

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 10 June 2021

CDCJ&CDENF/Bu(2021)OJ1ANN

**BUREAU OF THE
EUROPEAN COMMITTEE ON LEGAL CO-
OPERATION
(CDCJ-BU)**

**BUREAU OF THE
STEERING COMMITTEE FOR THE
RIGHTS OF THE CHILD
(CDENF-BU)**

Second joint meeting

Videoconference

24 June 2021

(2.00 – 5.00 pm)

ANNOTATED AGENDA

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ANNOTATED AGENDA

I. Opening of the meeting and welcome	2.00 pm
<u>Reference document:</u> <ul style="list-style-type: none"> List of participants - CDCJ&CDENF/BU(2021)LOP 	

- The meeting will be opened by the CDCJ Chair, Mr João Arsénio de Oliveira (Portugal) and the CDENF Chair, Ms Maria-Andriani Kostopoulou (Greece).

II. Adoption of the draft agenda and order of business	2.05 pm
<u>Action required:</u> <ul style="list-style-type: none"> Adoption of the draft agenda and order of business <u>Working documents:</u> <ul style="list-style-type: none"> Draft agenda - CDCJ&CDENF/BU(2021)OJ1 Draft annotated agenda and order of business - CDCJ&CDENF/BU(2021)OJ1ANN 	

- CDCJ and CDENF Bureaus are invited to review and adopt the draft agenda and order of business.

III. Statement by the Chair and the Secretariat	2.10 pm
<u>Action required:</u> <ul style="list-style-type: none"> Take note of the 3rd meeting report of CJ/ENF-ISE Take note of the oral information provided by the CJ/ENF-ISE Chair Take note of the conclusions of the CDENF Regional Discussion on “children’s rights and alternative care”. Take note of the upcoming Strategy for the Rights of the Child (2022-2027) <u>Reference document:</u> <ul style="list-style-type: none"> Report of the 3rd meeting of CJ/ENF-ISE (14-15 April 2021) - CJ/ENF-ISE(2021)PV1 	

- CDCJ and CDENF Bureaus are invited to take note of the information provided by the Secretariat and the CJ/ENF-ISE Chair, Mr Seamus Carroll (Ireland) on the progress by the Committee of experts and the outcome of its 3rd meeting (14-15 April 2021).
- CDCJ and CDENF Bureaus are also invited to take note of the oral information provided by the Secretariat on the outcome of the Regional Discussion on “children’s rights and alternative care” organised by the CDENF Secretariat under the auspices of the Hungarian Chairmanship of the Committee of Ministers (1 June 2021) and the preparation of the upcoming Strategy for the Rights of the Child (2022-2027).

IV. Feasibility studies on the protection of the best interest of the child and their rights in situations of parental separation and in care proceedings	2.30 pm
<p><u>Action required:</u></p> <ul style="list-style-type: none"> • Examine and approve the revised draft feasibility studies • Approve the publication of the feasibility studies • Exchange views on the proposals of draft legal instrument(s) and practical tool(s) <p><u>Working documents:</u></p> <ul style="list-style-type: none"> • Revised draft feasibility study of a legal instrument and practical tool(s) on the protection of the best interests of the child and their rights in parental separation situations - CJ/ENF-ISE(2021)8A (restricted) • Revised draft feasibility study of a legal instrument and practical tool(s) on the protection of the best interests of the child in domestic law proceedings by public authorities to limit parental responsibilities or place a child in care – CJ/ENF-ISE(2021)8B (restricted) <p><u>Reference documents:</u></p> <ul style="list-style-type: none"> • Compilation of comments received from CJ/ENF-ISE members on the draft feasibility study on the protection of the best interests of the child and their rights in parental separation situations – CJ/ENF-ISE(2021)6A (restricted) • Compilation of comments received from CJ/ENF-ISE members on the draft feasibility study on the protection of the best interests of the child in domestic law proceedings by public authorities to limit parental responsibilities or place a child in care – CJ/ENF-ISE(2021)6B (restricted) • Compilation of comments received from CDCJ and CDENF delegations on the draft feasibility study on the protection of the best interests of the child and their rights in parental separation situations – CJ/ENF-ISE(2021)7A (restricted) • Compilation of comments received from CDCJ and CDENF delegations on the draft feasibility study on the protection of the best interests of the child in domestic law proceedings by public authorities to limit parental responsibilities or place a child in care – CJ/ENF-ISE(2021)7B (restricted) • Report of the 3rd meeting of CJ/ENF-ISE (14-15 April 2021) - CJ/ENF-ISE(2021)PV1 	

