

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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CJ/ENF-ISE(2022)01

Committee of Experts on the Rights and the Best interests of the Child in Parental Separation and in Care Proceedings (CJ/ENF-ISE)

CJ/ENF-ISE: Working methods and workplan

CJ/ENF-ISE: WORKING METHODS AND WORKPLAN

- This document was prepared by the CDENF and CDCJ secretariats. At its 5th meeting (2-4 May 2022), the CJ/ENF-ISE examined and approved the work programme, timetable and working methods below of the Committee for 2022-2023.

1. The main tasks and deliverables of the Committee of Experts on the rights and the best interests of the child in parental separation and in care proceedings (CJ/ENF-ISE) are set out in its [terms of reference for 2020 - 2021](#), as adopted by the Committee of Ministers, and [renewed for the period 2022-2023](#).
2. The workplan, reproduced in Appendix below, takes into account the necessity to adapt, where appropriate, new working methods due to the current COVID-19 pandemic, in particular on the need to use new technologies, videoconferences, participation in meetings via video-link and written procedures in order to pursue the implementation during the period of 2022-2023. Such adaptations apply also to the processes and necessary interactions between the steering committees - the CDENF and the CDCJ - and their subordinate body, the CJ/ENF-ISE.
3. During the biennium 2022-2023, the CJ/ENF-ISE shall hold 2 three-days meetings each year. The possibility for members, participants and observers to take part in physical meetings of the CJ/ENF-ISE will depend on the evolution of travel and quarantine restrictions in member states. Therefore, the current proposed workplan takes into account the possibility that additional virtual sessions (3 hours) and/or days of physical meetings of the CJ/ENF-ISE may be required to be organised. As regards budgetary implications, the current proposals do not necessitate additional funding.
4. Article 14 (c) of Appendix 1 to [Resolution CM/Res\(2021\)3](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods, provides that "*in exceptional cases and for specialised tasks which cannot be carried out by a member of the committee or by the Secretariat, committees may [...] have recourse to consultants[...]*".
5. The CJ/ENF-ISE will be supported by several consultants, who will provide necessary background research and support the Committee of Experts in the drafting process.

**Appendix
Workplan
(last update: 5 May2022)**

| Activities/task | DATES / PLACES | Responsibility |
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| - Launching of a call for expressions of interest for consultancy services on child friendly justice (civil, administrative, criminal) including in particular on the protection of the best interests of the child and his/her rights in cases of parental separation and placement procedures (normative activities, development of tools/manuals for practitioners, development of child-friendly materials, analysis and synthesis of contributions received) | January – February 2022 | CoE Secretariat |
| - Review of the preliminary draft recommendation in light of the comments made by CJ/ENF-ISE following its 4 th meeting - Elaboration of a detailed outline of the draft explanatory memorandum | March-April 2022 | Consultant |
| - Organisation of child consultations | January - August 2022 | Consultants National Delegations |
| - Circulation of the revised preliminary draft recommendation to CJ/ENF-ISE for comments | April 2022 | CJ/ENF-ISE |
| 5th meeting of CJ/ENF-ISE - Examination of the draft recommendation in light of the comments received - Examination of the detailed outline of the draft explanatory memorandum. - Examination of the draft concept note for the hearing of stakeholders. - | 2-4 May 2022 | CJ/ENF-ISE |
| - Elaboration of proposals for the development of practical tools for professionals and child-friendly materials following the discussion of CJ/ENF-ISE at its 5 th meeting. | May 2022 | Consultant(s) |
| - Review of the draft recommendation in light of the comments made by CJ/ENF-ISE following its 5 th meeting | May 2022 | Consultant(s) |
| - Translation of the draft recommendation | Early June 2022 | CoE Secretariat |
| - Written consultation of CJ/ENF-ISE on the revised draft recommendation and possible content on the draft explanatory memorandum | June 2022 | CJ/ENF-ISE |
| - Webinar on the evaluation and determination of the best interests of the child in parental separation and care proceedings | 21 June 2022 | Conference of INGO's CJ/ENF-ISE Chair |
| - Review of the draft recommendation and elaboration of the preliminary draft explanatory memorandum in view of the comments and suggestion received | July – August 2022 | Consultant(s) |
| - Translation of the amendments made on the draft recommendation - Translation of the preliminary draft explanatory memorandum | August 2022 | CoE Secretariat |
| - Circulation to CJ/ENF-ISE of the draft recommendation and the preliminary draft explanatory memorandum in view of the 6 th meeting | September 2022 | CoE Secretariat |

