU.¹⁶ It must be noted that the significant delay in responding to the recommendations of the European Court of Human Rights was the result of strong opposition from some Christian organisations and church leaders.¹⁷ The now deceased Archbishop Chrysostomos I appealed at that time to his womenfolk to ‘revolt against homosexuals’, whom he called ‘depraved sinners’ and pledged to ‘personally excommunicate the perverts’ if they refuse to repent their ‘unnatural acts ... You must stop them.’¹⁸

[14]. **Good Practices:** information about discrimination and training on anti-discrimination acquis have been offered in a number of seminars organized in Cyprus over the last few years.¹⁹ Although in most cases these seminars are merely a starting point they incorporate potential for positive developments in the area of discrimination. However, the questions of homophobia and discrimination on the ground of sexual orientation remain largely unaddressed. Alecos Modinos, Chair of

¹⁵ This is confirmed by opinion polls, for what they are worth: 74 percent of Cypriots say homosexuality is wrong, according to a Cyprus College poll released April 7th 1998. The poll has exposed a yawning generation gap, revealing that 92 percent of Cypriots over the age of 60 oppose decriminalizing homosexuality, while 75 percent of 18 to 24-year-olds hold the opposite view. For the record, the survey also found that 45 percent of Cypriots believe women should be virgins when they marry but only 20 percent said that men should avoid pre-marital sex.

¹⁶ The report by the daily *Cyprus Mail* (24 November 2001) is indicative: ‘Cyprus has come under pressure from the European parliament to bring its human rights provisions up to scratch. Several Euro MPs warned they would oppose the island’s accession until the changes were made’.

¹⁷ Even after passing the law decriminalising homosexuality the parliament managed to further insult gays by retaining in the text a reference to ‘unnatural licentiousness’, which prominent gay figures strongly objected to. It took two years for the House to revise the offensive phrase to ‘intercourse between men’, (*Cyprus Mail* 06 July 2002, George Psyllides).

¹⁸ The House of Representatives had initially planned to reduce the age of consent for homosexual males from 18 to 16, to bring it in line with legislation on heterosexuals. But the House Legal Affairs Committee decided, instead, to raise the age of consent for heterosexuals to 17, to avoid having to reduce the age for homosexuals to 16. Therefore, the age of consent for all is now 17. See *The Guardian*, (16.10 2001).

¹⁹ These include sexuality and contraception workshops in universities and colleges organized by the Family Planning Association.

the Gay Liberation Movement of Cyprus (AKOK) and the most prominent gay activist on the island, is convinced that no official complaints are launched to the authorities because no homosexual could withstand the stigma and suffer the social, cultural and personal isolation and humiliation imposed by a small society. In fact, the lack of public information campaigns about homosexuality and the rights of homosexuals exacerbates the situation for sexual minorities. AKOK has repeatedly urged for public information campaigns, particularly after the survey conducted in January 2006 by the Cyprus Anti-discrimination Body, yet, Modinos added, only two gay persons have risked coming out in Cyprus.²⁰ A similar view was expressed by the Director of the Research Unit in Behaviour and Social Issues (RUBSI).²¹

B. Criminal Law - Hate Crime

- [15]. Considering Cypriots' virulent homophobia, one would expect many incidents of physical violence towards LGBT people. However, this is not the case. Kath Toumbourou mentions this in her article 'When you know who you are, you don't have to make excuses to anyone': 'It must also be noted that, though we consider our society to be oppressive, there are little to no incidences of violence against homosexuals as are so prevalent in more "tolerant" societies.' Indeed, incidents of gay bashing, lesbian and/or transsexual rape, exist but they are rather rare (or else they do not get reported). There have been assaults on gay men in cruising parks with the intention of mugging because gay men are seen by muggers as easy prey. Furthermore, men who find it difficult to acknowledge and accept their sexual desire may frequent cruising parks with the intention of 'selling' sex (the money subtracts the emotional factor from the intercourse and in the payee's imagination the sexual act leaves him sexually uninvolved). Such men may sometimes be unpredictable in their behaviour towards gay, bisexual, and/or transgendered people while cruising.
- [16]. Related to hate crime in Cyprus we must note the following: firstly, violence does not always manifest itself in physical terms. It may occupy a prominent position in popular verbal discourse. The language that Cypriots use when talking about women (sexism is particularly strong in cases of divorced women and unmarried mothers), lesbians (often the popular male notion is that they need a real man to show them what sex is really like), transsexuals, and gay men often incorporates violent terms that are still not considered reprehensible even among police members and politicians.
- [17]. Until a few years ago undercover police would frequent public parks and toilets where cruising by gay men was known to take place.²² Pretending to be cruising for sex, these policemen would trap victims and subsequently arrest them on the spot for

²⁰ Interview with Mr. Alecos Modinos, February 25, 2008.

²¹ Interview with Dr. Constantinos Phellas 11.1.2008. For more on RUBSI see <http://www.rubsi.org/projects1.html>

²² Interview with 'Fay', February 26, 2008.

public indecency. Even though there have been no such arrests in the last decade or so their legacy continues with police still frequenting such places on the pretext of drugs control.²³ It is common practice to ask for identification and to complete a report on anyone who happens to be there when the police are on patrol. Gay men believe with confidence that the police possess files on most men who have gone cruising in public parks (known as *φακέλλωμα* in the Greek Cypriot dialect and meaning, literally, ‘placed in an envelope’). These police practices and attitudes have created a feeling among gay men of surveillance, control, and guilt.²⁴

- [18]. It is not uncommon for politicians to make homophobic or insulting comments about homosexuals in public without the possibility of reprimand. A disturbing example is a comment made to the press by C. Taramountas, who was at the time a right-wing MP. Referring to the lawyer of a Turkish-Cypriot who was reclaiming his land, Taramountas said, ‘He is a Greek-Cypriot lawyer who should take responsibility for what he did and reveal himself. For those who claim that this person acted lawfully, I have only one comment: Prostitution and homosexuality are lawful too.’²⁵
- [19]. Cypriot LGBT are very reluctant to complain and bring to the public authorities such issues (even anonymously) mainly because there is no confidence in the public authorities or the police. We are not aware of any cases of such a complaint, nor can we report on the ways of handling reported incidents.
- [20]. No good practice, such as police hate crime units, registration of hate crimes by police or courts, can be reported and this is indicative of the attitudes of public authorities on the subject of homophobia.

