



Convention on the Rights of the Child

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Summary record of the 1701st meeting

Held at the Palais Wilson, Geneva, on Wednesday, 30 May 2012, at 3 p.m.

Chairperson: Mr. Zermatten

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The meeting was called to order at 3.05 p.m.

Consideration of reports of States parties (continued)

Third and fourth periodic reports of Cyprus on the implementation of the Convention on the Rights of the Child (continued) (CRC/C/CYP/3-4; CRC/C/CYP/Q/3-4 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Cyprus took places at the Committee table.*
2. **Ms. Aidoo** said that, while the State party's report and written replies described in detail the activities, programmes and projects implemented in the area of adolescent health, they did not mention the results of any assessments of those activities. The report referred only to an assessment of the sex education programme carried out under the European SAFE project, which had shown that the programme should be improved. She wished to know if the discussions held since 2008 on the adoption of an action plan on adolescent health had produced results. Noting that the State party had not provided statistics on early pregnancies, she wondered what measures were being taken in that area.
3. The Committee remained concerned at the prevalence of obesity and of tobacco, alcohol and drug use among young people. Recognizing, however, that HIV/AIDS did not pose a significant problem among children in the country, where only three children had been identified as HIV-positive, she would like the State party to provide data on that subject as of 2005. She also wished to know if there was anywhere in Cyprus where young people could seek advice and undergo voluntary testing without parental consent. It would be interesting to hear the State party's position on the legal prohibition on young people seeking information on HIV/AIDS without their parents' consent. The Committee would also be interested to learn whether any HIV/AIDS screening was provided for pregnant women with a view to preventing mother-to-child transmission of the virus.
4. Welcoming the measures the State party had taken to encourage the social inclusion of children from disadvantaged areas, and the establishment of priority education zones to promote education for children from low-income families, the Committee wished to know whether there were any indicators for assessing the results of those measures.
5. The Committee would also appreciate information on measures taken to ensure an adequate standard of living for children of migrant workers, regardless of their parents' migratory status, given that States parties were required under the Convention to guarantee the rights enshrined therein for each child within their jurisdiction. The Committee noted with satisfaction that Cyprus planned to focus on child poverty during its presidency of the European Union, which would begin in July 2012.
6. **Mr. Madi**, welcoming the adoption of the amended Law on the Protection of Young Persons at Work, asked if it applied to all types of employment and if it set the minimum age of employment at 15 years, pursuant to the International Labour Organization (ILO) Minimum Age Convention, 1973 (No. 138).
7. In the light of recent and, in some cases, ongoing, events in some southern and eastern Mediterranean countries, and given Cyprus's geographical position, some persons fleeing the fighting in those countries, including children, had presumably sought refuge in Cyprus. It would be interesting to know how many child refugees there were in Cyprus and whether any of them had taken part in the hostilities in their countries of origin.
8. **Mr. Pollar** noted that Cyprus had ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. However, at the time of ratification it had made such a sweeping declaration on article 3, paragraph 2, of the Optional Protocol that it was difficult to see how it could fulfil its obligations under

article 38 of the Convention. Indeed, Cyprus indicated in that declaration its understanding that article 1 of the Optional Protocol would not prevent members of its Armed Forces from being deployed in cases where there was a genuine military need to deploy their unit and it was not practicable to withdraw such persons before deployment. Given that Cypriots under 18 years of age could enlist voluntarily, provided they had reached the age of 17 on the date they joined the Armed Forces, what was their status during periods of conflict?

9. **Mr. Koompraphant** asked how the State party monitored the working and living conditions of child labourers, particularly those working in private homes, and whether Cypriots were required to report children employed in their homes. He wondered how the State party detected cases of sale of children for purposes of labour and/or sexual exploitation. He also wished to know whether victims of the sale of children benefited from witness protection programmes. Lastly, he would be interested to learn what measures had been taken to assist such victims in judicial procedures and what psychosocial support they received from the State.

10. **Mr. Papageorgiou** (Cyprus) said that the Office of the Commissioner for the Protection of Children's Rights employed seven scientific officers, one accountant, three secretaries and several assistants. Its budget was included in that of the Law Commissioner, which in turn came under the budget of the Attorney General.

