

Strasbourg, 08 July 2024

CJ/ENF-ISE(2024)OJ2 prov.

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

DRAFT AGENDA AND ORDER OF BUSINESS

<p>1. Opening of the meeting</p>	<p><u>Reference document</u></p> <ul style="list-style-type: none"> • CJ/ENF-ISE(2024)LoP2
<p>2. Adoption of the agenda and order of business</p>	<p><u>Working documents</u></p> <ul style="list-style-type: none"> • Draft agenda - CJ/ENF-ISE(2024)OJ2 prov. • Annotated draft agenda - CJ/ENF-ISE(2024)OJ2ANN
<p>3. Statement by the Chair and the Secretariat</p>	<p><u>Reference documents</u></p> <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
<p>4. Draft recommendation on the protection of the rights and best interests of the child in care proceedings and its draft explanatory memorandum (<i>deliverable (1) of the terms of reference</i>)</p>	<p><u>Working documents</u></p> <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. (<i>restricted</i>) • Draft Explanatory Memorandum (version 3) – CJ/ENF-ISE(2024)08 prov. (<i>restricted</i>) • Compilation of comments received from CDCJ, CDENF and key stakeholders on the draft recommendation on care proceedings and its draft EM – CJ/ENF-ISE(2024)09 Mos (<i>restricted</i>)

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 (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. **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 (*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 (*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 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 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 – 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*)
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		<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. (<i>restricted</i>) • Draft Explanatory Memorandum (version 3) – CJ/ENF-ISE(2024)08 prov. (<i>restricted</i>)
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

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)