C. Freedom of Assembly

- [21]. Social prejudice and the public’s disparaging and phobic attitude are so strong that there has been no gay pride march or LGBT assembly ever on the island. Therefore, there have been no bans against or attacks on LGBT manifestations because there have not been such manifestations. Moreover, there has been no strong desire on behalf of LGBT peoples for public events because internalized oppression often extinguishes any desire for demonstrations that would attract attention (the social context would make all attention in such cases negative). In this context, no gay parade has ever taken place in Cyprus; nor have there been any homophobic assemblies so far.
- [22]. In this general homophobic climate the lack of public funding of LGBT social and political activities is not surprising.

²³ Interview with ‘Fay’, February 26, 2008.

²⁴ Interview with ‘Fay’, February 26, 2008.

²⁵ See Hadjistylianou, M. (2004) ‘Οι παρανομίες έφεραν τον ... Μουσταφά’ in: *Simerini* (03.10.2004).

D. Family and Other Social Issues

- [23]. Given that such a small number of LGBTs have declared themselves openly, the issue of the legal status of LGBT families/partners and the effects thereof in relation to children, for example, and adoption has not received any public attention. There have not been public/political debates about family issues related to LGBT people.
- [24]. As for access to housing, welfare services, insurance, employment benefits for LGBT couples/partners, this is an issue that has never been debated, in spite of the apparent discrimination against them.²⁶ The treatment of LGBT families by public authorities (incl. various administrative procedures/official forms) is often marked by indirect discrimination.²⁷
- [25]. Regarding the treatment of LGBT people within families, to some extent we deal with this treatment in ‘Section A: Attitudes towards LGBT,’ especially in the subheading ‘Homosexual Children and Straight Parents.’ Further, we can point out that the family unit in Cyprus is so strong and influential that often sexual others complain of lack of acceptance within the family rather than their social milieu. In other words, it is easier for non-relatives and non-family members to accept a LGBT young person than the family itself.
- [26]. Again, no good practices can be located.

E. The Labour Market

- [27]. Cyprus NGOs and Trade Unions have reported homophobic events and instances in the past. Yiorgos Zissimos,²⁸ General Secretary of the Secondary School Teachers’ Union (OELMEK),²⁹ reported a homophobic incident concerning the Pedagogical Institute selection committee (responsible for the monitoring and approval of on-the-job training of secondary education teachers). In its assessment report the committee failed a certain trainee teacher on the grounds that ‘he moves/shakes in an odd manner,’³⁰ which is a direct insinuation of his homosexuality.³¹ In 2001 there was another case that is indicative of homophobia in the teaching ranks: OELMEK

²⁶ Trimikliniotis, Nicos and Corina Demetriou (2008) Homophobia and Discrimination on Grounds of Sexual Orientation in Cyprus: a case of Legal Failure or Social Inaction?, SIMFILIOSI Policy Paper, forthcoming.

²⁷ Interview with ‘Social Worker’, March 10, 2008.

²⁸ Interview with Yiorgos Zissimos February 15, 2008.

²⁹ Οργάνωση Ελλήνων Λειτουργών Μέσης Παιδείας (OELMEK) [Association of Greek Secondary Education Teachers (OELMEK)].

³⁰ The term often used for gay men is «κουνιστός» and the verb used in the Cypriot dialect is «κλώθεται», which can be translated as indulging in ‘excessive, disagreeable performance’ of femininity, and has even worse pejorative connotations for men, as indicated in St. Karayanni (2004) *Dancing Fear and Desire: Race, Sexuality, and Imperial Politics in Middle Eastern Dance*, Waterloo, Canada: Wilfred Laurier University Press, p.136.

³¹ The case took place 1.6.2006, i.e. two years after the enactment of the anti-discrimination legislation.

issued a statement outlining its efforts to combat discrimination referring to, inter alia, homosexuals. Three hundred teachers called the Union to complain about the inclusion of homosexuals in the statement. The OELMEK General Secretary finds that little has changed in terms of attitudes since then in spite of the anti-discrimination legislation passed in 2004: ‘there has not been any campaign to inform teachers, students or any other organised groups on homophobia and the rights of persons to freely choose and exercise their sexual orientation.’³² Finally, regulations (currently under review) provide for assistance to family members of teachers who belong to OELMEK. Regulation 10 of the relevant draft defines the beneficiaries of such assistance as the ‘legal children born out of wedlock’, the ‘financially dependant children’, the parents and ‘financially dependant siblings.’ Long-term or same sex partners are completely excluded.

- [28]. So far, the equality body has not reached a decision on the ground of sexual orientation and the only complaint ever launched is still under investigation. According to Alecos Modinos of AKOK the absence of complaints for sexual orientation discrimination is due to the fact that ‘most homosexuals in Cyprus prefer anonymity to pursuing their rights publicly.’ Discrimination at the workplace is either not addressed or mediated by AKOK, often resulting in amicable settlements with the exception of only one case of sexual discrimination at the workplace that was taken to court.³³ This was prior to the enactment of the law transposing Directive 2000/78/EC so the said law was not invoked.
- [29]. **Indirect Discrimination:** equality body investigations of discrimination on the ground of marital status have exposed indirect discrimination against LGBT people who cannot legally marry in Cyprus. One complaint concerned Regulation 12 of the Educational Officers (Placements, Transfers and Movements) regulations which privileged married employees (especially those with dependent children) in terms of transfer location. The decision of the equality body found that the differential treatment of unmarried employees vis-à-vis married ones amounts to indirect discrimination against persons who remain single out of personal conviction, or who choose to co-habit with their partners outside marriage or who do not marry due to their sexual orientation. The Equality body recommended the revision of this regulation.³⁴
- [30]. Revisions in Cyprus legislation give the right to organisations to file action in Court or to the Equality body on behalf of and with the consent of the complainant.³⁵ However, no organisation has yet made use of this right on the basis of sexual orientation. The only gay activist organisation in Cyprus is AKOK but it has no resources or funding whatsoever except for the volunteer work of less than half a dozen

³² Interview with Yiorgos Zissimos February 15, 2008.

³³ Cyprus/ Supreme Court case, Stavros Marangou v. The Republic of Cyprus through the Public Service Commission, Case no. 311/2001 (17.07.2002). The case is reported in Annex I – Presentation of case law, below.

³⁴ Report of the Equality body No. A.K.I 11/2004.

³⁵ Cyprus / The Equal Treatment in Employment and Occupation Law No. 58 (1)/2004 (31.3.2004), Section

persons. The process of applying to the Equality body is rather simple, inexpensive and requires no particular expertise, yet, because of its severely limited resources, AKOK is not in a position to take a case to court on behalf of its member(s). Of course, the fear of social exposure would prevent an LGBT person in Cyprus from pursuing their rights.

- [31]. No good practices and initiatives can be reported.