11. In 2009 the Office of the Commissioner for the Protection of Children's Rights had received 170 complaints, 3 of them from children. In 2010 it had received 186 complaints, 11 of them from children. That increase might be due in part to the Commissioner's capacity-building efforts to enable children to make their voices heard on issues affecting them. Children wishing to file a complaint before the Commissioner could do so by calling a telephone number listed in all publications distributed in schools, or through the website of the Office of the Commissioner, also included in such publications.

12. After reviewing a complaint, the Commissioner issued recommendations, which were submitted to the authorities concerned and communicated to the Council of Ministers and the House of Representatives. The Commissioner attended all the meetings of the parliamentary committee on children's issues.

13. The State budget structure precluded any express indication of the resources allocated to children.

14. Cyprus did not yet have a central coordinating mechanism with a clearly defined mandate.

15. Any employer found guilty of an offence under the Law on Protection of Young Persons at Work was subject to a fine of up to 8,000 euros and/or a maximum of 4 years' imprisonment. Inspections were conducted to ensure respect for the law. The employment of young persons 15 to 18 years of age in artistic activities was subject to approval by a committee comprising representatives of the Labour Inspectorate, social welfare services and the Office of the Commissioner for the Protection of Children's Rights.

16. The Law on the Protection of Young Persons at Work provided for the establishment of an inspection agency to monitor its implementation.

17. **Ms. Konstantinou** (Cyprus) said that children born out of wedlock to non-Cypriot parents were issued with a birth certificate, as were all children born in Cyprus, but they did not acquire Cypriot nationality, unlike children born out of wedlock at least one of whose parents was Cypriot.

18. Through the legislative amendments passed in 2007, Cyprus intended to guarantee equal treatment of all children of displaced persons, whatever the sex of the accompanying

parent, especially in access to housing programmes, only one of them not currently available to children of displaced women.

19. **Ms. Tapanidou** (Cyprus) said that Cyprus implemented a vast range of financial and other measures to enable parents to fulfil their responsibilities to their children. As a last resort, primarily in cases where children had been victims of neglect or abuse, they could be taken from their parents and placed in the care of social welfare services.

20. All children 5 years of age or younger who were placed in care were sent to foster families rather than an institution. As of the end of 2011, a total of 2,057 children were in alternative care. In Cyprus, children could receive such care for periods ranging from a few days to several years, until they reached the age of 18, or even 21 in some cases. A 2009 study pointed out the need to improve the selection criteria for foster parents, provide training programmes for them, and increase their monthly allowance.

21. A multidisciplinary committee of three staff members from the social services department decided which type of alternative care would be provided for children who needed it. That decision was taken on the basis of a plan establishing, inter alia, the type and frequency of contact with the biological parents, in accordance with the best interests of the child. The plan was reviewed at least once a year, ideally every three months.

22. **The Chairperson** asked whether the decisions of the multidisciplinary committee could be appealed.

23. **Ms. Tapanidou** (Cyprus) said that the decision to place a child in care was made by a court and was subject to appeal. The type of placement was established by administrative decision, which could be appealed before the director of social welfare services.

24. **Ms. Herczog** (Country Rapporteur) asked how the State party determined its selection criteria for foster parents and whether they received training and support, whether the State planned to remunerate them and how many children could be placed with one family.

25. **Ms. Tapanidou** (Cyprus) said that those issues were all addressed in the aforementioned 2009 study. An action plan was being developed to follow up on the post-study recommendations that the Government was in a position to implement either immediately or in the short term.

26. **Mr. Kotrane**, requesting additional information on the rights of children of displaced persons, asked in particular whether they had the right to an identity card. The delegation might also indicate whether the circular requiring school authorities to provide the immigration and civil registry services with information about the identity of migrant children attending school, including their parents' contact details, was still in force.

27. **Ms. Konstantinou** (Cyprus) said that Cypriots, both adults and children, who had been displaced within the country were recognized as internal refugees and were issued with identity cards.

28. **Mr. Tsiakkiros** (Cyprus) said that the Government, in the interest of guaranteeing access to education for all children, had decided on 2 March 2012 to repeal the circular requiring school principals to provide the immigration authorities with information about migrant children.

29. **Ms. Herczog** requested further information on childcare facilities for children without parental care.

