

Strasbourg, 14 October 2024

CJ/ENF-ISE(2024)OJ2

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

10th meeting

14-16 October 2024

Strasbourg, Palais de l'Europe, Room 07

AGENDA AND ORDER OF BUSINESS

1. Opening of the meeting	<u>Reference document</u> <ul style="list-style-type: none">• CJ/ENF-ISE(2024)LoP2
2. Adoption of the agenda and order of business	<u>Working documents</u> <ul style="list-style-type: none">• Draft agenda - CJ/ENF-ISE(2024)OJ2 prov• Annotated draft agenda – CJ/ENF-ISE(2024)OJ2ANN
3. Statement by the Chair and the Secretariat	<u>Reference documents</u> <ul style="list-style-type: none">• Report of the 102nd CDCJ plenary meeting – CDCJ(2024)12• Report of the 9th CDENF plenary meeting – CDENF(2024)PV01• ENOC Statement on the Promotion and the Protection of the Rights of Children in Alternative care
4. Draft recommendation on the protection of the rights and best interests of the child in care proceedings and its draft explanatory memorandum (deliverable (1) of the terms of reference)	<u>Working documents</u> <ul style="list-style-type: none">• Draft recommendation on the protection of the rights and best interests of the child in care proceedings (version 3) – CJ/ENF-ISE(2024)07 prov (restricted)• Draft Explanatory Memorandum to the draft recommendation on the protection of the rights and best interests of the child in care proceedings (version 3) – CJ/ENF-ISE(2024)08 prov (restricted)

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- Compilation of comments received from CDCJ, CDENF and key stakeholders on the draft recommendation on care proceedings and its draft Explanatory memorandum – [CJ/ENF-ISE\(2024\)09 Mos](#) (restricted)

Reference documents

- Draft recommendation on the protection of the rights and best interests of the child in care proceedings (version 2) – [CJ/ENF-ISE\(2024\)02](#) (restricted)
- Draft Explanatory Memorandum to the draft recommendation on the protection of the rights and best interests of the child in care proceedings (version 2) – [CJ/ENF-ISE\(2024\)03](#) (restricted)
- Draft recommendation on the protection of the rights and the best interests of the child in parental separation proceedings – [CDCJ\(2023\)28/CDENF\(2023\)25](#) (restricted)
- Explanatory Memorandum to the Draft recommendation on the protection of the rights and the best interests of the child in parental separation proceedings – [CDCJ\(2023\)29/CDENF\(2023\)26](#) (restricted)

5. Draft implementation tools on the protection of the rights and best interests of the child in parental separation and in care proceedings
(deliverable (2) of the terms of reference)

Working documents

- Draft implementation tool for policy makers on the protection of the rights and the best interests of the child in parental separation proceedings – [CJ/ENF-ISE\(2024\)10 prov2](#) (restricted)
- Draft implementation tool for policy makers on the protection of the rights and the best interests of the child in care proceedings – [CJ/ENF-ISE\(2024\)11 prov2](#) (restricted)
- Compilation of comments received from CJ/ENF-ISE on the draft implementation tools for policy maker on parental separation and care proceedings – [CJ/ENF-ISE\(2024\)12 Mos](#) (restricted)

Reference documents

- Preliminary draft implementation tools for policy makers on the protection of the rights and the best interests of the child in parental separation proceedings – [CJ/ENF-ISE\(2024\)10 prov](#) (restricted)
- Preliminary draft implementation tool for policy makers on the protection of the rights and the best interests of the child in care proceedings – [CJ/ENF-ISE\(2024\)11 prov](#) (restricted)
- Draft recommendation on the protection of the rights and the best interests of the child in parental separation proceedings –

		<ul style="list-style-type: none"> CDCJ(2023)28/CDENF(2023)25 (restricted) Explanatory Memorandum to the Draft recommendation on the protection of the rights and the best interests of the child in parental separation proceedings - CDCJ(2023)29/CDENF(2023)26 (restricted) Draft recommendation on the protection of the rights and best interests of the child in care proceedings (version 3) – CJ/ENF-ISE(2024)07 prov (restricted) Draft Explanatory Memorandum (version 3) – CJ/ENF-ISE(2024)08 prov (restricted)
6.	Update on key developments and other events by members and observers	
7.	Any other business	
8.	Approval of the meeting report	<ul style="list-style-type: none"> Draft meeting report – CJ/ENF-ISE(2024)PV02 prov

ORDER OF BUSINESS

Date	Time (UTC+1)	Agenda items
14 October 2024	Morning 09.30 am - 1.00 pm	Items 1, 2, 3, 4
	Afternoon 2.30 pm - 6.00 pm	Item 4 (continued)
15 October 2024	Morning 09.00 am - 12.30 pm	Item 4 (continued)
	Afternoon 2.00 pm - 5.30 pm	Item 4 (continued)
16 October 2024	Morning 09.00 am - 12.30 pm	Items 4 (continued)
	Afternoon 2.00 pm – 5.30 pm	Items 5, 6, 7, 8

GENERAL REFERENCE DOCUMENTS

Terms of reference of the CJ/ENF-ISE 2024
Resolution CM/Res(2021)3 on intergovernmental committees and subordinate bodies, their terms of reference and working methods

MEETING REPORTS

CJ/ENF-ISE(2022)10	Summary report on child consultations
CJ/ENF-ISE(2022)15	Report of the Stakeholder hearing
CJ/ENF-ISE(2024)PV1	Report of the 9 th meeting of the CJ/ENF-ISE
CJ/ENF-ISE(2023)PV2	Report of the 8 th meeting of the CJ/ENF-ISE
CJ/ENF-ISE(2023)PV1	Report of the 7 th meeting of the CJ/ENF-ISE
CJ/ENF-ISE(2022)PV2	Report of the 6 th meeting of the CJ/ENF-ISE
CJ/ENF-ISE(2022)PV1	Report of the 5 th meeting of the CJ/ENF-ISE
CJ/ENF-ISE(2021)PV2	Report of the 4 th meeting of the CJ/ENF-ISE
CJ/ENF-ISE(2021)PV1	Report of the 3 rd meeting of the CJ/ENF-ISE
CJ/ENF-ISE(2020)PV2	Report of the 2 nd meeting of the CJ/ENF-ISE
CJ/ENF-ISE(2020)PV1	Report of the 1 st meeting of the CJ/ENF-ISE
CDCJ&CDENF/Bu(2021)PV1	Report of the 2 nd joint meeting of CDCJ and CDENF Bureaus

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
<ul style="list-style-type: none"> • 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

ECHR case-law

ECHR case-law relating to the child's best interest in care proceedings (June 2022-February 2024)
ECHR Knowledge Sharing platform (ECHR-KS)
Right of the child to be heard in domestic proceedings on family matters (31/08/2023)
Guide on Article 8 ECHR (31/08/2023)