F. Asylum and Subsidiary Protection

- [32]. We have no data on the number of LGBT asylum seekers/applications on grounds related to sexual orientation and the outcome of cases. An LGBT person trying to escape persecution can apply for asylum under Cypriot law and there have been such applications, however the number of persons under this category is not possible to determine since the asylum service of the Ministry of Interior does not classify cases according to the grounds for persecution.³⁶ There is no data on the conditions for LGBT people in relation to the asylum process (information, interviews etc.), and the staff's knowledge thereof and staff attitudes; nor do we have data on the conditions for LGBT people in asylum centres/refugee camps.

- [33]. We cannot identify any good practices in this field.

G. Family Reunification

- [34]. Cyprus legislation offers no protection to same sex marriages or registered partnerships. This means that non-EU LGBT nationals who are partners, children and family members of a Cypriot citizen cannot join their partner in Cyprus. The only option EU LGBT nationals have over their third country partners is to apply via the procedure of the Migration and Aliens Law but the outcome will be uncertain since it will depend on the Chief Immigration Officer's discretion.³⁷

- [35]. It is unclear whether a homosexual marriage lawfully conducted in a country where homosexual marriages are recognised gives rise to the right of family reunification in Cyprus. This is an issue to be tested in practice in the pending case before the Equality body.

- [36]. In general LGBT people's access to family reunification is very difficult.

³⁶ Trimikliniotis, Nicos and Corina Demetriou (2008), 'Homophobia and Discrimination on Grounds of Sexual Orientation in Cyprus: a case of Legal Failure or Social Inaction?', SIMFILIOSI Policy Paper, forthcoming.

³⁷ Trimikliniotis, Nicos and Corina Demetriou (2008), 'Homophobia and Discrimination on Grounds of Sexual Orientation in Cyprus: a case of Legal Failure or Social Inaction?', SIMFILIOSI Policy Paper, forthcoming.

H. Education

- [37]. Cypriot schools mirror Cypriot society. Teachers, pupils, and an overseeing Ministry of Education form a power structure that operates within the frame of heteronormativity as the master narrative that everyone is expected to obey. Any deviations are considered taboo and treated with embarrassment. Lesbian, gay, bisexual students or teachers are not allowed on the premises of educational discourse. In an interview conducted specifically for the needs of this report, an Assistant Headmistress stated unequivocally that the issue of sexuality in education is complex. Even though the awareness of other sexualities is quite strong any issues that may threaten to come to the surface, such as the bullying of a gay student, are carefully monitored so that little becomes known.
- [38]. **Curriculum and LGBT issues:** LGBT issues are largely absent from the curriculum of public school education in the Cyprus Republic. Interestingly, the closest high school students get to being confronted with homosexuality is when studying the poetry of canonical poet Constantine Cavafy whose poems include explicit declarations of homoerotic desire and homosexual love. These are categorized as his erotic poems and they would never be included in the curriculum; but students read them because they are in their poetry collection. Although it is impossible to monitor what takes place in every classroom when the students come to study Cavafy we have observed that Greek philologists take a variety of approaches to the issue. What is disconcerting is that a number of them adopt a homophobic stance towards Cavafy's erotic poems and employ a series of arguments intended to de-emphasize the homosexual character of the love in the poems.
- [39]. **Religious Instruction:** this is a compulsory subject that remains quite influential in the curriculum even though it takes up fewer periods per week than many other subjects. Its significance is easily assessed when one considers that in the presidential elections of February 2008, the right wing candidacy attempted to spoil the chances of Mr. Christofias, the left wing candidate, for election by spreading the rumour that because he is from the communist party Mr. Christofias will ban Religious Instruction from schools. Also relevant is that before final appointment a Minister of Education had to be approved by the Church of Cyprus that would check his/her religious, national, and moral credentials. In terms of Religious Instruction and the Church-approved Minister of Education there can be no positive reference to any sexuality other than hetero in texts or in class lectures; homosexuality is nothing but a sin.
- [40]. **Teachers/LGBT role models:** with prejudice being as dominant as it is and with LGB (there are no known cases of transgender pupils or teachers in the Cypriot education system) people being closeted and invisible, there can be no LGBT role models in public school education. Rather the tendency is to wrap matters in an awkward silence as much as possible when they surface in relation to a certain teacher.

- [41]. **Peer relations in relation to LGBT pupils/students (incl. harassment and bullying):** To strengthen our understanding of peer relations in relation to LGBT pupils we consulted the Assistant Headmistress (mentioned above) who informed us of the following: ‘Boys who are masculine but recognize gay sexuality within themselves are most likely to conceal it. Closeted and passing as straight they run no risk of bullying. However, boys whose manner does not fit acceptable male stereotypes (even those who simply do not enjoy sports or do not have a favourite football team) are often verbally abused by macho classmates. Girls with masculine behaviour do not run the same risks in their social conduct with their peers and do not run the same risk of being without friends, the way boys are. Girls whose gender performance is non-conformist are not ostracised as easily as boys perhaps because masculine behaviour is always respected even when embodied by females.’³⁸
- [42]. **Identification and assessment of good practices such as anti-bullying policies or LGBT curriculum:** our informant, the Assistant Headmistress, knows of no practices that would be supportive or at least promoting a climate of understanding and acceptance of LGBT pupils or teaching staff in public schools. Her comments are not surprising considering the general aversion to homosexuality and people who embody alternative sexualities.

I. Health Service

- [43]. **Number of official complaints, the possibilities for complaints:** In a survey conducted in 2006, Despo Hadjiloizou and Constantinos Phellas found that there is no legal responsibility placed on public or private organisations to eliminate discrimination against people living with HIV and promote the equality of the rights of people living with HIV. With no legal coverage complaints are very difficult to launch. Also emerging from this study (and relevant to this point) is the lack of legislation against HIV-related abuse or hate crime.
- [44]. **Health conditions concerning LGBT people:** In their survey, Despo Hadjiloizou and Constantinos Phellas state categorically that in the case of PLWH ‘the legal system as it stands presently does not provide protection against discrimination. The current law is very old and its provisions are outdated and not at all in line with present social realities.’
- [45]. **Staff attitudes, abilities and education in relation to working with LGBT people:** When we interviewed the nurse at the Communicable Disease Centre we found her to be well qualified for the position, dynamic, and trust inspiring. We hope this is an indication that personnel is selected carefully taking into consideration the nature of specific duties.

³⁸ Interview with Mrs L.P. March 24, 2008.

[46]. **Treatment and attitudes towards hiv/aids:** free HIV and Hepatitis B testing is available at the Communicable Disease Centre housed in the Makarios General Hospital. Located below street level, the entrance of the centre is strategic since interested persons may enter without attracting too much attention. This interesting detail shows some concern for the individuals who wish to be tested but who might be wary of approaching a test centre openly. The centre is open to all on a walk-in basis only in the mornings from 7:30-10:00 a.m. Individuals can be tested independent of citizenship, gender, occupation and medical coverage. Testing is anonymous and confidential and counselling is available in cases of positive results.