30. **Ms. Tapanidou** (Cyprus) said that only 25 per cent of children in need of alternative care were placed in orphanages, and that the length of the placement might vary from a few days to several years. A 2006 study had shown the quality of placement and protection

services for children in Cyprus to be satisfactory. There were two types of orphanage: children's homes, which accommodated children from 5 to 12 years of age; and youth homes, reserved for young people aged 13 to 21. The country's eight orphanages were small facilities designed to accommodate a maximum of 10 minors. Each child placed in an institution or foster family was monitored by a multidisciplinary team, which developed a customized care plan for the child. The proposed amendment to the Adoption Law, submitted to parliament for review in November 2011, aimed above all to prohibit "private" adoptions and encourage State-managed adoptions. In 2011, there had been a total of 33 domestic and 12 international adoptions.

31. **Ms. Herczog** asked what criteria were used when deciding to place a child in an orphanage rather than a foster home, and what special safeguards were in place for child offenders under 14, the age of criminal responsibility.

32. **Ms. Tapanidou** (Cyprus) said that a child's age was taken into account when deciding on his or her placement, which was why youths were more often placed in orphanages and young children in foster homes. Although there was no special care programme for child offenders, both the children and their parents received counselling and the children were referred, if necessary, to child psychologists or other childcare professionals.

33. **Ms. Herczog** asked if child offenders under 14 years of age were placed in special institutions for minors in conflict with the law and if they were entitled to rehabilitation.

34. **Ms. Tapanidou** (Cyprus) said that there were no facilities exclusive to minors in conflict with the law and that child offenders were monitored by a multidisciplinary team responsible for developing a care programme adapted to each child's individual needs.

35. **The Chairperson** asked whether the State party had sufficient trained staff to meet the needs of children in orphanages, whether public or private, and whether the parents of children in foster homes were required to make financial provision for them.

36. **Ms. Tapanidou** (Cyprus) said that all orphanages were administered by the State. Care programmes for children were developed by interdisciplinary committees in each of the six districts, and those committees defined the follow-up measures to be taken to ensure the child's reintegration. Although parents were supposed to make child support payments for their children in foster homes, the rule was not enforced. Foster families received between 400 and 800 euros per month. Generally speaking, only one child was placed with each foster family, but exceptions could be made.

37. **Ms. Herczog**, referring to the case of two teenage girls raped after running away from a foster home, asked what follow-up there had been to the case.

38. **Mr. Tsiakkiros** (Cyprus) said that the incident had occurred in the area of Cypriot territory under Turkish administration and that the Republic of Cyprus had no authority to enforce the Convention in that part of the country.

39. **Mr. Veis** (Cyprus) said that the age of criminal responsibility had been set at 14 years since 2006. Children in conflict with the law who were 14 to 16 years of age generally benefited from educational and reintegration measures. Unaccompanied minors in an irregular situation were not placed in detention but were entrusted to the care of the social welfare services pending their possible expulsion. The new migrant detention centre soon to be built would include an area reserved for families, where children could live with their parents and receive psychological and medical care.

40. **Mr. Gastaud** (Country Rapporteur) asked what penalties could be imposed on child offenders 16 to 18 years of age and whether they received special treatment.