5. Following the 3rd meeting of CJ/ENF-ISE, the experts sent their final written comments to the Secretariat (document CJ/ENF-ISE(2021)6A and CJ/ENF-ISE(2021)6B). The consultants reviewed the draft feasibility studies before being circulated to CDENF and CDCJ delegations for a last round of comments from 12 May until 4 June 2021.
6. In light of the comments received from CDCJ and CDENF delegations (document CJ/ENF-ISE(2021)7A and CJ/ENF-ISE(2021)7B), the draft studies have been further amended by the consultants in view of their consideration at the CDCJ and CDENF joint Bureau meeting.
7. CDCJ and CDENF Bureaus are invited to examine the revised draft studies (document CJ/ENF-ISE(2021)8A and CJ/ENF-ISE(2021)8B) and, subject to any further changes that may be required, approve them on behalf of the CDCJ and CDENF, and their publication.

8. Taking due note of the conclusions of the draft feasibility studies and recommendation provided by CJ/ENF-ISE (see item 5.2 and 6.2 of the 3rd meeting report), CDCJ and CDENF Bureaus are also invited to exchange views and provide guidance on the next steps to be undertaken by CJ/ENF-ISE.

V. Composition of CJ/ENF-ISE	4.00 pm
<p><u>Required action:</u></p> <ul style="list-style-type: none"> • Review applications received and establish a priority list for the available positions. <p><u>Working document:</u></p> <ul style="list-style-type: none"> • List of nominations received for the CJ/ENF-ISE as of 21 June 2021– CDCJ&CDENF/BU(2021)3 (restricted) 	

9. At its 3rd meeting, the CJ/ENF-ISE decided to inform CDCJ and CDENF of the fact that two of its selected members (Greece and Switzerland) have not taken part or had made a very limited contribution to the work of the CJ/ENF-ISE and that the CDCJ and CDENF may wish to consider replacing them for future meetings by other interested delegations, particularly taking into account the upcoming drafting exercise of CJ/ENF-ISE. The secretariat has contacted the above-mentioned members seeking confirmation of their availability to contribute to the work of the Committee, and as a result of responses received has initiated on the 4th of June a call for further expressions of interests of national experts in CJ/ENF-ISE..
10. CDCJ and CDENF Bureaus are invited to consider the list of candidatures received (document CDCJ&CDENF/BU(2021)3) and establish a priority list of additional members to be involved in the upcoming work of the CJ/ENF-ISE.

VI. Preparation of the new Programme and Budget (2022-2025) , CJ/ENF-ISE proposals for future terms of reference, working methods and work plan	4.30 pm
<p><u>Required action:</u></p> <ul style="list-style-type: none"> • Take note of the update provided by the Secretariat on the process of finalisation of the draft Terms of reference • Examine and agree on the proposed updated CJ/ENF-ISE working methods and workplan . <p><u>Working document:</u></p> <ul style="list-style-type: none"> • CJ/ENF-ISE working methods and workplan - CJ/ENF-ISE(2021)01rev3 (restricted) <p><u>Reference documents:</u></p> <ul style="list-style-type: none"> • CJ/ENF-ISE Draft Terms of Reference (main deliverables) • CM Resolution (2021)3 on intergovernmental committees and subordinate bodies, terms of reference and working methods 	

11. An oral update will be provided by the Secretariat on the process of finalisation of the draft terms of reference for the CJ/ENF-ISE in the Programme and Budget (2022-2025) and rules applicable for working methods as of January 2022.
12. Subject to the adoption by the Committee of Ministers of the draft terms of reference for the CJ/ENF-ISE, CDCJ and CDENF bureaus are invited to examine and agree on the updated working methods and workplan for the CJ/ENF-ISE for 2021 and tentatively for 2022/2023. Particular attention is drawn on the need to ensure, through CJ/ENF-ISE working methods, an inclusive participation and consultation of a broad range of stakeholders, including children.

VII. Any other business	04.45 pm
VIII. Approval of the joint meeting report	04.50 pm
<u>Working document:</u> <ul style="list-style-type: none"> • CDCJ&CDENF/BU(2021)PV1 	
End of the meeting	05.00 pm