- In cases of HIV positive results the policy to be followed considers principally the patient's nationality and visa status. Cypriot citizens and asylum seekers are offered free medical support. European Union citizens are offered medical support covered by their home insurance. Non-EU citizens are deported on the grounds that the treatment is very expensive and the Republic cannot afford to treat individuals with no legal status.
- The Gregorio Clinic housed on the 3rd floor of the Larnaca General Hospital is exclusively for the care of HIV/AIDS patients. It is equipped with a counselling unit as well as the required physical treatment. It is interesting to note that Gregoris, the young man whose name the clinic carries, died of AIDS in the 1990s. His family set up the clinic and financed it ever since.

[47]. **Accounts of LGBT people's experiences with health care - medical examinations, care homes, home care etc.:** 'Leondas,' a person who has been under HIV treatment since the mid-1990s shared the following points concerning his experience:

1. Medication at the Grigorios Clinic of the Larnaka hospital is offered indeed free of charge for all Cyprus citizens and asylum seekers on a monthly basis. However, medication is not always tested before given to the different individuals, and this might cause different negative reactions or allergies...and then changed, again on an experimental basis, until the individual has the less serious side effects or allergies. As we are informed from the Internet and also from other HIV positive people in the EU, this is not the practice; patients undergo a test on the suggested medication before prescription.
2. Most patients are tested every three to six months according to their medication and health situation. However, doctors are always too busy to offer pathological examination, other than blood test results. Personally, I have not been touched for over 8 years by any doctor, and I have not had any pathological examination (to determine lumps or swollen glands or any body malfunction).
3. There is lack of any care homes apart from KYFA (Friends of HIV+) who visit patients who need some help and support.³⁹

[48]. **Identification and assessment of good practices such as education of staff in minority issues:** as Despo Hadjiloizou and Constantinos Phellas point out in the above survey, 'the Ombudsperson's Office can conduct research on specific issues such as Sexual Orientation and Human Trafficking. Moreover they develop Codes of Practice. The National Organization for the Protection of Human Rights carries out

³⁹ Leondas, e-mail to the authors, March 30, 2008.

educational activities and produces informational material for the general public.’ In the same survey we also find out that the police and law enforcement agencies are given some training on basic HIV facts, the risks of HIV transmission, living with HIV and stigma and discrimination.

J. Religion

Examples of homophobia and discrimination on the level of official church institutions:

[49]. The Church of Cyprus is powerful in economic and political ways and controls strongly the dominant ideologies that determine Greek Cypriots’ thought, behaviour and actions. For centuries now the Church body poses as the undisputed guardian of the nation’s moral fibre and the cornerstone of the Greek Cypriots’ Hellenic identity. It is strict, relentless, open, and vocal about its opposition to any form of what it considers to be sexual deviance (anal sex even in a straight couple is condemned). During the decades of Archbishop Chrysostomos I’s reign, the Church leader at the time of the colonial sodomy law amendment, the autonomous Church of Cyprus demonstrated its power and influence: ‘the letter sent to members of parliament by the Holy Synod reportedly called the issue “a matter of honor,” saying that “The Church condemns homosexuality as a sinful and repulsive act because it is contrary to the spirit of Scripture and the law of nature.” The church maintains that decriminalization will damage marriage and the family, Christianity and morals. The letter also expressed the Church’s “sorrow” for those “who have been dragged into the sad position of homosexuality,” and urged their repentance.’⁴⁰

[50]. **Examples of interventions in media or political debates regarding LGBT issues by religious leaders, organisations or communities:** in one of his many media appearances specifically about the sodomy law, Archbishop Chrysostomos I gave the following speech: ‘If we don’t stand firm and tell Europe this does not conform, not only to Christ’s religion, but also to the moral standpoint of our nation, eventually they will come and tell us to be homosexuals in order to be accepted into Europe. If you go and say it’s all right to be a homosexual you will encourage it and the place will be full of homosexuals.... It is a violation both of the laws of the Creator God and the laws of nature. God made males and females for the reproduction both of animals and humans. Homosexuality is against the purpose of creation.... The Church considers decriminalization to be against what is holy and against human dignity... and this while we are waging a tough war for our national and religious survival.’⁴¹

[51]. In support of the Archbishop’s statements, priests, monks, and other antigay protesters, who portrayed homosexuals as predatory and depraved, picketed the parliament building in Nicosia during debates on the issue. Some carried placards

⁴⁰ ‘Cyprus Church vs.Sodomy Reform.’ April 9, 1998. *Newsplanet*.
<http://www.planetout.com/news/article.html?1998/04/09/2>.

⁴¹ ‘Cyprus Church vs.Sodomy Reform.’ April 9, 1998. *Newsplanet*.
<http://www.planetout.com/news/article.html?1998/04/09/2>.

reading ‘No to Sodom and Gomorrah in Cyprus’ and ‘Homosexuality Equals Misery, Guilt, and AIDS.’ The Archbishop’s grave concern about our national and religious survival was echoed by some deputies who also employed tactics of nationalist blackmail, arguing that homosexuality will weaken the backbone of the Greek Cypriot National Guard, and so diminish its ability to resist the Turkish Army, stationed in the northern part of the divided island. These moments of Church sanctioned homophobic terrorism mark the closest Cyprus ever came to a homosexual pogrom.⁴²

K. Sports

- [52]. LGBT people are largely invisible in sports. We are not aware of any athlete who has come out as lesbian or gay, for example. Football is especially popular among mostly men who use the sport as macho bonding with their male peers. Incidentally, success in the football field provides acceptable justification for behaviour among men that would be considered excessive and unacceptable in any other context (hugging and kissing each other over scoring a goal is not uncommon), thus creating the impression that popular sports (football especially) might also provide yet another closet in repressed Cypriot society.