41. **Mr. Cardona Llorens** asked whether there was any law governing the criminal responsibility of minors 14 to 16 years of age and whether penalties for those minors were imposed by a children's judge.
42. **Ms. Herczog** asked if special children's equipment or procedures had been set up to allow judges and prosecutors to hear child victims or perpetrators.
43. **Mr. Veis** (Cyprus) said that the absence of criminal responsibility among children under 14 years of age was absolute; if they committed an offence they were entrusted to the care of the social services. Cases involving child offenders between 14 and 16 years of age were not handled by the adult criminal justice system. Rather, they were reviewed by a special committee comprising representatives of the police and social workers, who decided on the rehabilitation and diversion measures best suited to each case, depending on the severity of the offence, the child's family, financial and social situation and his or her psychological state.
44. The Government was aware that it had been slow in setting up a juvenile justice system, and it was currently drafting a juvenile justice bill requiring the establishment of special juvenile courts and procedures along with prevention and rehabilitation measures. Interim measures were already in place, pending the bill's adoption.
45. **The Chairperson** asked whether an adult court could impose criminal sanctions on a person 15 years of age who had committed a serious offence.
46. **Mr. Veis** (Cyprus) said that young persons 14 to 18 years of age could appear before an adult court and receive a custodial sentence. Over the previous three years, only four minors had been placed in detention, as the Cypriot justice system had a marked preference for alternative rather than custodial measures.
47. **Mr. Cardona Llorens** asked if children placed in detention were separated from adults and if there were any juvenile prisons.
48. **Mr. Veis** (Cyprus) said that the only prison in Cyprus, the Nicosia Central Prison, had a wing reserved for minors and young adults up to 21 years of age, who participated in various types of activities tailored to their age and needs, including educational programmes. In August 2012 a new building would be inaugurated next to that prison and would be exclusively reserved for minors.
49. Various measures had been taken since 2004 to take into account the needs of children in the justice system, be they perpetrators, victims or witnesses. Video equipment for recording the minors' testimony or statements had been installed in police stations, and police officers had been trained in techniques for gathering evidence from child victims of violence. Evidence given by witnesses was recorded during the trial, during which the child could be heard through a closed-circuit television system so that he or she did not have to face the accused. The child was accompanied and supported by a social worker throughout the proceedings.
50. **The Chairperson** asked if there was a limit on the number of times a child could be heard in the course of a trial, and if the juvenile courts being established would deal only with cases involving young offenders or with all children involved in any way with the justice system.
51. **Mr. Gastaud** asked if legal aid was provided for child perpetrators or child victims of offences.
52. **Mr. Veis** (Cyprus) said that all children in conflict with the law were assisted by a lawyer, either of their own choosing or ex officio.

The meeting was suspended at 4.25 p.m. and resumed at 4.45 p.m.

53. **Ms. Lee** asked once again why no cases involving unaccompanied children had been reviewed since 2009.

54. **Ms. Konstantinou** (Cyprus) said that, despite the Government's efforts, it had not been possible to interview any unaccompanied minors owing to differences of interpretation of the Refugee Law. The Ministry of the Interior had drafted a proposed amendment to that law to overcome those difficulties. Even though they had not been interviewed, the minors enjoyed all their rights relating to health, education and social protection.

55. **Mr. Tsiakkiros** (Cyprus) said that there had been a fresh upsurge of bullying and violence in schools over the previous two years. For that reason, several violence prevention programmes had been set up at all education levels. The programmes focused primarily on raising students' self-esteem, improving their ability to control their emotions, and combating school failure. A committee of experts set up in 2008 had designed a comprehensive strategy, through which considerable sums had been allocated for prevention and protection measures, with emphasis on the school ambience and assistance for vulnerable families. Special task forces on school violence, made up primarily of teachers, psychologists and educators, had been set up to assist schools experiencing emergency levels of violence. A national observatory on violence in school had also been established, and worked in collaboration with the International Observatory on Violence in School.

56. As to evaluation of the initiatives under way, the establishment of priority education zones had helped bring the school dropout rate down from 17.3 per cent in 2003 to 11.2 per cent in 2011.

57. **The Chairperson** asked what role student councils played in the policy to combat violence in school, and what role school mediation played in that policy.

58. **Mr. Tsiakkiros** (Cyprus) said that schools actively participated in the fight against violence and that, in each school, teams composed of teachers, students and parents decided on the measures to be taken to combat violence and bullying.

59. Children up to 3 years of age could attend facilities run by the social welfare services. Education was not compulsory for children between the ages of 3 years and 4 years and 8 months. There were three types of kindergarten: public schools, for which the parents paid tuition fees; community schools, which were partly subsidized by the State and were established in areas where the public system could not accommodate all the children in the community; and private schools, which were certified by the Ministry of Education. According to the latest statistics, 51 per cent of students between the ages of 3 years and 4 years and 8 months were enrolled in the public school system, 23 per cent in community schools and 26 per cent in private schools.

60. **Ms. Herczog** asked how many children under 3 years of age attended day-care establishments. She also requested further information on maternity and parental leave.

61. **Mr. Tsiakkiros** (Cyprus) said that 16.5 per cent of children up to 2 years of age were cared for in nurseries and 85 per cent of children between 3 and 5 years of age were enrolled in pre-primary education.

