



Strasbourg, 14 December 2020

CJ/ENF-ISE(2020)OJ2Rev1

Committee of experts on the rights and the best interests of the child in parental separation and in care proceedings (CJ/ENF-ISE)

**Second Meeting, 14 December (9.30am -12.00 pm / 2.00 pm – 4.30 pm)
and 18 December 2020 (9.30 am - 1.00 pm)**

Videoconference

Agenda

A g e n d a

1. Opening of the meeting and welcome

Reference document

- CJ/ENF-ISE(2020)LOP2

2. Adoption of the draft agenda and order of business

Working documents

- CJ/ENF-ISE(2020)OJ2Rev1 / [CJ/ENF-ISE\(2020\)OJ2ANN](#)

3. Statement by the Chair and the Secretariat

Update on the state of implementation of the CJ/ENF-ISE work and next actions.

Reference documents

- [Terms of reference of the CJ/ENF-ISE](#)
- Report of the CDCJ/CDENF joint Bureaux meeting - [CDCJ&CDENF/Bu\(2020\)PV1](#)
- Working methods and workplan - [CJ/ENF-ISE\(2020\)04Rev1](#)

4. Presentation on the ECHR's case law on the protection of the best interests of the child in parental separation situations and care proceedings

5. 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

5.1 Review of law, policy and practice on how the best interests of the child are protected in domestic law proceedings by public authorities to limit parental responsibilities or place a child in care

5.2 Proposal for specific instruments and/or practical tools to give guidance to member States and other stakeholders in this area

Working documents

- Compilation of contributions received from member states and observers to the questionnaire on care proceedings - CJ/ENF-ISE(2020)05B (restricted)
- Compilation of contributions received from civil society to the questionnaire on care proceedings - CJ/ENF-ISE(2020)06B (restricted)
- Working paper - Preliminary summary of standards, guidance and practice and related gaps - [CJ/ENF-ISE\(2020\)07B](#)
- Preliminary annotated outline of a draft feasibility study - [CJ/ENF-ISE\(2020\)08B](#)

Reference documents

- Questionnaire on care proceedings – CJ/ENF-ISE(2020)3B
- Best interests of the child in care proceedings - relevant international and European instruments - [CJ/ENF-ISE\(2020\)INF3](#)

6. Protection of the best interests of the child and their rights in parental separation

6.1 Review of law, policy and practice on how the best interests of the child and their rights are protected in situations of parental separation

6.2 Proposal for specific instruments and/or practical tools to give guidance to member States and other stakeholders in this area

Working documents

- Compilation of contributions received from member states and observers to the questionnaire on parental separation – CJ/ENF-ISE(2020)05A (restricted)
- Compilation of contributions received from civil society to the questionnaire on parental separation – CJ/ENF-ISE(2020)06A (restricted)
- Analysis of international and European standards and practical tools, identification of gaps and possible proposals – [CJ/ENF-ISE\(2020\)07A](#)
- Preliminary outline of a draft feasibility study – [CJ/ENF-ISE\(2020\)08A](#)
- Working paper prepared by the Chair of CJ/ENF-ISE for discussion purposes on practical guidelines in situations of parental separation – CJ/ENF-ISE(2020)09 (restricted)
- Summary table of ECHR Jurisprudence – [CJ/ENF-ISE\(2020\)10](#) (English only)

Reference documents

- Questionnaire on parental separation – CJ/ENF-ISE(2020)3A
- Best interests of the child and children’s rights in parental separation - relevant international and European instruments - [CJ/ENF-ISE\(2020\)INF2Rev1](#)

7. Organisation of consultations with relevant stakeholders, including child participation

7.1 Organisation of consultations with stakeholders

7.2 Planning of child participation

Working documents

- Concept note on the organisation of consultations with stakeholders – [CJ/ENF-ISE\(2020\)11](#)
- Concept note on child participation: options for taking into account children’s views in the work of the CJ/ENF-ISE – [CJ/ENF-ISE\(2020\)12](#)
- Concept note on child consultations – [CJ/ENF-ISE\(2020\)13](#)

Reference documents

- [Council of Europe child participation approach](#)

8. Council of Europe Contribution to the UNCRC Day of general discussion on “children’s rights and alternative care”

Reference documents

- [Concept Note](#)
- Proposal for a possible contribution by the CDENF to the 2021 UN Day of General Discussion on “Children’s Rights and Alternative Care” - [CDENF\(2020\)24](#)

9. Dates of next meetings

10. Any other business

11. Adoption of the abridged meeting report
