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## **Criminalisation of homosexuality in the Northern part of Cyprus**

### **Written question No. 608 to the Committee of Ministers**

by Mr Håkon HAUGLI, Norway, Socialist Group

The recent arrest in the northern part of Cyprus of a number of men for "acts against nature" has drawn attention to the continuing application in that territory of Article 171 of the Criminal Code which criminalises homosexual relations between consenting adults.

The European Court of Human Rights has explicitly ruled in *Modinos v. Cyprus* (1993) that Article 171 violates Article 8 (right to respect for private and family life) of the European Convention on Human Rights. This is consistent with the Court's previous judgements – *Dudgeon v. UK* (1981) and *Norris v. Ireland* (1989). It also violates Article 17 (protection from arbitrary or unlawful interference with privacy and family life) of the International Covenant on Civil and Political Rights, as indicated in the decision of the United Nations Human Rights Committee in *Toonen v. Australia* (1994).

Mr Haugli,

To ask the Committee of Ministers:

Will the Committee of Ministers request Turkey, as the Council of Europe member state responsible for the Northern part of Cyprus, to ensure the early repeal of Article 171 of the Criminal Code in that territory?