62. Refugees and asylum seekers 15 years of age and above could attend courses at the Adult Education Centre. They also had the option of taking free Greek language courses. Children under the age of 15 could attend centres offering free Greek classes, with a view to encouraging their integration in school and in Cypriot society. They could also attend courses in their mother tongue at those same centres, as well as at some embassies with close ties to the Ministry of Education.

63. **Ms. Lee** asked what options were available to Turkish Cypriots who wished to receive an education in their mother tongue.

64. **Mr. Tsiakkiros** (Cyprus) said that the vast majority of students from that community were enrolled in a programme offered by an institution in Limassol. They were excused from religion and history courses and instead attended classes in Turkish language and culture.

65. It was increasingly common for children with disabilities to be enrolled in regular schools. Special schools equipped with suitable infrastructure were also available to children 3 to 21 years of age. The students followed individualized programmes developed by special education coordinators, in cooperation with each child's parents and teachers. They benefited from assistive technologies and adjustments to their working arrangements and, regardless of whether they were enrolled in regular or special schools, were taught by specialized teachers. In secondary schools, children with special needs received individualized support. During the 2010/11 school year, 3,184 children with special needs were enrolled in primary school and 2,612 in secondary school.

66. **Mr. Cardona Llorens** said that, according to information before the Committee, about 2,000 of the roughly 3,100 children with special needs enrolled in primary school were children with disabilities. Of those, 350 attended special schools. No information had been provided on special secondary schools. Did that mean that when children with disabilities graduated from primary school they were integrated into regular classes? Or did they leave school altogether? He also requested clarification on arrangements for children with disabilities in regular schools.

67. **Mr. Tsiakkiros** (Cyprus) said that education was compulsory up to the age of 15 and that children graduating from primary school therefore continued their studies in secondary school. As in primary school, secondary pupils with special needs were taught by specialized teachers either in their own classroom or in a special unit catering to children with special needs for a few hours a day, the rest of the day being spent in the classroom. School arrangements for children with special needs included ensuring that classes were held on the ground floor if the school did not have an elevator, providing special devices for children with visual or hearing impairments, and supplying vehicles modified to meet their needs.

68. Public school students received compulsory religious instruction, which was not limited to the orthodox religion but encompassed various religions. Primary school students who were excused from religious studies, could take another course, and the secondary students excused worked in the library on a project of their choice. The Government was willing to review the conditions for exemption from religious instruction in order to comply with the recommendations issued by the Ombudsman in 2010, in order to ensure that no one was discriminated against.

69. **The Chairperson** asked in what form education in human rights and the rights of the child was imparted at the different stages of education, including universities.

70. **Mr. Tsiakkiros** (Cyprus) said that human rights were taught at the primary, secondary and university levels.

71. **Ms. Wijemanne** asked whether the International Code of Marketing of Breast-milk Substitutes was implemented in the State party and whether the Government had developed a breastfeeding promotion policy. She wished to learn which provisions governed maternity leave, and migrant women's degree of access to child-delivery services in public hospitals. Lastly, she would appreciate further information on youth nutrition and health.

72. **Ms. Azina-Chronides** (Cyprus) said that the Ministries of Health and Education had adopted a holistic and coordinated approach to bullying and that, as part of the European

Daphne Programme to prevent and combat violence against children, young people and women, Cyprus had established not only mental health services for children and young people, but also teacher training programmes.

73. Asylum seekers enjoyed the same health rights as other persons residing in the country, and undocumented immigrants admitted to public health institutions were never reported to immigration authorities.

74. Cyprus had a baby-friendly hospital that offered care and advice to pregnant women and emphasized the importance of breastfeeding from birth. Moreover, by the end of August 2012 the multidisciplinary committee appointed in 2009 would submit the first National Breastfeeding Promotion Action Plan.

75. Lectures and discussions to promote healthy lifestyles were organized for students, and the breakfasts and lunches served in school canteens complied with the principles of the Cretan diet. Milk and fruit were also distributed to students once a week.

76. Private clinics had been known to refuse to register the birth of a child whose parents were in financial difficulties, but the cases had always been taken to court.

