



Strasbourg 28 April 2022

CJ/ENF-ISE(2022)OJ1ANN

**COMMITTEE OF EXPERTS ON THE RIGHTS AND THE BEST INTERESTS OF THE CHILD
IN PARENTAL SEPARATION AND IN CARE PROCEEDINGS (CJ/ENF-ISE)**

5th Meeting, 2 – 4 May 2022

AGENDA (ANNOTATED)

Monday, 2 May 2022

1. Opening of the meeting and welcome	9.30 am
<u>Reference document</u>	
<ul style="list-style-type: none"> List of participants - CJ/ENF-ISE(2022)LOP1 	

Chair: Mr Seamus S. Carroll (Ireland)

2. Adoption of the draft agenda and order of business	9.35 am
<u>Working documents</u>	
<ul style="list-style-type: none"> Draft agenda - CJ/ENF-ISE(2022)OJ1 Draft annotated agenda - CJ/ENF-ISE(2022)OJ1 ANN 	

CJ/ENF-ISE is invited to review and adopt the draft agenda and order of business.

3. Statement by the Chair and the Secretariat	9.40 am
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The CJ/ENF-ISE is invited to take note of :

- the appointment of Ms Stéphanie Hebrard (France) as member of the CJ/ENF-ISE;
- the outcome of the [call for tender for consultancy services](#) to support the work of CJ/ENF-ISE launched in February 2022;
- the outcome of the [High Level Launching Conference for the Strategy for the Rights of the Child \(2022-2027\)](#), Rome, 7 – 8 April 2022, and notably of the session on “Promoting legal clinics as a means of strengthening children’s access to justice”.

<p>4. Draft legal instrument on the protection of the best interests of the child and his/her rights in parental separation situations and/or care proceedings (deliverable (1) – examination of the draft instrument)</p> <p>5. Draft explanatory memorandum to the draft legal instrument on the protection of the best interests of the child and his/her rights in parental separation situations and/or care proceedings</p>	10.00 am
<p><u>Working documents</u></p> <ul style="list-style-type: none"> • Draft legal instrument on the best interests of the child in parental separation situations and care proceedings – CJ/ENF-ISE(2022)03 (restricted) - <i>English only</i> • Detailed outline of the draft explanatory memorandum on the draft legal instrument on the best interests of the child in parental separation situations and care proceedings – CJ/ENF-ISE(2022)04 (restricted) <i>English only</i> <p><u>Reference documents</u></p> <ul style="list-style-type: none"> • Compilation of comments from CJ/ENF-ISE on the preliminary draft instrument - CJ/ENF-ISE(2022)02mos (restricted) • Compilation of comments from CJ/ENF-ISE on the draft instrument - CJ/ENF-ISE(2022)06mos (restricted) • Best interests of the child and children’s rights in parental separation - relevant international and European instruments – CJ/ENF-ISE(2020)INF2Rev1 • Best interests of the child in care proceedings - relevant international and European instruments - CJ/ENF-ISE(2020)INF3 	

The CJ/ENF-ISE is invited to:

- examine and revise the draft legal instrument, taking into account written comments received before the meeting;
- to examine the detailed outline of the Explanatory Memorandum and to provide further guidance to the consultant.

Lunch break	12.00 am
<p>4. (Continued) Draft legal instrument on the protection of the best interests of the child and his/her rights in parental separation situations and/or care proceedings (deliverable (1) – examination of the draft instrument)</p> <p>5. (Continued) Draft explanatory memorandum to the draft legal instrument on the protection of the best interests of the child and his/her rights in parental separation situations and/or care proceedings</p>	1:30 pm

End of the 1st day	4.00 pm
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Tuesday, 3 May 2022

<p>4. (Continued) Draft legal instrument on the protection of the best interests of the child and his/her rights in parental separation situations and/or care proceedings (deliverable (1) – examination of the draft instrument)</p> <p>5. (Continued) Draft explanatory memorandum to the draft legal instrument on the protection of the best interests of the child and his/her rights in parental separation situations and/or care proceedings</p>	9:30 am
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Lunch break	12:00 am
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<p>4. (Continued) Draft legal instrument on the protection of the best interests of the child and his/her rights in parental separation situations and/or care proceedings (deliverable (1) – examination of the draft instrument)</p> <p>5. (Continued) Draft explanatory memorandum to the draft legal instrument on the protection of the best interests of the child and his/her rights in parental separation situations and/or care proceedings</p>	1:30 pm
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End of the second day	4.00 pm
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Wednesday, 4 May 2022