L. Media Representation of LGBT

- [53]. Deconstructive cultural theory has established that in any binary the second half, albeit the opposite and hierarchically lower, helps to define the first; a definition that depends on its validity on constantly reforming and reasserting itself. In Cyprus media, representations of LGBT tour the parameters that this report sets in its Forward. In other words, the subject of alternative sexual identities in the media is often set against any combination of the following backgrounds: modernity versus history, technological advancement, Europeaness and its meanings for Cyprus, national identity, and the hegemonic paradigm of traditional reproductive and intransigent masculinity. These alternative sexualities serve as the other binary end of ‘straight’, thus assisting it to redefine itself and maintain its status. Moreover, it is quite noteworthy that new articles that appear in the Greek Cypriot press often leave past literature unacknowledged and unreferenced so that building on the discourse and moving forward with public thinking on LGBT issues become quite difficult. Sexual others (most often gay men because of Cypriots’ fixation on masculine sexuality) make their appearance in mass media as that vast, forever unexplored, mysterious terrain that is at once alluring and aberrant; and, most importantly, with

⁴² Stavros Stavrou Karayanni, ‘Aphrodite’s Men: Nationalism, Masculinity and Sexual Identity in the Cyprus Republic’ in Philaretou et al *Sexual Interactions*, 81-2. In the same book, see also the section ‘The Role of the Church’ 20-23.

its capacity to incite curiosity and titillate the terrain of sexual otherness promises to attract more readers, improve sales and secure wider viewing.

- [54]. The Cyprus press often favours articles from mainstream scientists with titles such as ‘psychologist’ and whose purpose is to explain LGBT sexuality to the public. Hence we have articles such as psychologist Andreas Ioannou’s ‘Homosexuality: Fashion or Disease’ a report whose very subtitle reveals the author’s prejudice: ‘homosexuality is a tendency for sexual relations and satisfaction that has existed since the appearance of the human species and continues to exist today in our society, perhaps even with a somewhat more liberated shape and increasing tendency’ (our translation). And the article concludes with a confusing and ambivalent remark: ‘however, we must never force them to ‘cure’ themselves, not only because we do not have the right but because no forced psychotherapy yields results’ (our translation), meaning that if forced treatment could bring about results then we should be forcing homosexuals to change!
- [55]. When the articles are journalistic in character and do not rely on some kind of ‘specialized’ knowledge then they often sensationalize non-mainstream sexuality and its public performance. One example is the article on Jenny G., a transvestite performer at one of Nicosia’s oldest cafes, Bastione, located in the heart of a revitalized section of the old town known for its gay meeting places. Here, glamour and glitz become the context of non-normative sexuality and gender performance. Because media representation is somewhat limited and often poor, Jenny G. becomes the mouthpiece of Cypriot transvestites as she narrates her tragic history of repeated childhood rape. And, because of ignorance and complacency the average Cypriot may condescend to Jenny G. and assume that all transvestites choose ‘the wrong path’ in life because of the sexual abuse they suffer in childhood. A transvestite performer, therefore, is nothing but the product of sexual perversion in the understanding of many readers. Of course, this interview owes its very existence to the fact that there is something sensational about someone who was ‘born male, dresses up as female, but circulates among us with her real face!’ (our translation). The image of circulating among us is popular in homophobic language since it makes the threatening other lurk in our midst, as we go about our every day lives.
- [56]. There exist instances of more enlightened, liberal approaches that attempt to take the stigma off homosexuality and re-present it as a phenomenon of sexual culture that should be naturalized along with heterosexuality. One such attempt is Kath Toumbourou’s article in the *Cyprus Mail* (2008). Even though we do not agree with the article’s opening comments on the similarity of straight and homosexual lifestyles (in both, relationships are difficult, in both people are lonely, they get cheated etc.) we appreciate that the article makes an honest and brave attempt to revise homosexuality in the eyes of the general public using customs and forms of behaviour familiar to the rest of the world from the large Western metropolises with their gay enclaves and universalized by series such as *Queer As Folk*.
- [57]. **The Greek Press:** not only do the Greek and Greek Cypriot cultures share a great deal but also the Greek press is sold over the areas of the Republic of Cyprus (and

Greek school books are largely used in Cyprus high schools, and Greek series are shown on all Greek Cypriot TV channels). Therefore, it is worth looking at articles in the Greek press since they are read by Cypriots and they influence the culture of the island's Greek speaking community. Admittedly, and in general terms, articles on homosexuality in the Greek press are more sophisticated, better researched, and deemphasize sensationalism. Takis Kambylis' article 'Homosexuality: Still Taboo?' is a sensitive handling of the issue of gay marriage. The article looks at surveys critically and introduces an international perspective apropos the Greek context. The research conducted is interesting and through a close look at a gay male Greek couple, the article builds a strong case for legal protection of homosexual marriage rights.

- [58]. **Television:** the first openly gay character on Greek Cypriot television appears in the comic series *Ζωή Ποδήλατο* [*Difficult Life*] on Sigma TV. A young actor plays a character whose name is Vassos and whose job is to deal with costumes and wardrobe at a TV station. However, as the series progresses his only purpose seems to try to seduce a character played by a handsome actor from Greece. Vassos is an unfortunate gay caricature that is devoid of standard physical male beauty, sports a large and round belly, wears eccentric glasses, and always wears something pink. Vassos has nothing valuable to contribute and his speech is mostly silly and inconsequential, his behaviour extravagant and his gestures and mannerisms flaming. In other words, he is a gay male stereotype as constructed by a heterosexist model. Although obviously adhering to the stereotype of the gay young man, this character's sexual life emerges merely in homophobic insinuations (for example, in one episode he is asked if his large belly means that he is 'pregnant again'), and he is not depicted as attractive to any other individual. Rather, he constantly craves the attention of the virile, contained, and calculating 'real' men around him whose 'proper' masculinity is underpinned by his 'improper' masculine embodiment. At best, the series makes a condescending acknowledgement that alternative performances of masculinity do exist in Cypriot society.
- [59]. **Latest big media stories concerning LGBT-issues – Film:** 2007 saw the creation of a landmark and sophisticated short documentary by Diomedes Koufteros. This has been the most positive development in media representations of people with alternative sexualities. The film was produced as part of the Young Filmmakers Project (Shooting Reality), which was supported by a United Nations Development Programme initiative, Action for Cooperation and Trust. This film is entitled *Shushu* after the stage name of a transvestite performer in Kyrenia, the city on the north coast of the island. The look at sexuality is unabashed and bold, the interviews daring and uncompromising, and the predicaments of dissenting sexuality in a small community come out clearly on a psychological, social, and family level. Furthermore, that the producer of the film is a Greek Cypriot making a film about a Turkish Cypriot introduces a striking and forceful dynamic in the Cypriot politics of ethnicity as well as sexuality. Finally, again in terms of positive outcomes, *Shushu* earned first prize in the Shooting Reality Film Festival in Nicosia, Cyprus. Such distinction helped to attract publicity for the film and its subject matter, thus facilitating a forceful re-entry of dissenting sexuality and gender performance into public consciousness.