77. When a major medical procedure, such as voluntary termination of a pregnancy, had to be performed on a minor, doctors needed to first obtain the consent of both parents, unless the child was able to convince a multidisciplinary committee — comprising a doctor, a social worker and a psychiatrist or psychologist specializing in the treatment of young people — that it was in his or her best interests that the parents not be informed. In any event, whether life-saving for emergency or a voluntary interruption of pregnancy, the decision was prompt and respected the best interests of the child.

78. Minors had free access, without charges, to the sexual health services offered in school infirmaries and various health centres and could speak to a doctor in strict confidence and obtain contraceptives. Secondary students were also alerted to the dangers of tobacco, alcohol, and unsafe sex, as well as the risks of an unwanted pregnancy. All puberty and adolescence issues were addressed in the first cycle of secondary school in specialized programmes for students. In addition, a specialized mental health service to support children suffering from eating disorders such as bulimia and anorexia was to be established in the near future.

79. The Cypriot delegation was not in a position to indicate the teenage pregnancy rate in Cyprus although the situation was closely monitored.

80. Every year, the health authorities assessed the results of anti-HIV/AIDS plans and policies. Minors who visited HIV screening centres were attended by a multidisciplinary team that provided counselling and care in the event of a positive result. The health authorities applied the international protocols to prevent mother-to-child transmission of HIV and had established specialized counselling and testing for that purpose.

81. **The Chairperson** said, given that many of the Government actions for young people were implemented through the school system, he would be interested to learn how the State party reached those who had dropped out of school.

82. **Ms. Aidoo** asked to what extent children and young people were involved in the design, implementation, and evaluation of all the programmes targeting them.

83. **Ms. Azina-Chronides** (Cyprus) said that the programmes were evaluated by parents, teachers, doctors, nurses and other health-care providers, and even by children, who played a central role in the implementation of strategies to combat HIV/AIDS, drug addiction and alcoholism. As part of those strategies, teams of young people were tasked with communicating to their peers the information they had received, for example on safer sex methods or, in the case of anti-HIV/AIDS programmes, on means of infection. They

gave their opinions on what they believed was the best way to reach out to their age group and sometimes used role play.

84. Children who had dropped out of school were informed of the various social problems and health risks through general practitioners responsible for local prevention and awareness-raising.

85. **Ms. Wijemanne** asked if the State party had conducted a study on the nutritional status of preschool-age children.

86. **Ms. Azina-Chronides** (Cyprus) said that labour legislation allowed breastfeeding women to leave their place of work whenever they needed to feed their infants, and the Ministry of Education had established courses designed to raise awareness of nutrition starting in early infancy.

87. **The Chairperson** enquired about the current status of plans to establish a unit for young people with psychiatric disorders, who until recently were still being hospitalized with adults.

88. **Ms. Konstantinou** (Cyprus) said that her Government had established a unit specialized in caring for young people with psychiatric disorders, but that it did not yet have a service to care for children with special needs such as autism, who were still hospitalized with adults.

89. **Mr. Papageorgiou** (Cyprus) said that labour legislation prohibited the dismissal of a pregnant woman, provided that she had informed her employer of her pregnancy in writing and had submitted a medical certificate. The ban took effect from the date the certificate was received and continued until three months after the last day of maternity leave. Maternity leave lasted 18 weeks with full pay, whereupon both the father and mother could request a leave of absence without pay for a further 18 weeks. The same provisions applied to adoptive parents.

90. **Ms. Konstantinou** (Cyprus) said that only children born to displaced fathers were issued with refugee identity cards, while children born to displaced mothers received certificates of refuge by origin attesting that the holder was a child of a displaced person. The only difference between the two was that holders of a certificate of refuge by origin did not benefit from one of the housing programmes to which holders of a refugee identity card had access.

91. **Mr. Gastaud**, welcoming the courteous and earnest dialogue held with the delegation of Cyprus, commended it on its spirit of cooperation. He took note of the State party's considerable efforts to implement the Convention and the many projects under way.

92. **Mr. Papageorgiou** (Cyprus) thanked the Committee for its constructive comments, which would allow Cyprus to progress even further in its implementation of the principles set out in the Convention. Cyprus was firmly committed to democratic values, as demonstrated by its vibrant civil society and highly independent media, and it took its international obligations very seriously. It would therefore gladly welcome any advice from the Committee to further improve the country's child rights situation, particularly during the economic crisis.

The meeting rose at 5.55 p.m.