



Strasbourg, 30 September 2022

CJ/ENF-ISE(2022)OJ2ANN

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

### 6<sup>th</sup> Meeting

4-5 October 2022, Dublin (Ireland)

### DRAFT ANNOTATED AGENDA

#### Tuesday, 4 October

<b>1. Opening of the meeting and welcome</b>	2.30 pm
<u>Reference document</u>	
<ul style="list-style-type: none"> <li>• Draft List of participants - <a href="#">CJ/ENF-ISE(2022)LOP2</a></li> </ul>	

Chair: Mr Seamus S. Carroll (Ireland)

<b>2. Adoption of the draft agenda and order of business</b>	2.35 pm
<u>Working documents</u>	
<ul style="list-style-type: none"> <li>• Draft agenda - CJ/ENF-ISE(2022)OJ2 prov</li> <li>• Draft annotated agenda - CJ/ENF-ISE(2022)OJ2 ANN</li> </ul>	

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

<b>3. Statement by the Chair and the Secretariat</b>	2.40 pm
<u>Reference documents</u>	
<ul style="list-style-type: none"> <li>• Abridged Report of the 98<sup>th</sup> CDCJ plenary meeting - <a href="#">CDCJ(2022)18</a></li> <li>• Abridged Report of the 5<sup>th</sup> CDENF plenary meeting – <a href="#">CDENF (2022)AR02</a></li> </ul>	

The CJ/ENF-ISE is invited to take note of:

- The observations made by CDCJ at its 98<sup>th</sup> plenary meeting (1-3 June 2022) on CJ/ENF-ISE's progress and in particular on the need for the Committee of experts to ensure that

the issue of child relocation in the context of disputed separation is adequately integrated in the draft recommendation under preparation by the Committee.

- the findings of the CDCJ [evaluation report on Recommendation CM/Rec\(2015\)4 of the Committee of Ministers to member States on preventing and resolving disputes on child relocation](#).
- The request from CDCJ and CDENF to examine the draft Recommendation at their respective next plenary meetings (CDCJ - 23-25 November) (CDENF - 15-17 November 2022) in view of providing guidance to the Committee of Experts for the further drafting process.

<b>7. Child participation process and development of child friendly materials</b>	2.45 pm
<u>Working document</u> <ul style="list-style-type: none"> <li>• Report of the child consultation process – <a href="#">CJ/ENF-ISE(2022)10</a></li> </ul> <u>Reference document</u> <ul style="list-style-type: none"> <li>• <a href="#">Council of Europe’s child participation approach</a></li> </ul>	

The CJ/ENF-ISE is invited to:

- take note of the report of the child consultation process;
- exchange views with Ms Barbara Németh, CJ/ENF-ISE consultant, on child friendly materials proposals and agree on the form and topics of the materials to be further developed in 2023.

<b>5. 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)</b>	3.15 pm
<u>Working document</u> <ul style="list-style-type: none"> <li>• Draft recommendation on the best interests of the child in parental separation situations and care proceedings – CJ/ENF-ISE(2022)07 prov2 (restricted)</li> </ul> <u>Reference documents</u> <ul style="list-style-type: none"> <li>• Compilation of comments from CJ/ENF-ISE on the draft recommendation (version - 3 June) - CJ/ENF-ISE(2022)08Mos (restricted)</li> <li>• Best interests of the child and children’s rights in parental separation - relevant international and European instruments – <a href="#">CJ/ENF-ISE(2020)INF2Rev1</a></li> <li>• Best interests of the child in care proceedings - relevant international and European instruments - <a href="#">CJ/ENF-ISE(2020)INF3</a></li> <li>• Compilation of ECtHR case law – <a href="#">CJ/ENF-ISE(2022)INF1</a></li> </ul>	

The CJ/ENF-ISE is invited to examine the draft recommendation and discuss any further additional aspects to be covered and/or amendments, taking into account the written comments received from CJ/ENF-ISE members, participants and observers, the findings of the child consultations and the outcome of the hearing of selected stakeholders.

<b>Coffee break</b>	4 pm
<b>5. (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)</b>	4.30 pm
<b>End of the 1<sup>st</sup> day</b>	6 pm

**Wednesday, 5 October 2022**

<b>4. Election of CJ/ENF-ISE Chair and Vice-Chair</b>	9.30 am
<u>Working document</u>	
<ul style="list-style-type: none"> <li>Election of Chair and Vice-Chairperson – <a href="#">CJ/ENF-ISE(2022)13</a></li> </ul>	

The CJ/ENF-ISE is invited to elect the Chair and Vice-Chairperson of the Committee.

<b>5. (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)</b>	9.45 am
<b>Coffee break</b>	11 am
<b>5. (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)</b>	11.30 am
<b>Lunch break</b>	1 pm
<b>5. (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)</b>	2.30 pm
<b>Coffee break</b>	4.00 pm
<b>6. Implementation tool(s) on the rights and the best interests of the child in parental separation and in care proceedings (deliverable 2)</b>	4.30 pm

<u>Working document</u>	
<ul style="list-style-type: none"> <li>Initial reflections on practical tools to be developed for practitioners - <a href="#">CJ/ENF-ISE(2022)09</a></li> </ul>	

The CJ/ENF-ISE is invited to discuss and agree on the topics, scope and format of the implementation tool(s) to be developed in 2023. It is also proposed to involve in the elaboration of the tools, individual members of the CJ/ENF-ISE, who could act as a Rapporteur or Reviewer of a specific practical tool, before it is submitted for approval to the CJ/ENF-ISE. Interested members are invited to put forward their expressions of interest in relation to a specific topic/tool.

<b>8. Update on key developments and other events by members and observers</b>	5.15 pm
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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.

<b>9. Exchange of views on the future work programme and implementation of tasks in 2022-2023</b>	5.30 pm
<u>Working document</u>	
<ul style="list-style-type: none"> <li>Working methods and workplan - <a href="#">CJ/ENF-ISE(2022)01 Rev1</a></li> </ul>	

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

<b>10. Any other business</b>	5.40 pm
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<b>11. Date and place of next meeting</b>	5.45 pm
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CJ/ENF-ISE is invited to agree on the dates of the next meeting of CJ/ENF-ISE, which will be held in person in Strasbourg (France) during the first quarter of 2023.

<b>12. Approval of the meeting report</b>	5.55 pm
<u>Working document</u>	
Meeting report - CJ/ENF-ISE(2022)AR1	

The CJ/ENF-ISE is invited to adopt the draft abridged meeting report.

<b>End of the meeting</b>	6 pm
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