<p>4. (Continued) Draft legal instrument on the protection of the best interests of the child and his/her rights in parental separation situations and/or care proceedings (deliverable (1) – examination of the draft instrument)</p> <p>5. (Continued) Draft explanatory memorandum to the draft legal instrument on the protection of the best interests of the child and his/her rights in parental separation situations and/or care proceedings</p>	09:30 pm
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6. Implementation tool(s) on the rights and the best interests of the child in parental separation and in care proceedings (deliverable 2)	10:30 am
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The CJ/ENF-ISE is invited to reflect and agree on the scope and possible format of the implementation tool(s)

7. Child and Stakeholder Consultation	10:45 am
7.1 Child participation process	10:45 am
<i>Oral information by the Secretariat</i>	
<u>Reference documents</u>	
<ul style="list-style-type: none"> • Concept note on child consultations: workplan – CJ/ENF-ISE(2021)05rev • The Council of Europe's child participation approach 	

The CJ/ENF-ISE is invited to take note of the oral information provided by the Secretariat on the state of play of the Child consultation process.

7.2 Hearing of stakeholders to be organised by the upcoming Irish Presidency of the Committee of Ministers	11:00 am
<u>Working document</u>	
<ul style="list-style-type: none"> • Draft Concept note on the hearing of stakeholders – CJ/ENF-ISE(2022)05 prov 	
<u>Reference document</u>	
<ul style="list-style-type: none"> • Concept note on the organisation of consultations with stakeholders – CJ/ENF-ISE(2021)04 	

The CJ/ENF-ISE is invited to examine and provide comment on the draft concept note on the hearing of stakeholders to take place in Dublin (Ireland) in October 2022.

8. Update on key developments and other events by members and observers	12:00 am
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CJ/ENF-ISE is invited to take note of the information provided orally by members, participants and observers on key developments and other events.

9. Exchange of views on the future work programme and implementation of tasks in 2022-2023	12:15 am
<u>Working document</u>	
<ul style="list-style-type: none"> • Working methods and workplan proposals- CJ/ENF-ISE(2022)01 	

The CJ/ENF-ISE is invited to examine and approve the proposed work programme, timetable and working methods of the Committee for 2022-2023.

10. Election of CJ/ENF-ISE Vice-Chair	12:30 am
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The CJ/ENF ISE is called to elect a new Vice-Chairperson to complete her/his predecessor's term until in October 2022. The term of office will be renewable once. Regular elections (new Chair and Vice-Chair) will be held at the 6th meeting of CJ/ENF-ISE in October.

11. Any other business	12:45 am
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12. Date and place of next meeting	12:50 am
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CJ/ENF-ISE is invited to take note that the next meeting of CJ/ENF-ISE will be held, in person, in Dublin on 3-5 October 2022. The meeting will be organised back-to-back with the high-level segment and the hearing of stakeholders.

13. Approval of the meeting report	12:55 am
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The CJ/ENF-ISE is invited to agree on a process whereby the Secretariat will draft the meeting report and send it to all participants for their comments and approval through a written procedure after the meeting.

End of the meeting	1.00 pm
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GENERAL REFERENCE DOCUMENTS

Terms of reference of the CJ/ENF-ISE 2022-2023
Resolution CM/Res(2021)3 on intergovernmental committees and subordinate bodies, their terms of reference and working methods

MEETING REPORTS

CDCJ&CDENF/Bu(2021)PV1	Report of the 2nd joint meeting of CDCJ and CDENF Bureaus
CJ/ENF-ISE(2021)PV2	Report of the 4th meeting of the CJ/ENF-ISE
CJ/ENF-ISE(2021)PV1	Report of the 3rd meeting of the CJ/ENF-ISE
CJ/ENF-ISE(2020)PV2	Report of the 2nd meeting of the CJ/ENF-ISE
CJ/ENF-ISE(2020)PV1	Report of the 1st meeting of the CJ/ENF-ISE

PREPARATORY WORKS

[Feasibility study on a legal instrument on the protection of the best interests of the child in situations of parental separation](#)

[Feasibility study of a legal instrument 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](#)