- For the purposes of this report we contacted the director, Diomedes Koufteros, who was very cooperative and forthcoming with relevant, useful, and insightful information. In an e-mail he sent us he shared the following important information: ‘CyBC, the Cyprus Broadcasting Corporation [the official state channel] has, unofficially, declined to air the documentary precisely because of the subject matter. They stated as much to UNDP-Action officials. I doubt they would put that on paper. At the same time, *Biz/Emeis* [a bi-communal TV program on CyBC] showed excerpts of the documentary avoiding too much information or explanation. Genc TV [a private TV station in North Cyprus] showed the whole documentary instead of excerpts at 9 am on a Saturday. Don't be fooled, this was no political/planned act on their behalf; they had 13' of air time to fill! In interviews and general coverage I spoke clearly about identity politics and issues of gender and sexuality. In most media though, this discourse passed way over their heads. So I really had to tone it down and generalize and talk about “ψάξιμο ταυτότητας,” [search for identity] coupled with ethnosocial issues.’ What is interesting and relevant to the report here is that Koufteros had to revise his approach in interviews when he realized the limitations of Cyprus media. A documentary that takes such a bold and explicit look at alternative sexuality and gender embodiment cannot have an easy passage or acceptance in the Cyprus media. Also, the state channel's refusal to air the documentary is a clear indication of a homophobic attitude and a hint at the channel's policies regarding LGBT matters.

[60]. **Identification and assessment of good practices such as public service policies about sexual minority representation:** We are not aware of any such policies either in written form or as oral instructions in any of the stations that operate legally in Cyprus.

M. Transgender Issues

- [61]. Transgender individuals seem to be quite rare in Cyprus and all known cases that we came across doing this research are male to female. If homosexuality is an unspeakable taboo and if lesbianism is immersed in a numb silence, sex change poses a major challenge and threat to the established order. We strived to collect information from official or unofficial sources for the purposes of this report but it has been difficult. Transgender people are difficult to locate and all our efforts were frustrated. The picture that we have managed to form, but which is unofficial, is that a number of transgender individuals work as prostitutes, something that is greatly disconcerting because it exposes them to large numbers of men and increases the possibility of encountering men who might be aggressive, hostile and even abusive towards them.
- [62]. In one case, a person working for the Cyprus Telecommunications Authority (ATHK / CYTA) had a sex change operation from male to female. She faced various problems at work with her colleagues, both male and female, who apparently could not accept her in the work space. In fact, the management

had to make special arrangements with the toilets (they separated one toilet room for her alone) since she was not allowed by her colleagues to use either toilet. She no longer works for the Cyprus Telecommunications Authority.^[4]

N. Multiple discrimination

- [63]. No research has been conducted on the subject of multiple discrimination against LGBTs. It can be assumed that LGBT people with ethnic minority backgrounds, LGBT youth, LGBT elders and LGBT disabled people suffer a great deal more than those who suffer from a single ground of discrimination.

O. Good practices

- [64]. Very few positive measures can be reported, and those targeting sexual orientation specifically or exclusively are minimal. According to the chair of AKOK, awareness raising activities generally do little towards combating social prejudices against homosexuals or even informing the homosexuals themselves about their rights. Although the legal provision in the Cypriot law that empowers the equality body to combat discrimination on all grounds and in all fields, which extends the scope for combating discrimination beyond the sphere of employment and occupation is welcome, the fact that not a single decision on discrimination against homosexuals was taken by the anti-discrimination authority is indicative of the failure of anti-discrimination when it comes to the ground of sexual orientation in Cyprus.
- [65]. Despite some general information campaigns about the EU anti-discrimination acquis, according to gay activists and anti-discrimination experts, the issue of discrimination on the grounds of sexual orientation has been subsumed into the other issues and has not received any specific attention, given that it remains a taboo subject and there is no significant gay lobby.⁴³ An illuminating dimension of this is the fact that no complaints have yet been submitted by Cypriots (and only one complaint by a non-Cypriot) to the equality body alleging discrimination on the grounds of sexual orientation, in spite of the abundance of evidence that there is wide-spread discrimination on the grounds of sexual orientation and homophobia as revealed by the research survey of the specialised body itself.⁴⁴ Gay activists claim that this is due to the absence of any significant targeted campaign to inform about the rights of

⁴³ Interview with Dr. Constantinos Phellas 11.1.2008; also interview with Mr. Alecos Modinos 25.2.2008. Moreover, the same conclusion can be drawn from the researchers' own experience, who was present in the majority of the events, either as a speakers, trainers, coordinator or participants.

⁴⁴ See paragraph 41 above.

LGBT persons and, according to AKOK, the apparent lack of confidence of LGBTs in the antidiscrimination mechanisms.⁴⁵

- [66]. Further, good practices also include seminars on the implementation of the acquis on non-discrimination on all grounds. These include the seminar on anti-discrimination Directives;⁴⁶ the seminar on the Expression of Diversity and Equality;⁴⁷ the Good Practice Guide that is issued by employers' association;⁴⁸ There has also been anti-discrimination training for NGOs and trade unions;⁴⁹ anti-discrimination training for NGOs;⁵⁰ a conference on the Benefits of Diversity;⁵¹ the equality body seminar in 2005,⁵² and the Ministry of Justice Seminar in 2003.⁵³ Nevertheless, some NGOs⁵⁴

⁴⁵ Interview with Mr. Alecos Modinos February 25, 2008.

⁴⁶ On 14.12.2007 the Brussels-based Assistance Information Exchange Office – TAIEX, in co-operation with the Cypriot Ministry of Justice, the Attorney General's office, the Supreme Court and the Pancyprian Bar Association held a one-day seminar on developments in the anti-discrimination field. The seminar was attended by 101 persons, including judges, lawyers, policemen, civil servants, NGO representatives and three college students who were third country nationals.

⁴⁷ On 12.12.2007, the European Institute of Cyprus organized an event to mark the closing of the European Year of Equal Opportunities in Cyprus – 2007. Funded by the European Commission, the Cypriot Ministry of Justice and by the organizers themselves, the event aimed at raising public awareness on the benefits of multiculturalism and diversity. The event included special awards to individuals with a significant contribution in the combating of discrimination. According to the organisers, the event was attended by thousands of persons.

⁴⁸ During 2007, the Cyprus Employers & Industrialists Federation (OEV) has published a 'Guide to employers for the promotion of equality and diversity at the workplace' setting out the legal obligations of employers according to the anti-discrimination legislation, listing examples of good practice and highlighting the promotion of equality and respect for diversity as factors for a healthier, more competitive and productive work environment.

⁴⁹ On 22-23.09.2007 a two-day training seminar was held in Nicosia, as part of a Europe-wide programme to develop knowledge of EU and national anti-discrimination legislation, civil society dialogue and NGO capacity building. The trainers were Greek Cypriot and Turkish Cypriot legal and non-legal persons and included Alecos Modinos, the president of AKOK. Specific attention was placed on ensuring the participation of LGBT persons. The national organiser of the seminar was the NGO Symfiliosi (Reconciliation).
http://ec.europa.eu/employment_social/fundamental_rights/spot/july07_en.htm#trainac (accessed on 22.10.2007).

