

COMMITTEE OF EXPERTS ON THE RIGHTS AND THE BEST INTERESTS OF THE CHILD IN PARENTAL SEPARATION AND IN CARE PROCEEDINGS (CJ/ENF-ISE)

Set up by the Committee of Ministers under Article 17 of the Statute of the Council of Europe and in accordance with Resolution CM/Res(2021)3 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

Type of committee: **Subordinate body**

Terms of reference valid from: **1 January 2022 until 31 December 2023**

PILLAR/PROGRAMME/SUB-PROGRAMME ▼	
<p>Pillar: Human Rights / Rights of Law Programme: Equality and Human Dignity / Rule of Law-based institutions Sub-programme: Children's rights / Legal Co-operation</p>	
DELIVERABLES ▼	
<p>Under the authority of the Committee of Ministers, of the European Committee on Legal Co-operation (CDCJ) and of the Steering Committee for the Rights of the Child (CDENF), the CJ/ENF-ISE is instructed to complete the following deliverables assigned to within the following deadlines:</p>	
	<i>Deadline ▼</i>
1. Draft Recommendation(s) on the rights and the best interests of the child in parental separation and in care proceedings	31/12/2023 ¹
2. Implementation tool(s) on the rights and the best interests of the child in parental separation and in care proceedings	31/12/2023
COMPOSITION ▼	
<p>MEMBERS: The Committee of Experts shall be composed of 10 representatives of member States of the highest possible rank and/or independent experts (five designated by the CDCJ and five by the CDENF according to each steering committee's procedures), with established expertise, including at international level, in law, policy and practice relating to family law and children's rights. The Committee shall be composed in accordance with Article 6 of Resolution CM/Res(2021)3 on intergovernmental committees and subordinate bodies, their terms of reference and working methods. The Council of Europe will bear the travel and subsistence expenses of these 10 members. Other member States may send representatives without defrayal of expenses. Each member of the Committee of Experts shall have one vote. Where a government designates more than one member, only one of them is entitled to take part in the voting.</p>	
<p>PARTICIPANTS: The following may send representatives, without the right to vote and at the charge of their corresponding administrative budgets:</p> <ul style="list-style-type: none"> - Parliamentary Assembly of the Council of Europe; - Congress of Local and Regional Authorities of the Council of Europe; - European Court of Human Rights; - Commissioner for Human Rights of the Council of Europe; - Conference of INGOs of the Council of Europe; - Committees or other bodies of the Council of Europe engaged in related work, as appropriate. <p>The following may send representatives, without the right to vote and without defrayal of expenses:</p> <ul style="list-style-type: none"> - European Union (one or more representatives, including, as appropriate, the European Union Agency for Fundamental Rights (FRA); - Observer States to the Council of Europe: Canada, Holy See, Japan, Mexico, United States of America; - Hague Conference on Private International Law (HCCH); - Other international organisations including: United Nations Committee on the Rights of the Child (UNCRC), United Nations Children's Fund (UNICEF), the Committee on the Elimination of Discrimination against Women (CEDAW), Office of the High Commissioner on Human Rights (OHCHR), World Health Organisation (WHO), United Nations Special Representative of the Secretary-General on Violence against Children (UN SRSG VAC), Council of the Baltic Sea States (CBSS). 	
<p>OBSERVERS: The following may send representatives, without the right to vote and without defrayal of expenses:</p> <ul style="list-style-type: none"> - Belarus;² - non-member States with which the Council of Europe has a Neighbourhood partnership including relevant co-operation activities; - European Network of Ombudspersons for Children (ENOC); - Defence for Children international (DCI); - International Association of Youth and Family Judges and Magistrates (IAYFJM); - International Social Service (ISS); - Missing Children Europe. <p>Observer status may be requested in accordance with Article 8 of Resolution CM/Res(2021)3 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.</p>	

¹ Deadline postponed from 31 Dec. 2021 to 31 Dec. 2023.

² The Committee of Ministers suspended the rights of Belarus to participate as observer as from 17 March 2022 (CM/Del/Dec(2022)1429/2.5).

WORKING METHODS ▼

Plenary meetings ▼			
	Members incl. Chair	Meetings per year	Days per meeting
2022	10	2	3
2023	10	2	3

The rules of procedure of the Committee are governed by Resolution CM/Res(2021)3 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

The CJ/ENF-ISE will appoint from amongst its members a Gender Equality Rapporteur.

The Chair or Vice-Chair of the CJ/ENF-ISE will be invited to attend the meetings of the CDCJ and of the CDENF and/or their Bureaux to report on progress with the work of the CJ/ENF-ISE.

BUDGETARY INFORMATION* ▼

	Meetings per year	Days per meeting	Members reimbursed	Plenary in €K	Bureau in €K	Working groups in €K	Secretariat (A, B)
2022	2	3	10	42.2	-	-	0.5 A; 0.5 B
2023	2	3	10	42.2	-	-	0.5 A; 0.5 B

*The costs include the per diem, travel costs, interpretation, translation and document printing. These costs are calculated on the basis of the 2021 standard costs.