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| <p>6th meeting of CJ/ENF-ISE</p> <ul style="list-style-type: none"> - Hearing with selected stakeholders - Examination of the draft recommendation and the preliminary draft explanatory memorandum following the hearing - Examination of the result of the child consultations process - Consideration of proposals for development of practical tools for professionals and child-friendly materials | 3-5 October 2022 Dublin | CJ/ENF-ISE |
| <ul style="list-style-type: none"> - Review of the draft recommendation and draft explanatory memorandum in light of the observations made at the hearing, the decisions from CJ/ENF-ISE at its 6th meeting, and the outcome of the child consultations | October 2022 | Consultants |
| <ul style="list-style-type: none"> - Translation of the amendments made on the draft recommendation and its draft explanatory memorandum | End October 2022 | CoE Secretariat |
| <ul style="list-style-type: none"> - Written consultation of selected stakeholders and steering committees on the draft recommendation | November – December 2022 | CDCJ / CDENF / Selected stakeholders |
| <ul style="list-style-type: none"> - Elaboration of the preliminary draft practical tools - Elaboration of the preliminary draft child-friendly materials | October – November 2022 | Consultants |
| <ul style="list-style-type: none"> - Circulation to CJ/ENF-ISE of the detailed outlines of the draft practical tools and child-friendly materials for comments | December 2022 | CJ/ENF-ISE |
| <p>4th CDCJ and CDENF Joint Bureau meeting</p> <ul style="list-style-type: none"> - Progress review | December 2022 (videoconference) | CDCJ/CDENF Bureau |
| <ul style="list-style-type: none"> - Analysis and synthesis of the contributions received during the written stakeholder consultation | January 2022 | Consultant(s) |
| <ul style="list-style-type: none"> - Review of the draft recommendation and the explanatory memorandum | January – February 2022 | Consultant(s) |
| <p>7th meeting of CJ/ENF-ISE</p> <ul style="list-style-type: none"> - Examination of the draft recommendation and its draft explanatory memorandum. - Review of the preliminary draft practical tools - Review of the preliminary draft child-friendly materials. - Selection of stakeholders for written consultation (and hearing) on draft revised practical tools and materials for children | March 2023 (Dates and place to be confirmed) | CJ/ENF-ISE |
| <p>Formal written consultation of CDCJ and CDENF on the draft recommendation and its draft explanatory memorandum</p> | April – June 2023 | CDCJ and CDENF |
| <ul style="list-style-type: none"> - Review of the draft practical tools - Review of the draft child-friendly materials | April 2023 | Consultants |
| <ul style="list-style-type: none"> - Translation of the draft practical tools and draft child-friendly materials | Early May 2023 | CoE Secretariat |
| <ul style="list-style-type: none"> - Written consultation of CJ/ENF-ISE on the draft practical tools and the draft child-friendly materials | June 2023 | CJ/ENF-ISE |
| <ul style="list-style-type: none"> - Review of the draft practical tools - Review of the draft child-friendly materials | July 2023 | Consultants |
| <ul style="list-style-type: none"> - Translation of the amendments made on the draft practical tools and the draft child-friendly materials | August 2023 | CoE Secretariat |

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| - Analysis and synthesis, if needed, of the comments made by CDCJ and CDENF delegations on the draft recommendation and its draft explanatory memorandum | July 2023 | Consultant |
| - Final review of the draft recommendation and its draft explanatory memorandum in light of the formal comments made by CDCJ and CDENF delegation | August 2023 | Consultants |
| - Circulation of the final draft recommendation and its draft explanatory memorandum for last comments | September 2023 | CJ/ENF-ISE |
| 8th meeting of CJ/ENF-ISE - Examination and approval of the draft recommendation and its draft explanatory memorandum - Examination of the draft practical tools and the draft child-friendly materials | Early October 2023 (Dates and place to be confirmed) | CJ/ENF-ISE |
| - Written consultation of key stakeholders, on the draft practical tools for professionals - Consultation of children on the draft child-friendly materials. | End October – Mid-November 2023 | CoE Secretariat |
| - Analysis and synthesis of the contribution received | End November 2023 | Consultant |
| - Final Review of the draft practical tools - Final Review of the draft child-friendly materials | December 2023 | Consultants |
| - Approval by written procedure of the draft recommendation and its draft explanatory memorandum | End December 2023 | CJ/ENF-ISE |
| CDCJ and CDENF joint meeting - Progress review - Approval of the draft recommendation and adoption of its explanatory memorandum | End November – December 2023 | CDCJ and CDENF |
| CM Rapporteur groups (GR-J) meeting Examination and adoption of the draft recommendation | 2024 (date to be confirmed) | CM |
| Formal written consultation of CDCJ and CDENF on the draft practical tools and the draft child-friendly materials | January – March 2024 | CDCJ and CDENF |
| 4th CDCJ and CDENF Joint Bureau meeting - Examination and finalisation of the draft practical tools and the draft child-friendly materials | April 2024 Strasbourg of videoconference (Dates and place to be confirmed) | CDCJ/CDENF Bureau |
| CDCJ and CDENF joint meeting - Examination and adoption of the draft practical tools and the draft child-friendly materials | May – June 2024 (Dates and place to be confirmed) | CDCJ and CDENF |