⁵⁰ The project was managed by Human European Consultancy (www.humanconsultancy.com) in partnership with the Migration Policy Group (www.migpolgroup.com) in the 10 new EU member states and Bulgaria, Romania and Turkey. On 11-12.06.2005 the Cyprus Labour Institute INEK-PEO organised a two-day seminar on the role of NGOs in Cyprus in combating discrimination on the grounds of Racial or Ethnic Origin, Age, Disability, Religion or Belief and Sexual Orientation. The seminar was part of a European Commission funded project: Mapping capacity of civil society dealing with anti-discrimination. As in the 2007 training seminar, specific attention was placed on ensuring the participation of LGBT persons and one of the trainers was Alecos Modinos.

⁵¹ On 29-30.09.2006 the 'Stop Discrimination Campaign' organised a pan-European conference on 'The Benefits of Diversity and Inclusion for Small and Medium-Sized Enterprises'. This conference brought together about 130 representatives of European SMEs and those working with the SME community, offering a platform for exchanging experiences in diversity management and implementing anti-discrimination policies in small and medium sized businesses. Speakers came from business and academic backgrounds. See <http://www.stop-discrimination.info/?RDCT=fd6dc498e983758e3227>

⁵² On 18.01.2005 a major conference titled 'The implementation of the principle of equality in employment and occupation' was organised in Nicosia, focusing on employment discrimination (Directive 2000/78/EC). The activity was funded by the Community Action Program for national awareness raising activities on issues of discrimination (VF/2005/0154). The main speakers were Yiota Kravitou, Law Professor at the University of Thessaloniki, who spoke on the principle of non-discrimination in the two EU Directives 43/2000 and 78/200 and Alvaro Oliveira from DG Employment and Social Affairs of the EU, who spoke on the content of Directive 2000/78/EC and its implementation. There were additional speakers from the Cyprus equality body, the Ministry of Labour and the Ministry of Justice. The event was attended by Government officials and civil servants, trade

and experts⁵⁵ find that such seminars and training are problematic in that they do not specifically target LGBT groups. A recent targeted initiative that attempts to redress this problem is the production of a leaflet by AKOK, the Family Planning Bureau and ASTARTIS. Entitled 'Myths and Truths about Homosexuality and Sexual Orientation', this leaflet aims to reach organised groups such as teachers and police (among others). The leaflet has been published but it is still to be disseminated.⁵⁶

[67]. There is nothing on transgender people in terms of good practice.

P. Other areas of concern: Compulsory Army Service

[68]. The Cyprus Equality body has not received complaints on sexual orientation, but in 2003, prior to the setting up of the Equality body, the Ombudsman received a complaint from a 28-year old homosexual who was discharged from the army after being deemed 'unsuitable' for health reasons (a military medical committee classed him as 'neurotic'). He was later unable to obtain a driver's licence. As a result, the Ombudsman asked the Defence Ministry to revise its army discharge papers that justify discharge on the grounds of psychological problems and not sexual orientation. Military service is compulsory for all Greek Cypriot men, including homosexuals. However, they may have the possibility of exemption, though not on the grounds of sexuality but psychological problems, such as personality disorder or neuroses; a qualification that subsequently denied these individuals basic citizen rights, such as a driving licence. An official at the Road Transport Department told the media that as far as he knew when it came to issuing licences, there was no discrimination against homosexuals exempted from the army on psychological grounds.⁵⁷ Apart from suggesting revisions that prevent the violation of individuals' personal rights, the Ombudsman's report also pointed out that the issue of

unionists and employers association representatives and a number of NGOs. This was one of the largest conferences on the subject where all social partners and many stakeholders were involved (a total of 300 persons). It was the only awareness raising event organised by the specialised body on anti-discrimination laws.

⁵³ 'E.U. legislation and policies to combat discrimination' was a seminar organised by the Ministry of Justice and Public Order in June 2003, targeting NGOs, government officials and the public at large, within the framework of the Community Action Programme Against Discrimination, funded by the European Commission. The seminar examined the concepts, content and field of implementation of the EU anti-discrimination directives. There was little if any representation from vulnerable groups. There was no follow up on the subject and no impact assessment on the activity or the legislation since it was implemented.

⁵⁴ This is based on the views expressed by the Chair of the Gay Liberation Movement of Cyprus -AKOK (interview with Mr. Alecos Modinos 25.2.2008) as well as the knowledge research and training organisations such as SYMFILIOSI, INEK-PEO etc.

⁵⁵ Interview with Director of RUBSI, Dr. Constantinos Phellas 11.1.2008.

⁵⁶ Interview with Mr. Alecos Modinos, president of AKOK, 25.2.2008.

⁵⁷ The official is quoted saying: 'We never refuse in such a case,' he said, adding that applicants in such cases were usually sent for a second opinion 'to clear the case' and that 'there is no discrimination', *The Cyprus Mail*, 03.07.2003.

homosexuals and the military needed particular attention. ‘Specifically, during the handling of these matters it must be taken into consideration that the sexual choices of these people attract social and moral scepticism, and consequently the voluntary or involuntary lack of action on the part of the authorities to regulate matters concerning homosexuals while at the same time they are subjected most of the time to daily discrimination,’ the report said.

- [69]. Understandably, in this sore contention, homosexual men have objected to labels of psychological disturbance on army discharge papers, and, in August 1994, this became an issue at the European Court of Human Rights that asked the Ministry of Defence not to use the sexual orientation of the applicant Stavros Marangos as grounds for declaring him psychiatrically unsuitable for military service. To do so was constitutional violation. In response, the Ministry of Defence insisted that, although homosexuality was not considered a disease, the committee examined the presence of personality disorders. In June 1995 the newspaper *Cyprus Mail* obtained a copy of a certificate of military exemption given to a gay man, which stated that ‘Mr. S is unsuitable for military service because he suffers from a sexual perversion, being a passive homosexual’.⁵⁸ Since then, there has been some progress in that the certificate of military exemption is no longer as specific. In November 2006 the Minister of Defence again failed to get parliamentary approval for legislation that allowed the issuing of certificates stating the reasons for army release.⁵⁹
- [70]. The stigma against homosexuals in the army persists, but EU accession has made the Greek-Cypriot army authorities more discrete. It is widely believed that amongst the thousands of persons released for psychological reasons many are gay men. According to figures released by the Ministry of Defence between 1992 to 2006 one in nine new army recruits was released due to psychological reasons: out of 79.376 national guards, 4.279 were released while a further 4.693 recruits were suspended due to psychological reasons.⁶⁰ Apparently this was causing concern in the army leadership and Government.⁶¹ In practice many homosexuals may be released after they appear before a Doctors’ Council. Gay liberation activists dispute the allegation that there is no discrimination against homosexuals in the Cypriot army.

