

Strasbourg, 11 October 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)

10<sup>th</sup> Meeting

14-16 October 2024

Strasbourg, Palais de l'Europe, Room 07

### DRAFT AGENDA AND ORDER OF BUSINESS

1.	Opening of the meeting	<u>Reference document</u> <ul style="list-style-type: none"> <li>• CJ/ENF-ISE(2024)LoP2</li> </ul>
2.	Adoption of the agenda and order of business	<u>Working documents</u> <ul style="list-style-type: none"> <li>• Draft agenda - CJ/ENF-ISE(2024)OJ2 prov.</li> <li>• Annotated draft agenda – CJ/ENF-ISE(2024)OJ2ANN</li> </ul>
3.	Statement by the Chair and the Secretariat	<u>Reference documents</u> <ul style="list-style-type: none"> <li>• Report of the 102<sup>nd</sup> CDCJ plenary meeting – <a href="#">CDCJ(2024)12</a></li> <li>• Report of the 9<sup>th</sup> CDEFN plenary meeting – <a href="#">CDEFN(2024)PV01</a></li> <li>• <a href="#">ENOC Statement on the Promotion and the Protection of the Rights of Children in Alternative care</a></li> </ul>
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> )	<u>Working documents</u> <ul style="list-style-type: none"> <li>• Draft recommendation on the protection of the rights and best interests of the child in care proceedings (version 3) – <a href="#">CJ/ENF-ISE(2024)07 prov</a> (<i>restricted</i>)</li> <li>• Draft Explanatory Memorandum (version 3) – <a href="#">CJ/ENF-ISE(2024)08 prov</a> (<i>restricted</i>)</li> <li>• Compilation of comments received from CDCJ, CDEFN and key stakeholders on the draft</li> </ul>

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recommendation on care proceedings and its draft EM – [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 (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)

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**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 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 -

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

### ORDER OF BUSINESS

Date	Time (UTC+1)	Agenda items
<b>14 October 2024</b>	Morning 09.30 am -1.00 pm	Items 1, 2, 3, 4
	Afternoon 2.30 pm - 6.00 pm	Item 4 (continued)
<b>15 October 2024</b>	Morning 09.00 am - 12.30 pm	Item 4 (continued)
	Afternoon 2.00 pm - 5.30 pm	Item 4 (continued)
<b>16 October 2024</b>	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 <a href="#">CJ/ENF-ISE 2024</a>
Resolution <a href="#">CM/Res(2021)3</a> on intergovernmental committees and subordinate bodies, their terms of reference and working methods

## REPORTS

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

## PREPARATORY WORKS

<a href="#">Feasibility study on a legal instrument on the protection of the best interests of the child in situations of parental separation</a>
<a href="#">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</a>
<ul style="list-style-type: none"> <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> </ul>

## ECHR case-law

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