58 J. Christou (2003) ‘Defence Ministry under fire after gay man denied driving licence on grounds of army discharge papers’ in *The Cyprus Mail* (03.07.2003)

59 C. Hadjikosta (2006) ‘Διχάζει ο ‘τρελο-νόμος’’, *Η Σημερινή*, 01.11.2006.

60 Michalis Hajistylilianou (2007) ‘Απολύθηκαν από την Ε.Φ. 4279 ως ψυχοσθενείς’, *Η Σημερινή*, 23.07.2007.

61 Michalis Hajistylilianou (2007) ‘Απολύθηκαν από την Ε.Φ. 4279 ως ψυχοσθενείς’, *Η Σημερινή*, 23.07.2007.

Conclusions

- [71]. **Media:** they often want to appear liberal, hip, or ‘alternative’ by tackling and sensationalizing the subject of non-mainstream sexuality. What interests them particularly is the phenomenon of *how* this sexuality is performed because this performance, often regarded as intriguing is also a scandalous travesty of normalcy and this scandal will draw the public’s attention and sell their product.
- [72]. **Self-imposed exile:** because of the deep prejudices that form strong undercurrents in Cypriot society many LGBT Cypriots choose to reside overseas in a kind of self imposed exile. Kath Toumbourou found that the gay men she spoke with ‘live in Cyprus out of choice, not necessity’ and this in itself indicates that these men are exceptions; many Cypriot LGBT people choose to stay away if they can. Toumbourou continues, ‘They all agree that they wouldn’t prefer to live in ‘more liberal’ societies, though some benefits for same-sex couples would be a great step forward for Cyprus.’ Often LGBT Cypriots make their home in metropolitan centres of the West that offer the promise of lively alternative communities. Moreover, in settling abroad, Cypriot LGBT hope that they will be tolerated and not have to deal with the embarrassment and taboo that mark sexuality in their native environment. The expectation is that they will be able to pursue a lifestyle free from the stifling restrictions of a small and still divided island. Such exile seriously reduces the numbers of LGBT people living on the island, thereby weakening visibility and, more importantly, any possible resistance to discriminatory practices. As for the people themselves, the promises of a Western metropolitan centre are not always delivered and the hopes are not always fulfilled, and when this is the case then life abroad becomes an insufferable exile and nothing else. Toumbourou’s informants state this clearly: “Gay ghettos” bring their own form of oppression. In areas like Soho, people seem to be exclusively associated with their sexual orientation and little else. I don’t want to live that way.’ The matter of exile because of sexual dissidence is serious but is never adequately addressed in writings about similar issues such as self imposed exile because of political dissent in oppressive regimes.
- [73]. **Bisexual People:** bisexuality is contested in the Cypriot context. Some homosexual men and women claim that bisexuals are simply people who have not come to terms with their homosexuality. Other homosexual men believe strongly that every man is bisexual, a conviction that is informed partly by the rich and still current (to some degree) tradition of male sexual conduct in the Orient of the Western colonial imagination (mainly the Middle East and North Africa). It is widely known in Cypriot culture that if a man has sex with other men he can still get married and be entitled to a private life outside marriage (especially if he takes the active role in sexual intercourse).⁶² The problems begin when others begin to *talk about* his sexual

⁶² See A. Philaretou (2006) *Sexual Interactions: The Social Construction of Atypical Sexual Behaviors*, Boca Raton: Universal Publishers, pp. 11-14.

acts with other men (or when he takes the passive role). So long as all remains secret, society is prepared to condone marriage for gay or bisexual men.⁶³

[74]. **Language:** most of the terms for discussing and identifying discrimination, persecution, and social injustice against LGBT people are English. It is ironic that many of these terms derive from Greek or are partly connected with Greek, the island's dominant language. The irony is in the impossibility of creating adequate and representative discourse in standard Greek about the politics of these issues.⁶⁴ For example, terms such as gender, sex, heterosexism, and heteronormativity translate into Greek only in approximation and with vague referents. Indeed, many of these terms have been coined and set into circulation by cultural, social, and feminist theorists often writing in English. Since discourse defines reality and not vice versa, the lack of effective political terminology to discuss LGBT issues in a certain culture leads to blind spots, perceptual distortions, and various phobias caused by the issue's inadequate definition in linguistic terms. Of course, this is not to vindicate Cyprus society for its homophobia and discrimination. Nevertheless, understanding this side of the issue may help with mitigating it and strategizing.

[75]. **Lack of state support for anti-discrimination work:** the lack of public information has been brought up in a number of sections. What partly accounts for this lack is the inadequate state support. For example, the Ombudsman's office still lacks sufficient government funds that would enable adequate staffing for the purposes of Equality body functions.⁶⁵ ECRI also stressed the need for resources to be made available to the Ombudsman to enable her to respond to her new tasks.⁶⁶ Inadequate funding and staffing also account for the scarcity or complete absence of measures to inform vulnerable and discriminated groups about legal developments and new complaint procedures open to them. Finally, limited resources may also account for the fact that the equality body has only exercised once⁶⁷ its power to issue Codes of Good Practice concerning individual activities in both the private and public sector.⁶⁸

⁶³ See Chapter 8 in Faubion's *Modern Greek Lessons*, pp. 213-241.

⁶⁴ Diomedes Koufteros, the director of *Shushu* alerted us to this very significant point.

⁶⁵ In his 2006 report, the Commissioner for Human Rights of the Council of Europe Mr. Alvaro Gil-Robles expresses his regrets over the fact that the necessary increase in funding to deal with the extra work-load has not been provided and recommends that greater resources be devoted to this office to enable the Ombudsman to deal effectively with her new competencies. Office of the Commissioner for Human Rights, Council of Europe (2006), - Follow-up Report on Cyprus (2003-2005): Assessment of the progress made in implementing the recommendations of the Council of Europe Commissioner for Human Rights, Strasbourg, 29 March 2006, page 11.

⁶⁶ Third ECRI Report on Cyprus, adopted on 16.12.2005, Strasbourg 16.05.2006, Council of Europe.

⁶⁷ Code of good practice regarding sexual harassment in the workplace.

⁶⁸ Cyprus/ The Combating of Racial and Some Other Forms of Discrimination (Commissioner) Law No. 42(1)/ 2004 (19.03.2004), Sections 40, 41 and 42, Part VI.

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